

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Kerry Kurtz,
v.
PPI Electric Utilities
Corp.
OALJ

Docket No.: Z-01663172

Pages: 1 - 101

**DOCUMENT
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Keystone Building - Library
400 North Street
Harrisburg, PA

Tuesday, May 31, 2005
Commencing at 1:30 p.m.

BEFORE:

ANGELA T. JONES, Administrative Law Judge

APPEARANCES:

Claimant Present,
Unrepresented by Counsel
(Via telephone)

DOCKETED
JUN 18 2005

GARY L. WEBER, Esquire
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PA PUBLIC UTILITY COMMISSION
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REPORTER: DANIEL URIE

[Handwritten signature]

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P R O C E E D I N G S

1
2 -----
3 JUDGE ANGELA T. JONES:

4 Kerry Kurtz versus PPL Electric Utilities
5 Corporation at docket number Z-01663172. I am
6 Administrative Law Judge Angela T. Jones appointed by
7 the Pennsylvania Public Utility Commission to preside
8 over this matter. Ms. Kurtz. Hello?

9 MS. KURTZ:

10 Yes, I'm here. I was listening.

11 JUDGE JONES:

12 I want to explain some things to you
13 before we actually get to your testimony and have you
14 sworn in.

15 MS. KURTZ:

16 Okay.

17 JUDGE JONES:

18 I recognize that your complaint is in
19 reference to you believe you have been billed
20 incorrectly and that you've been billed for high
21 usage.

22 MS. KURTZ:

23 Yes.

24 JUDGE JONES:

25 I want you to understand that I am the

1 objective party here to hear your side of the story as
2 well as the company's presentation and then to make a
3 reasonable objective decision. I am not here to
4 advocate your case to act as your lawyer; do you
5 understand that, Ms. Kurtz?

6 MS. KURTZ:

7 Yes, I understand that.

8 JUDGE JONES:

9 Okay. I will ask you questions and then
10 the company will have a chance to ask you some
11 questions. What we're trying to do is to get all of
12 the facts connected to the case on the record so that
13 I can make the most reasonable decision based on the
14 facts.

15 MS. KURTZ:

16 Okay.

17 JUDGE JONES:

18 At some point, the company will present
19 its case. As the company is presenting its case, you
20 are not to ask questions or to debate the issue if you
21 think they are saying something incorrectly until I
22 allow you a chance to ask them questions; do you
23 understand that, Ms. Kurtz?

24 MS. KURTZ:

25 Yes, I do.

1 JUDGE JONES:

2 Okay. At this time I need to swear you
3 in. Will you raise your right hand, ma'am?

4 MS. KURTZ:

5 Yes.

6 -----

7 KERRY KURTZ, HAVING FIRST BEEN DULY SWORN,
8 TESTIFIED AS FOLLOWS:

9 -----

10 JUDGE JONES:

11 Okay. Ms. Kurtz, I believe you also sent
12 some exhibits. They were copies of bills.

13 A. Yes.

14 JUDGE JONES:

15 The bills for May 2004, June 2004 and
16 July.

17 A. Yes.

18 JUDGE JONES:

19 Okay. As well as a copy of one page for
20 your complaint and a summary appraisal report.

21 A. Yes.

22 JUDGE JONES:

23 So those are the three potential exhibits
24 that I should have?

25 A. Yes.

1 JUDGE JONES:

2 Did you send these copies also to the
3 company?

4 A. Yes, I did.

5 JUDGE JONES:

6 Okay.

7 A. I sent three copies to you and one copy to the
8 company.

9 JUDGE JONES:

10 Okay. All right. Very well. Ms. Kurtz,
11 why don't you just go ahead and tell me your side of
12 the story for your complaint?

13 A. Well, let's see. I wrote down in my original,
14 stating the facts on my complaint, that the billing
15 that appears from April 6th through May 6th of 2004
16 was nearly three times as much kilowatt hour usage as
17 the same time for the billing period of the previous
18 year. The previous year I had been billed for 26
19 kilowatt hours per day and in 2004 the same billing
20 period it was 66 kilowatt hours per day and the
21 average daily temperature was 55 degrees in 2003 and
22 54 degrees in 2004 which is one degree difference.
23 And the billing period for June and July was similarly
24 high, not quite as high, but similarly high. And the
25 other complaint was in which they did adjust since I

1 have explained it to them that they estimated our
2 usage on the customer's house of 2,500 square feet
3 when in fact our home was around 1,216 feet which is
4 about half the size that they were making the original
5 estimate on. Actually, less than half the size. So,
6 those are my complaints. And I realize that it's very
7 difficult to prove how much or how little that you use
8 certain appliances, however they just average the
9 appliances and the heat and the cooling as to what you
10 could possibly use.

11 However, they have no idea of how frugal I am in
12 that I use a dishwasher once a year and so on and so
13 forth, things like that. So that was, you know, to
14 make a blanket statement about my usage as to what I
15 could possibly use is really not applicable in my
16 situation because I'm a very frugal person, well, some
17 might say cheap. So and at that time I was using no
18 heat and no cooling at all because the temperature was
19 warm enough, and if for some reason it was not warm
20 enough, the average daily temperature was 54 degrees,
21 we have propane inserts and that is always my first
22 source of heat as opposed to using the electric heat.
23 So that's what I have to say about it.

24 JUDGE JONES:

25 Okay. Ms. Kurtz, what is your address,

1 ma'am?

2 A. 51 Lenape Drive, East Stroudsburg, PA.

3 JUDGE JONES:

4 And this is the residence of which you're
5 complaining about for PP&L Electric Service?

6 A. That's correct.

7 JUDGE JONES:

8 And you are the customer of PP&L
9 Electric?

10 A. Yes, I am.

11 JUDGE JONES:

12 Okay. Now, your complaint is in
13 reference to the bill for April to May 2004. Are you
14 also including May to June and June to July, ma'am?

15 A. Well, yes, as a matter of fact I was. Originally
16 I was only allowed to file one complaint at a time,
17 however, if that's possible, I was interested in
18 trying to get some kind of a blanket clearing up or
19 equitable resolution to this problem by just, you
20 know, having one situation resolved instead of three
21 different ones.

22 JUDGE JONES:

23 Okay. So let's clear up what you're
24 disputing. You're disputing the bill amounts for
25 April to May, May to June and June to July of 2004?

1 A. Yes. My original one, as I said, the most blatant
2 one was the balance of the balance that I got that was
3 sent to me, the bill balance, was May the 9th, I
4 believe it was. I think the bill was sent to me,
5 the ---.

6 JUDGE JONES:

7 May the 6th?

8 A. Yes, May the 6th.

9 JUDGE JONES:

10 Of 2004?

11 A. That's correct.

12 JUDGE JONES:

13 Okay. And the bill date is May 27th,
14 2004?

15 A. That's correct.

16 JUDGE JONES:

17 Okay. Now, in reference to the estimated
18 usage, your testimony was that they estimated at 2,500
19 square feet and yours is a little bit more than ---
20 your house is a little bit more than 1,200 square
21 feet; is that correct?

22 A. That's correct.

23 JUDGE JONES:

24 Now, you also said that the company
25 provided some adjustment based on you telling them

1 this information. So are you still disputing that,
2 ma'am?

3 A. Yes, even though they did adjust it, they still
4 claimed that it's possible for me to use that much.
5 Now, just because it's possible does not mean that it
6 was so. Just because it's possible, that they say
7 it's possible, for me to use that much kilowatt hours
8 per month or ---.

9 JUDGE JONES:

10 No, no, no. Ms. Kurtz, please listen to
11 my question.

12 A. Okay. My answer is yes, I'm still disputing even
13 though they adjusted their estimated ---.

14 JUDGE JONES:

15 You're anticipating my question, ma'am.

16 A. Okay.

17 JUDGE JONES:

18 Wait until I ask the question.

19 A. Okay. I apologize.

20 JUDGE JONES:

21 That's all right. You said in your
22 testimony that the company estimated square footage
23 that was more than twice your existing dwelling;
24 correct?

25 A. Correct.

1 JUDGE JONES:

2 Now, are you still --- you also testified
3 that the company made an adjustment based on the
4 information that you gave them about the square
5 footing; is that correct?

6 A. Yes.

7 JUDGE JONES:

8 So, are you still disputing the company's
9 usage of square footage?

10 A. Yes.

11 JUDGE JONES:

12 Okay. Ms. Kurtz, how many occupants are
13 in your home?

14 A. Two, actually three. Two adults and a two year
15 old. At the time it was a one year old.

16 JUDGE JONES:

17 Two adults and two year old.

18 A. Yes.

19 JUDGE JONES:

20 Okay. So on 2003, which you are
21 comparing to 2004, the two year old was not there;
22 correct?

23 A. No, the two year old was one year old. She was
24 still --- 2002.

25 JUDGE JONES:

1 Okay. She was born in 2002?

2 A. Right.

3 JUDGE JONES:

4 So she will be three soon?

5 A. Yes, she will.

6 JUDGE JONES:

7 Okay.

8 A. It's hard to keep track of them. I apologize.

9 JUDGE JONES:

10 That's all right.

11 A. She was born in July of 2002, so she was about
12 around nine months old at the time and a year and nine
13 months old the following year, because now she's two
14 years old --- two years and ten months old. I'm
15 sorry, it's May.

16 JUDGE JONES:

17 All right. Did you acquire any new
18 appliances in 2004? It looks like you have a
19 big-screen TV or a TV that's over 27 inches.

20 A. Yes, we do.

21 JUDGE JONES:

22 Did you acquire that in 2004 or after the
23 July 2003 bill period?

24 A. Yes, as a matter of fact we did. I got it --- I
25 remember because it's when I found out I was pregnant

1 because I'm pregnant now. I got it eight months ago.

2 JUDGE JONES:

3 So the ---.

4 A. Because I'm about to start my ninth month.

5 JUDGE JONES:

6 The large-screen TV was purchased in
7 2004?

8 A. That's correct. It was purchased in October of
9 2004.

10 JUDGE JONES:

11 Okay. Anything else that would use
12 electricity that you purchased in 2004 like a
13 computer?

14 A. No. Actually, yes. We do have new things now
15 from the end of 2004 because we built an addition onto
16 our home.

17 JUDGE JONES:

18 Okay. When did you build an addition
19 onto your home?

20 A. In 2003, but it was not used until 2004 because we
21 had a leaking room and it was unusable.

22 JUDGE JONES:

23 Okay.

24 A. It was a standing structure, however, it was
25 unused until a few months ago --- until about seven or

1 eight months ago.

2 JUDGE JONES:

3 Okay. So in 2003, you built an addition
4 to your home?

5 A. That's correct.

6 JUDGE JONES:

7 When in 2003, ma'am?

8 A. When?

9 JUDGE JONES:

10 Yes.

11 A. Let's see --- I believe that it was completed ---
12 I believe it was started in October and then it was
13 completed the following year in March because they
14 said it was going to take about six weeks and it took
15 about five months for it. It was supposed to be done
16 I believe it was October 20th, and I believe it was
17 completed on March the 3rd.

18 JUDGE JONES:

19 Okay. And is the structure connected to
20 your existing dwelling?

21 A. Yes, it is.

22 JUDGE JONES:

23 Is it like a sunroom or enclosed porch?

24 A. No, we converted our screened-in porch into an
25 indoor living space, into a family room if you will.

1 JUDGE JONES:

2 So the screened-in porch was not heated?

3 A. That's correct. It was not.

4 JUDGE JONES:

5 Is the live in family room heated?

6 A. Yes, it is, with a propane insert. We have a
7 35,000 BTU propane insert, I believe. Once again, to
8 save money on electric bills.

9 JUDGE JONES:

10 Are there electrical outlets in this
11 family room?

12 A. Yes, there are.

13 JUDGE JONES:

14 Is there a TV in the family room?

15 A. That's where we put the big screen TV. And also,
16 if you're interested, there's a ceiling fan, too.

17 JUDGE JONES:

18 There is a ceiling fan in the family room
19 that's the new structure?

20 A. Yes. I'm trying to think of everything else.

21 JUDGE JONES:

22 Okay. Thank you. That's appreciated.
23 Anything else that you can think of, ma'am, that's
24 electric in that room?

25 A. There's two lamps.

1 JUDGE JONES:

2 So a ceiling fan, two lamps, the TV ---.

3 A. Two lamps, the ceiling fan and the TV.

4 JUDGE JONES:

5 Okay. Now, by my notes you are about
6 eight months pregnant, ma'am?

7 A. That's correct. I'm due on the 4th of July.

8 JUDGE JONES:

9 Okay. Congratulations.

10 A. Thank you.

11 JUDGE JONES:

12 And also you're off your feet. Does that
13 mean you're staying home more?

14 A. Well, not really. I'm out almost every day.
15 Four, five days a weeks I'm out. But I don't have a
16 full-time job. I'm a stay-at-home mom.

17 JUDGE JONES:

18 Okay. Did you ever have a full-time job,
19 ma'am?

20 A. Yes. Years ago.

21 JUDGE JONES:

22 Okay. Did you have a full-time job in
23 2003?

24 A. No. No, not since the year 2000.

25 JUDGE JONES:

1 Okay. Your full-time job is to take care
2 of your two year old?

3 A. That's correct.

4 JUDGE JONES:

5 Okay. How many inches is the TV, the
6 large-screen TV?

7 A. Forty-two (42).

8 JUDGE JONES:

9 Do you use that to entertain the two year
10 old?

11 A. No, she doesn't watch TV, however, let me also add
12 one. We have a VCR also.

13 JUDGE JONES:

14 Okay.

15 A. I have disclosed that because we couldn't live
16 without a VCR.

17 JUDGE JONES:

18 Okay. And where is the VCR?

19 A. It's on top of the big screen TV.

20 JUDGE JONES:

21 So that's in the new structure as well?

22 A. Yes. We just got it a few weeks ago.

23 JUDGE JONES:

24 It's a VCR and not a DVD?

25 A. That's correct. We're waiting for them to get

1 less expensive.

2 JUDGE JONES:

3 Okay.

4 A. We do have a DVD player, but only one. We don't
5 have two or three.

6 JUDGE JONES:

7 Okay. The DVD player, did it exist in
8 2003?

9 A. No.

10 JUDGE JONES:

11 So when was the DVD ---?

12 A. About a year ago.

13 JUDGE JONES:

14 You got it in 2004?

15 A. That's correct. I don't know when in 2004 ---.

16 JUDGE JONES:

17 Can you tell me spring, summer, fall,
18 winter?

19 A. I believe --- you know what, I think I might have
20 the receipt --- hold on a second. I can tell you when
21 we got it.

22 JUDGE JONES:

23 Sure.

24 A. 10/31/04 is the receipt when I bought it.

25 JUDGE JONES:

1 So October '04?

2 A. 10/31, October 31st of '04 is the receipt because
3 it wasn't working right when we bought it so I
4 attached the receipt to the top of it in case we had
5 to return it, but my husband fixed it.

6 JUDGE JONES:

7 Okay. What about purchasing things for
8 the two year old, like baby monitors that use
9 electricity?

10 A. I've had a baby monitor for her, but since she's
11 started sleeping in her own room which was I guess
12 about the age of one.

13 JUDGE JONES:

14 So that would have been 2003?

15 A. That's correct. She turned one in July of 2003.

16 JUDGE JONES:

17 Okay. All right. Now, let's get to your
18 exhibits, ma'am.

19 A. Oh, you know what, there's one other thing also.
20 I don't think it will have any bearing. I have to
21 tell you, we also put a guest room onto the
22 screened-in porch which we had converted. However, we
23 haven't used it yet.

24 JUDGE JONES:

25 Okay. So is the guest room also heated?

1 A. Yes, it is.

2 JUDGE JONES:

3 Is it heated by the same propane insert
4 or is there something else?

5 A. Yes, it's heated by the --- well, we do have an
6 electric baseboard in there, but it's never been used,
7 as I said. We had it put on especially for company or
8 for our second child, which is coming, so we have it
9 closed off and we've never used it yet. But it is a
10 standing structure that is attached to our home. But
11 I have to say that even though it's there, we have not
12 ever used that. We use the family room almost
13 everyday, four to five times week. However, the guest
14 room that's attached to it, I believe it's 12 by 14
15 feet, has never been used.

16 JUDGE JONES:

17 Okay. Now, did you use the screened-in
18 porch as frequently as you say you used the family
19 room?

20 A. No. We pretty much we went out there maybe once
21 or twice a week in the summer to sit out there. Since
22 there was no entertainment value, it wasn't insulated,
23 it wasn't heated, it had no electricity in it.

24 JUDGE JONES:

25 Now, you did testify that your use of the

1 family room was four or five days a week?

2 A. Yeah. Well, I never use it. My husband uses it
3 when he's at home which is rare because he works from
4 6:00 at night until 6:00 in the morning, so he leaves
5 for work at 3:00 in the afternoon and is gone until
6 7:00 in the morning. So he might use it for an hour
7 or so when he gets home in the morning to watch a
8 little TV and then he goes to bed at 8:00 a.m. and he
9 sleeps until 2:00 p.m. He only uses it for one hour.

10 JUDGE JONES:

11 Three or four instead of four or five?

12 A. Yeah, because he works three or four days a week
13 from 6:00 at night until 6:00 in the morning, and then
14 occasionally he does overtime. And then if he does
15 overtime, you know, it could be varied hours. You
16 never know what those hours are going to be. But I
17 would say ---.

18 JUDGE JONES:

19 Okay. If he does not do overtime, is he
20 in the family room?

21 A. Sometimes yes, and then sometimes he's in the
22 living room. So that's why I added another day onto
23 it. Three or four or maybe even five. I would
24 average it out to four times a week for a few hours.
25 One hour on the days that he works and then the days

1 he doesn't work, maybe twice or three times that much.
2 Because he spends some time in the living room with
3 the baby and I and then when he's had enough with the
4 baby, he retreats into his family room where he can
5 have peace and quite and watch his TV for an hour or
6 so.

7 JUDGE JONES:

8 Okay. Now, you also testified that you
9 only use your dishwasher once per year?

10 A. Once or twice a year, yes. I only use it for
11 parties which we only have one or two a year.

12 JUDGE JONES:

13 Okay.

14 A. We have a family day where we have a family
15 reunion and then we have the baby's birthday, so it's
16 like twice.

17 JUDGE JONES:

18 All right.

19 A. There was no reason for two adults to have a
20 dishwasher. I just wash the dishes off and they're
21 done in three minutes.

22 JUDGE JONES:

23 Okay. Now, you testified that you added
24 on this guest room to the enclosed family room which
25 is a new structure. The enclosed family room, was it

1 on the same foot print as the screened in porch?

2 A. We added it onto the side. The family room was
3 made out of the screened-in porch. The screened-in
4 porch was taken down completely ---.

5 JUDGE JONES:

6 Wait a minute. Listen to my question,
7 Ms. Kurtz.

8 A. Okay.

9 JUDGE JONES:

10 Was the family room on the same foot
11 print as the screened-in porch?

12 A. I'm not sure I understand what foot print means.

13 JUDGE JONES:

14 Okay. The place where the screened-in
15 porch was, ---

16 A. Uh-huh (yes).

17 JUDGE JONES:

18 --- is that now replaced by the family
19 room?

20 A. Yes, it is.

21 JUDGE JONES:

22 Okay. So, that did not change the square
23 footage of your home?

24 A. That's correct.

25 JUDGE JONES:

1 However, you then added the guest room?

2 A. That's correct. A guest room and a closet.

3 JUDGE JONES:

4 Okay. Now, is the guestroom on
5 additional footage for your family home?

6 A. Oh, it adds to our square footage, yes.

7 JUDGE JONES:

8 Okay. So how much does that add to your
9 square footage?

10 A. Twelve (12) by 14, that's ---.

11 JUDGE JONES:

12 So the room is 12 by 14 feet?

13 A. Yes.

14 JUDGE JONES:

15 Okay. And does that include this closet?

16 A. No. The closet is a walk-in closet.

17 JUDGE JONES:

18 Okay. So, can you give me a total or can
19 you tell me what the closet is?

20 A. Yes, it's 12 by 6. So you have 12 by 14 and 12 by
21 6 equals 12 by 20, so 12 by 20 would be 240 I believe?

22 JUDGE JONES:

23 Uh-huh (yes). Okay. So you added
24 additional 240 square feet to your home?

25 A. That's correct.

1 JUDGE JONES:

2 With the guest room and the walk-in
3 closet?

4 A. That's correct.

5 JUDGE JONES:

6 But it is your testimony that you do not
7 heat the guest room?

8 A. No, it hasn't been used --- nobody's slept in it,
9 nobody's played games in it, nobody's used it.

10 JUDGE JONES:

11 So you do not heat it?

12 A. No.

13 JUDGE JONES:

14 Okay.

15 A. Never.

16 JUDGE JONES:

17 And it is your testimony that the now
18 family room that was a screened-in porch ---

19 A. Uh-huh (yes).

20 JUDGE JONES:

21 --- is heated only by the propane insert?

22 A. Well, we have a baseboard heater in here that's
23 electric but we have never used it. The only thing we
24 --- we try to only use the propane. And if for some
25 reason we do have to use the electric, we only use the

1 electric upstairs because we have no propane in the
2 upstairs.

3 JUDGE JONES:

4 Okay. So the electric baseboard is in
5 the enclosed family room ---

6 A. Correct.

7 JUDGE JONES:

8 --- as well as in the guest room?

9 A. It's there as ---.

10 JUDGE JONES:

11 Answer. Is it also in the guest room?

12 A. Yes, it is.

13 JUDGE JONES:

14 However, you have not used it?

15 A. That's correct.

16 JUDGE JONES:

17 In either room?

18 A. That's correct.

19 JUDGE JONES:

20 Okay.

21 A. I have never turned either one of them on ever.
22 I have turned the propane on. The reason I asked them
23 to put those in at all was just in case of an
24 emergency should we ever run out of propane which has
25 never happened yet.

1 JUDGE JONES:

2 Okay. All right. I need to turn to your
3 exhibits. These exhibits have not been marked so
4 we're going to mark as Complainant Exhibit Number One,
5 PP&L bill for payment dated May 27, 2004. Complainant
6 Exhibit Number Two ---.

7 (Complainant Exhibit One marked for
8 identification.)

9 A. I apologize for not marking them ---.

10 JUDGE JONES:

11 That's okay, Ms. Kurtz. That's okay.

12 A. I sent them out early before I got the information
13 to mark them and everything.

14 JUDGE JONES:

15 Complainant Exhibit Number Two is a dated
16 balance of June 7th, 2004. Complainant Exhibit Number
17 Three is a dated balance of July 7th, 2004.
18 Complainant Exhibit Number Four is entitled Uniform
19 Residential Appraisal Report.

20 (Complainant's Exhibits Two through Four
21 marked for identification.)

22 A. Yes.

23 JUDGE JONES:

24 Now, Ms. Kurtz, you have provided one
25 page of your formal complaint as a proposed exhibit.

1 Because I already have a copy of your formal complaint
2 in its entirety, I do not need a copy of this page.

3 A. Okay.

4 JUDGE JONES:

5 Okay? So I'm not going to mark that.

6 A. That's fine.

7 JUDGE JONES:

8 Okay.

9 A. May I, in turn, just ask one question?

10 JUDGE JONES:

11 Sure.

12 A. Just let me ask you, my daughter has a babysitter
13 and I told her it would probably be about one hour.
14 Can you tell me?

15 JUDGE JONES:

16 I doubt it will be one hour, ma'am. I
17 think it will be more than an hour. It's very
18 dependant on the questions that PP&L has to ask of
19 you.

20 A. Okay.

21 JUDGE JONES:

22 PP&L's testimony and then your questions
23 you have of them.

24 A. Okay. The only thing is that I have no problem
25 with staying on the phone, the only thing is that I

1 will have to get her --- I can stay on the phone and
2 get her --- actually, they'll probably deliver her
3 back. It's just that I might have to excuse myself
4 from time to time because she might interrupt me.

5 JUDGE JONES:

6 Okay.

7 A. I can only do what I can as far as getting
8 babysitters and I called three people and one lady
9 said she can take care of her for one hour.

10 JUDGE JONES:

11 Okay. Well, we'll see how far we can go.
12 If it becomes a problem, we can try to work around it
13 and/or reschedule to pick up later.

14 A. Yeah. Because I don't want to have to keep
15 apologizing because she's very nice, but she's very
16 energetic and she asks a lot of questions.

17 JUDGE JONES:

18 Okay.

19 A. Because the last time when we had the informal
20 between just Mr. Weber and myself, it was about 20
21 minutes to a half an hour, so I figured I would double
22 it because she has to go pick up her children at
23 school.

24 JUDGE JONES:

25 Okay.

1 A. I just wanted to ---.

2 JUDGE JONES:

3 All right. We will note that.

4 A. Okay.

5 JUDGE JONES:

6 Ms. Kurtz, looking at Complainant Exhibit
7 Number One, it is your testimony that the comparison
8 and the field bold electric use where there's a graph
9 of KWH average per day, there is a comparison between
10 2003 and 2004. The temperature for 2003 was 55
11 degrees Fahrenheit, for 2004 was 54 degrees
12 Fahrenheit, the KWH per day was 26 for 2003 and 66 for
13 2004. That was your testimony, ma'am?

14 A. That's correct.

15 JUDGE JONES:

16 Okay. Do you wish to admit this exhibit
17 into the record, ma'am?

18 A. I would say yes.

19 JUDGE JONES:

20 Okay. Mr. Weber?

21 ATTORNEY WEBER:

22 Yes.

23 JUDGE JONES:

24 Do you have any objections to that?

25 ATTORNEY WEBER:

1 No. No, Your Honor, I don't. Just note
2 if I could that this isn't the complete copy of the
3 bill.

4 JUDGE JONES:

5 Duly noted.

6 ATTORNEY WEBER:

7 Yes.

8 JUDGE JONES:

9 Okay. Ms. Kurtz, turning your attention
10 to Complainant Exhibit Number Two, and the field
11 electric use, your testimony for June 2003,
12 temperature was 58 degrees Fahrenheit, KWH per day was
13 28, for June 2004, temperature was 66 degrees
14 Fahrenheit, KWH was 61. That is your testimony,
15 ma'am?

16 A. Yes.

17 JUDGE JONES:

18 Do you wish to have this exhibit admitted
19 into the record?

20 A. Please.

21 JUDGE JONES:

22 Mr. Weber, same caution?

23 ATTORNEY WEBER:

24 Yes, Your Honor.

25 JUDGE JONES:

1 But no objection?

2 ATTORNEY WEBER:

3 No objection.

4 JUDGE JONES:

5 Okay. This report is dated as of July
6 25th, 2003. At that time the dwellings where footage
7 was 1,216 square feet noting a crawl space of 736
8 square feet. Is that the testimony that you have in
9 reference to this exhibit, Ms. Kurtz?

10 A. Yes.

11 JUDGE JONES:

12 Is there any other testimony that you
13 have in reference to this exhibit, Complainant Exhibit
14 Number Four?

15 A. No, just as long as it's noted that the crawl
16 space is unusable. I mean, that is not even safe ---
17 that is about three or four feet high and it's just
18 --- it's because for some reason you're unable to get
19 in there unless you're two feet tall.

20 JUDGE JONES:

21 Okay. Is the garage, car port attached
22 to the dwelling?

23 A. Yes, it is.

24 JUDGE JONES:

25 And that is noted as 240 square feet.

1 A. Yes.

2 JUDGE JONES:

3 And is that still used as a garage?

4 A. No, well, no. We don't put a car in there. We
5 can't fit a car in there. We just throw stuff in it.

6 JUDGE JONES:

7 And is that heated?

8 A. No, it is not.

9 JUDGE JONES:

10 Is there any electricity in that area?

11 A. I'm sorry, is there any ---?

12 JUDGE JONES:

13 Receptacles, electricity in that area.

14 A. Yes, there is.

15 JUDGE JONES:

16 Okay.

17 A. There's a light in there.

18 JUDGE JONES:

19 Okay.

20 A. There's also receptacles, but I don't know if
21 there's anything plugged into them. My husband wants
22 to use them.

23 JUDGE JONES:

24 Are the receptacles used for tools like a
25 automatic screw driver, saw?

1 A. No. No, the only thing that it's used for, that I
2 use them for is the refrigerator/freezer.

3 JUDGE JONES:

4 What about use as far as an extension for
5 a hedge trimmer and electric lawn mower?

6 A. No. We have no hedge trimmer and no electric lawn
7 mower. It's a gas powered lawn mower. And the
8 trimming that we do, we do by hand manually.

9 JUDGE JONES:

10 No hedge trimmer, ---

11 A. No.

12 JUDGE JONES:

13 --- no edging device?

14 A. No. Well, we have one, but it's never worked.
15 It's broke and we have never used it. We have never
16 plugged in it once.

17 JUDGE JONES:

18 Okay.

19 A. It still doesn't work.

20 JUDGE JONES:

21 Okay.

22 A. We do the trimming manually by hand.

23 JUDGE JONES:

24 Do you wish to have this exhibit admitted
25 into the record?

1 A. Yes.

2 JUDGE JONES:

3 Mr. Weber?

4 ATTORNEY WEBER:

5 No objection.

6 JUDGE JONES:

7 Okay. Complainant Exhibit Four is
8 admitted. Mr. Weber?

9 ATTORNEY WEBER:

10 Yes.

11 JUDGE JONES:

12 This witness is available for Cross, sir.

13 ATTORNEY WEBER:

14 Thank you.

15 CROSS EXAMINATION

16 BY ATTORNEY WEBER:

17 Q. Ms. Kurtz, let's talk about the additions that you
18 put on the house that you indicated that the
19 construction work was started in October of 2003?

20 A. Yes.

21 Q. And completed was it March of 2004?

22 A. That's correct.

23 Q. The work, who did the work?

24 A. Floyd.

25 Q. Is that the contractor?

1 A. Yes.

2 Q. Okay. Did he have helpers or did he work alone?

3 A. No, he had helpers. One helper, sometimes two.

4 Q. Okay. Did he put foundations in it?

5 A. Yes.

6 Q. For both areas, the family room and for the spare
7 bedroom?

8 A. Yes.

9 Q. What's the size of the family room?

10 A. Twelve (12) by 18.

11 Q. Okay. So I'll use my calculator here, that's 216
12 square feet.

13 A. I don't have a calculator on me, but I can go get
14 one.

15 JUDGE JONES:

16 Ms. Kurtz, previously you had told me
17 this family room was 12 by 14 ---.

18 A. No, the additional bedroom, the guest room, is 12
19 by 14.

20 JUDGE JONES:

21 Oh, okay.

22 A. The family room is the exact same size as was the
23 screened-in porch.

24 JUDGE JONES:

25 Right.

1 A. Twelve (12) by 18 ---.

2 BY ATTORNEY WEBER:

3 Q. All right. And I come up with 216 square feet.

4 And then you also mentioned that the bedroom and
5 closet total 240 square feet; correct?

6 A. Correct.

7 Q. So you've added 256, I'm sorry, 456 square feet?

8 A. Correct.

9 Q. Now, were there any other things you added in that
10 construction project?

11 A. No.

12 Q. Any other rooms or ---?

13 A. No. Oh, no.

14 Q. What about a basement? Is there a basement under
15 those?

16 A. No. It's a crawl space. There's a foundation.
17 It's the exact same thing.

18 Q. Okay.

19 A. It appears to me to be about three feet high,
20 maybe four feet, but I've only been down there once to
21 look at the construction before we paid him to do this
22 work.

23 Q. Okay.

24 A. I barely ever go down there, maybe two or three
25 times a year ---

1 Q. Right.

2 A. --- to just check it out and make sure there's
3 nothing leaking.

4 Q. Now, the family room, is that what you call a
5 cathedral ceiling type deal?

6 A. It's not the cathedral style. It goes from eight
7 feet to I believe it's around 14 feet.

8 Q. Okay.

9 A. That's what the professionals told me.

10 Q. Okay.

11 A. Instead of cathedral --- cathedral goes much
12 higher, you know, 18, 20, 22 feet. This goes to about
13 12 to 14 feet. I'm really not sure. I would have to
14 ask him.

15 Q. Okay. Very good. The propane insert, was that
16 put into this new family room?

17 A. Yes.

18 Q. When was that put in?

19 A. It was put in about a month, maybe six weeks
20 before completion of the project, so I would say in
21 January, the end of January possibly.

22 Q. January of 2004; is that ---?

23 A. That's correct.

24 Q. Okay. Now, would that be the first time you had a
25 propane heater?

1 A. No. We already have one in our fireplace.

2 Q. All right. So do you have two propane inserts?

3 A. That's correct.

4 Q. Okay. Now, the propane insert and the fireplace,
5 where is that located?

6 A. In the living room.

7 Q. All right. Is your house a two story house?

8 A. Yes.

9 Q. Do you have a propane insert on the second floor?

10 A. No.

11 Q. On the second floor, is that where your bedroom is
12 located?

13 A. Yes. Yes, the three of them are except for the
14 third one, which is a guest room which we have not
15 used.

16 Q. Okay. Now, that's the new one?

17 A. That's correct.

18 Q. Okay. So the two existing bedrooms, in 2003, 2004
19 were the old part of the house, they were heated by
20 electric; is that right?

21 A. They were heated by whatever propane could get
22 upstairs because we would only use the electric heat
23 if absolutely necessary on very cold days because
24 obviously hot air rises, so all that heat from the
25 propane in the living room would go right up the

1 stairs and into the bedrooms. But there was
2 occasions, and many more than one, many occasions,
3 where we did have to put the electric heat on
4 upstairs.

5 Q. Okay.

6 A. We had a long winter, so --- two, three or four
7 months of winter from time to time I did have to turn
8 on the heat up there.

9 Q. All right. When did you put that propane heater
10 in, the one that was in the fireplace?

11 A. It came when we bought the house.

12 Q. All right. Now, the spare room, you said you
13 never used that spare room?

14 A. No.

15 Q. All right. Do you ever have any visitors?

16 A. Yes.

17 Q. Okay. Who visits you?

18 A. Who visits us?

19 Q. Family members?

20 A. Yeah, well none of my family members. All my
21 family members, except for one sister, lives down in
22 Georgia and Florida.

23 Q. Okay.

24 A. She's never been able to visit us. None of the
25 people up here, the visitors we have had are on my

- 1 husband's side of the family.
- 2 Q. Your in-laws?
- 3 A. Yes. My in-laws.
- 4 Q. Okay.
- 5 A. His mom, his dad and his step-dad.
- 6 Q. Do they use the spare bedroom?
- 7 A. No.
- 8 Q. All right. What room do they use?
- 9 A. They use the living room. We have a sectional
- 10 sofa and it opens up ---
- 11 Q. All right.
- 12 A. --- into a bed.
- 13 Q. Okay. You don't have any furniture in the spare
- 14 room?
- 15 A. Yes, we do.
- 16 Q. Okay. But you don't use that for your guests?
- 17 A. No, as a matter of fact, we've only had overnight
- 18 guests two times in five years.
- 19 Q. All right.
- 20 A. Once was about six months ago and the other time
- 21 was about two and half, three years ago. Nobody stays
- 22 over at cur house.
- 23 Q. Okay.
- 24 A. Two overnight guests were one night each time.
- 25 Q. Well, let me ask you this. During the time period

1 when you added the spare room and the family room, I
2 take it that the carpenters were using power tools?

3 A. Yes, they were. Uh-huh (yes). Oh, as a matter of
4 fact, let me apologize --- correct something. We had
5 a rare guest for one night two times in five years,
6 however, my husband's dad has come out two times also
7 and he came out each time for a week. I'm thinking of
8 my in-laws, meaning my mother in-law and my
9 step-dad-in-law. They came out twice ---. My
10 husband's dad is a little more complicated. He's been
11 out here twice, each time he came out for one week.

12 Q. And when was that?

13 A. Once in November, November of --- it was when our
14 construction had been done, so I believe it was
15 November of 2003. And the other time was before then
16 and I apologize, but that's too many years ago to
17 remember.

18 Q. All right.

19 A. But they --- maybe in 2001 or 2002. I might be
20 able to figure it out. I can call up my husband and
21 ask him when.

22 Q. Okay. Now, let me ask you about the electric in
23 your house. Is that controlled by thermostats on the
24 wall or some other way?

25 A. Thermostats on the wall in each individual room.

1 Q. All right. Is that a thermostat that you turn it
2 down and the lowest it goes is like 50?

3 A. Yes, 45.

4 Q. Forty-five (45)?

5 A. Uh-huh (yes).

6 Q. All right.

7 A. Exactly.

8 Q. Okay. And is there a thermostat for each room?

9 A. Oh, you know what, let me tell you something else.
10 The lowest the number goes is 45, but I can turn it
11 down even further than that. Let me explain that. It
12 can be turned down all the way to off where it will
13 not click on automatically.

14 Q. Okay.

15 A. Is that what you mean?

16 Q. On all the thermostats?

17 A. Oh, hold on a second, please.

18 JUDGE JONES:

19 That's the arrival of the two year old?

20 A. Yeah. I just got her returned. I dropped her off
21 at 20 after 1:00.

22 JUDGE JONES:

23 Okay.

24 A. It's about 20 after 2:00, so I've got another 10,
25 15 minutes before she has to go.

1 JUDGE JONES:

2 Okay.

3 A. Okay. I'm sorry, I interrupted your question,
4 sir.

5 BY ATTORNEY WEBER:

6 Q. Okay. Now, you were talking about the thermostat.

7 A. Yes.

8 Q. The thermostat that were in the original part of
9 the house, are you saying those can be turned off?

10 A. I never tested it, I --- there is no number on it
11 that says zero, the lowest of numbers that it says on
12 it is 45. However, I can rotate it counter clockwise
13 far, far past that number 45 all the way down to the
14 bottom. I'm not sure how else to explain that to you.

15 Q. Okay. Is that the same thermostat that you put
16 into the new rooms?

17 A. Let me go look at it. I believe the one in the
18 new room --- nope. The one in the new room is
19 different. That goes down to 50 and you cannot put it
20 any lower. Because that's what you were asking me.

21 Q. They're both in the new room?

22 A. The one.

23 Q. There's one thermostat for the family room and the
24 bedroom?

25 A. That's correct.

1 Q. Okay. Where is that located?

2 A. On the wall in the family room.

3 Q. All right. Now, when you don't --- you suggested
4 that you didn't use that family room much yourself.

5 When you don't use it, do you run the propane insert?

6 A. No.

7 Q. Okay.

8 A. No. But however, the propane if it does ---
9 occasionally it clicks on by itself and that's what
10 the thermostat is attached to. It's an entire propane
11 insert. And if the temperature in the addition, what
12 I call the addition, the family room does go on a
13 certain amount, it will slip on by itself.

14 Q. Okay. What do you keep that thermostat at?

15 A. I keep it all the way down to 50.

16 Q. Okay.

17 A. Unless, of course, if my husband's in the room and
18 then he'll turn it up to 60.

19 Q. The thermostat for the propane insert also goes
20 down to 50 or are you talking about the same
21 thermostat? Is there a separate one for each BTU unit
22 for the electric and the propane heater?

23 A. Oh, no. They have little knobs right on the panel
24 on the baseboard. There's one in the family room, one
25 in the guest room and they have two strips right along

1 the walls. Each of them have a knob on them. And it
2 has off, low, medium and high and they both are off
3 and have never been on. The only time they ever have
4 been on was to test to make sure that they worked when
5 they were installed. I've never used either of them.
6 Do you understand that?

7 Q. Yes.

8 A. Okay. They do have their own controls but it's
9 right on the panel, right on the baseboard itself.

10 Q. Now, the crawl space, do you know whether that's
11 heated?

12 A. Whether that's what?

13 Q. Heated.

14 A. Heated?

15 Q. Yes.

16 A. Oh, no. Absolutely not. No. It's mud and dirt
17 and rocks. That's all it is.

18 Q. Okay. Have you been in there?

19 A. I haven't been in there since I was small enough
20 to get down there. I'm pregnant now. I haven't been
21 down there in about four months. My husband's been
22 down there.

23 Q. Okay.

24 A. But I can't fit down there anymore.

25 Q. It's not unusual for there to be either baseboards

1 or heat tape in that area that would you use to keep
2 pipes warm so they didn't freeze.

3 A. Uh-huh (yes). Yeah. He has --- go ahead. Finish
4 your question.

5 Q. Yeah. My question is did you know that that was
6 there to keep your pipes from freezing?

7 A. Yes. As a matter of fact, he bought something at
8 Home Depot, insulation tubing which is kind of like
9 Styrofoam. I don't know what you would call it. It's
10 like foam.

11 Q. Okay.

12 A. Like foam padding. That's what he put around them
13 to make sure that they stay warm so the pipes don't
14 freeze.

15 Q. That's the pipes in the crawl space?

16 A. That's correct.

17 Q. And there's nothing to keep them warm other than
18 this insulation?

19 A. And a door. There's a door to it.

20 Q. Okay.

21 A. I really --- I dare say that I'm assuming that
22 it's warmer in there because of the insulation, you
23 know, the insulation underneath the house, and the
24 door that keeps it closed is always warmer than it is
25 outside in the winter because we never had a problem

1 with frozen pipes, so I'm assuming that it was further
2 than zero, that we would have had a problem by now,
3 but not much warmer. If it's a few degrees outside,
4 it might be 25 degrees in that crawl space.

5 Q. All right.

6 A. I'm not saying it's 63. That would be my guess.
7 Because when I'm not pregnant, I like to go down there
8 three or four or five times a year just to check and
9 make sure everything is all right down there.

10 Q. All right.

11 A. Or my husband will go down. But now that I'm in
12 my ninth month of pregnancy, I can't go down there
13 anymore.

14 Q. Now, let me ask you this about the construction
15 work that took place when you added your rooms to the
16 house. Do you know how those units were heated for
17 the construction work to proceed on the interior?

18 A. You mean how the men kept warm?

19 Q. Yes.

20 A. Well, I kept my doors closed. They didn't have my
21 heat. They brought with them a --- what is it called
22 --- kerosene. All I can think of is kerosene. They
23 brought a kerosene heater. Just one.

24 Q. And that would run indoors?

25 A. It was running where they were building the house,

1 where they were building the family room.

2 Q. Okay.

3 A. So they had plastic tarps over the frame and
4 stuff, they had set up the tarps to keep the wind and
5 the bad weather out as much as possible. And they had
6 a kerosene heater and when they got too cold, they
7 would take a break and go in the car, turn on the car
8 and put the heat on in the car.

9 Q. All right. Was that kerosene heater operated
10 inside the building?

11 A. Inside ---.

12 Q. After it was closed in?

13 A. When it was closed in?

14 Q. Yes.

15 A. Yes. After it was closed in they were still using
16 it until the propane insert got put in. Once the
17 propane insert got put in, which was I think around
18 the end of January, then I left them use the propane
19 heat.

20 Q. Okay.

21 A. And they said that's okay, you know, I was trying
22 to be nice.

23 Q. All right.

24 A. Make them lunch from time to time, let them use
25 our heat because they were working hard even though I

1 had a complaint at then end, it was a leaking room,
2 and I didn't know that was going to happen at the
3 time.

4 Q. Okay. Now, what do you do when the propane runs
5 out? Do you occasionally have that happen?

6 A. No, it has never happened.

7 Q. That never happened?

8 A. Because we prepay for 500 gallons.

9 Q. What do you do when 500 gallons isn't enough?

10 A. That has never happened. We've always had left
11 over.

12 Q. Okay.

13 A. Well, never ---.

14 Q. Since you've been living there, have you always
15 been paying for 500 gallons?

16 A. No.

17 Q. And when did that change?

18 A. Two years ago.

19 Q. And why did that change?

20 A. Because we switched companies.

21 Q. Okay. Prior to then, what were you doing?

22 A. We were paying month to month. When we would run
23 low, it would go --- once it would go below 35
24 percent. We have two 100 gallon tanks, or 100 pound,
25 I'm not sure of that. When it would go below 35

1 percent, which I would assume would be around 70
2 gallons was left, being that was 35 percent for each
3 100 gallon, there were automatic kickers that would go
4 off inside of their location where they are and it
5 would spit out a ticket to come and refill it.

6 Q. Okay.

7 A. And then it's --- that ticket would be given to a
8 driver, they would come out and refill it and we would
9 never even get close to running out. And then they
10 would leave a bill hanging on our front door and we
11 would pay it. Thank goodness for that, both companies
12 were very reliable. We haven't made any switches
13 since the one company was very reliable but very
14 expensive.

15 Q. Okay. Now, you switched when?

16 A. Two years ago.

17 Q. When was that for? The season of --- winter of
18 2004, 2005?

19 A. No, two years ago. Oh, wait a second. That was
20 our first, this is going to be our second winter with
21 them. So I think that you're correct. It was the
22 summer of 2004.

23 Q. That you switched to a new company?

24 A. That's correct. Yeah, because I'm about to make
25 my second purchase. We had one company, I don't

1 remember the name, but we had one company but it got
2 progressively too expensive. Then we had a suggestion
3 by a friend of ours to try their company and prepay
4 for it. We would get a better price. And that's what
5 I did and I'm just --- a few days from now I'm about
6 to call and make my second pre-purchase for propane
7 for the winter. This is the least expensive time of
8 year, June and July.

9 Q. Okay. What I would to do with you right now is to
10 go through the cost estimate. Do you have that? It's
11 Exhibit Number Two. Do you have that?

12 A. Yeah.

13 Q. Okay. Let's just go through a couple of things
14 here. I assume you have indoor lighting?

15 A. Yes.

16 Q. And also have outdoor lighting?

17 A. Yes.

18 Q. What kind of outdoor lighting do you have? Is
19 there a spot light?

20 A. Yeah, well we have a porch light and we have two
21 sensor lights. However, unless something unusual is
22 happening, I do turn the sensor lights off. Because
23 otherwise when deer walk around our property, they
24 flip them on and there's no reason for me to use that
25 electricity.

- 1 Q. Do you have an electric range?
- 2 A. Yes, we do.
- 3 Q. Microwave oven?
- 4 A. Yes.
- 5 Q. How about a coffee maker?
- 6 A. A what?
- 7 Q. Coffee maker?
- 8 A. No.
- 9 Q. You don't have a coffee maker?
- 10 A. No. We almost never drink coffee.
- 11 Q. Okay. Dishwasher?
- 12 A. Yes.
- 13 Q. A washer and dryer?
- 14 A. Yes.
- 15 Q. And they're both electric?
- 16 A. Yes.
- 17 Q. Okay. How about an iron?
- 18 A. I mean I have one somewhere but I've never used
- 19 it.
- 20 Q. Okay.
- 21 A. My husband is a blue-collar worker. The only
- 22 reason I would ever iron anything would be for a
- 23 wedding or a funeral.
- 24 Q. All right.
- 25 A. If that were to happen, I would send it up to the

- 1 cleaner.
- 2 Q. Now, do you have some refrigerators?
- 3 A. Yes.
- 4 Q. How many refrigerators do you have?
- 5 A. Two.
- 6 Q. And what size are they?
- 7 A. I think 15.
- 8 Q. Fifteen (15), okay.
- 9 A. Uh-huh (yes).
- 10 Q. And you have a freezer?
- 11 A. Yes.
- 12 Q. Okay.
- 13 A. I think that's 14. It's a little bit smaller than
14 our refrigerator. They're not very big.
- 15 Q. All right.
- 16 A. But we do have two fridges and one freezer.
- 17 Q. All right. And do you use electric hot water?
- 18 A. Yes.
- 19 Q. Where's your hot water heater tank located?
- 20 A. In our coat closet.
- 21 Q. All right. And you mentioned that you have a
22 large-screen TV, do you have more than one TV?
- 23 A. Yes.
- 24 Q. How many do you have?
- 25 A. Three.

1 Q. All right.

2 A. That's including the large-screen.

3 Q. Okay. The large-screen didn't replace something,
4 you still have two other TVs?

5 A. That's correct.

6 Q. All right. Now, you also mentioned that you have
7 a VCR with the large-screen and I take it you also
8 have other VCRs?

9 A. Yes.

10 Q. How many do you have now?

11 A. Two other ones.

12 Q. So you have a total of three?

13 A. That's correct.

14 Q. And do you have a satellite dish?

15 A. Yes.

16 Q. Do you have a computer?

17 A. Yes, but we never use it.

18 Q. All right. You only have one computer and you
19 never use it?

20 A. Well, I mean I might use it five or ten times a
21 year to play a computer game with my daughter, but I
22 don't know how to use a computer. I guess I should be
23 ashamed of that, but ---.

24 Q. Okay.

25 A. I don't know how to use computers except to do an

1 occasional computer game. I don't e-mail, I don't
2 look up things, I don't pay bills, I don't do anything
3 on the computer ever. But I will as soon as my
4 daughter teaches me.

5 Q. Now, do you have a hair dryer?

6 A. Yes.

7 Q. And a vacuum cleaner?

8 A. Yes.

9 Q. Do you have any kind of a hot tub or anything of
10 that sort?

11 A. No.

12 Q. What about a well pump for the water?

13 A. Yes.

14 Q. Okay. Do you have more than one?

15 A. No.

16 Q. Okay. And that's a located where?

17 A. In the crawl space.

18 Q. All right. And you mentioned also that you have a
19 ceiling fan?

20 A. Yes.

21 Q. And you don't believe you have any kind of heating
22 in the crawl space; correct?

23 A. No, we don't. I'm very sure of that because it
24 doesn't get --- 48, 50 degrees in the winter and it
25 doesn't get cool, you know, it does stay cool in the

1 summer. I'm sure there's no heat in there.

2 Q. Okay.

3 A. That would be a complete and total waste of
4 heating in something that has a floor made of mud and
5 rock.

6 Q. All right. Now, let me ask you a little bit about
7 PP&L's Exhibit Number One, do you have that handy?
8 That's called the Account Activity Statement.

9 A. Okay. Hold on. Just let me also tell you that we
10 have --- I think we have a few, actually. We have
11 three ceiling fans total, just so you know. One in
12 our bedroom, one in the living room and one in the
13 family room.

14 Q. Is that something you use to distribute heat?

15 A. It's used to distribute heat, yes. And also to
16 keep it cool so we don't have to use air conditioning
17 since where we live is up in the mountains and we
18 rarely, if ever, have to use air conditioning.

19 Q. Do you have air conditioners?

20 A. Yes, we do.

21 Q. Are they window air conditioners?

22 A. No.

23 Q. It's a central unit?

24 A. Yes.

25 Q. How many of those do you have?

- 1 A. Two. I haven't used them since last year.
- 2 Q. Okay.
- 3 A. But we have them covered up on the outside.
- 4 Q. Where are they located?
- 5 A. One is in our bedroom, the master bedroom, and one
6 is in the new family room.
- 7 Q. Okay. Do you know what size they are?
- 8 A. I believe the downstairs one is 20,000.
- 9 Q. Okay.
- 10 A. As I said, we do have both of them but they get
11 used maybe six or eight times a year.
- 12 Q. Right.
- 13 A. They do get used, but not very much because we
14 don't have much summer that's very, very hot.
- 15 Q. All right. Now, do you have PP&L's Exhibit Number
16 One in front of you?
- 17 A. Oh, hold on until I get them. Say it again, what
18 is it called?
- 19 Q. Number One, it's called an Account Activity
20 Statement.
- 21 A. Yes, I do.
- 22 Q. It looks like an account.
- 23 A. I have it right in front of me.
- 24 Q. Did you have a chance to look through that?
- 25 A. Yes.

- 1 Q. Do you understand it?
- 2 A. Pardon me?
- 3 Q. Do you understand it?
- 4 A. Yes.
- 5 Q. Okay. Basically, it shows --- it has a date and
6 it shows the amount of your electric bill, the amount
7 of your usage and so forth, and it continues through
8 from what one month to the next essentially is.
- 9 A. Right.
- 10 Q. Did you understand that when you looked through
11 it?
- 12 A. Yes. Because there really isn't a bill that's
13 just like May 1st to May 31st, no bill exactly comes
14 from part of one month to part of another month.
- 15 Q. Right. Okay. Now, as you look through that,
16 would you agree with me that your bills through the
17 years have ranged considerably around \$70 to \$169?
- 18 A. Yeah, well \$55.
- 19 Q. Around \$55? Okay.
- 20 A. Uh-huh (yes).
- 21 Q. All right. So would you agree with me that for
22 the period of time that you've been there, well how
23 long have you been in the house now?
- 24 A. Four years.
- 25 Q. Okay. Did you ---?

1 A. Well, it will be four years on June 15th.

2 Q. All right. So that would mean you moved in June
3 of 2001?

4 A. Correct.

5 Q. Okay. So would you agree with me that over the
6 period of time you've been there that the bills have
7 ranged up and down in various months?

8 A. Yes.

9 Q. Okay. So it's not just this May, June and July of
10 2004 where the bills have been, there were other
11 months when they were up as well; correct?

12 A. Yes.

13 ATTORNEY WEBER:

14 That's all I have, Your Honor.

15 JUDGE JONES:

16 Okay. Thank you, Mr. Weber. Ms. Kurtz?

17 A. Yes.

18 JUDGE JONES:

19 Is there anything you wish to add in
20 reference to the questions that you answered from Mr.
21 Weber?

22 A. No, I don't think so.

23 JUDGE JONES:

24 Okay. I realize that we are now at the
25 time that you may not have assistance with a

1 babysitter for your two year old.

2 A. That's correct.

3 JUDGE JONES:

4 We are going to try to proceed. If it
5 gets cumbersome, let me know.

6 A. Okay.

7 JUDGE JONES:

8 Mr. Weber.

9 ATTORNEY WEBER:

10 Yes.

11 JUDGE JONES:

12 Ready for your presentation, sir?

13 ATTORNEY WEBER:

14 Yes. At this point I will call Kevin
15 George.

16 JUDGE JONES:

17 Very well. Mr. George?

18 MR. GEORGE:

19 Yes, Your Honor.

20 JUDGE JONES:

21 Please raise your right hand, sir.

22 -----

23 KEVIN GEORGE, HAVING FIRST BEEN DULY SWORN,

24 TESTIFIED AS FOLLOWS:

25 -----

1 JUDGE JONES:

2 Please state your full name, spelling
3 your last name for the record.

4 A. My full name is Kevin Gerard George, G-E-O-R-G-E.

5 JUDGE JONES:

6 Mr. Weber, you may continue.

7 DIRECT EXAMINATION

8 BY ATTORNEY WEBER:

9 Q. Mr. George, by whom are you employed?

10 A. PPL Electric Utilities.

11 Q. And in what position?

12 A. I'm a customer contract representative.

13 Q. As a customer contract representative, do you have
14 occasion to investigate high bill complaints?

15 A. Yes, I do.

16 Q. Now, in this particular case, were you asked to
17 undertake at least some part of an investigation with
18 respect to the Kurtz' home?

19 A. Yes, I was.

20 Q. What were you asked to do here?

21 A. Well, I was asked to field test the electric meter
22 for accuracy.

23 Q. And did you do that?

24 A. Yes, I did, sir.

25 Q. When did you do that?

- 1 A. March 4th, 2005.
- 2 Q. Now, is the meter that you tested on March 4,
3 2005, the meter that's still there today?
- 4 A. To my knowledge, yes.
- 5 Q. Okay. What type of meter is that?
- 6 A. That is an automatic reading meter.
- 7 Q. Okay. What's known as a AMR meter?
- 8 A. AMR; correct.
- 9 Q. Okay. Do you know when that was installed?
- 10 A. That meter was set on the house May 30th of 2003.
- 11 Q. Now, what did you use to test the meter?
- 12 A. I used a MP-1 high-accuracy meter tester.
- 13 Q. And what was the result that you obtained from
14 that test?
- 15 A. The meter field tested 99.98 percent.
- 16 Q. All right. Now, what does that mean with respect
17 to whether the meter was operating properly?
- 18 A. That would indicate that the meter is accurate.
- 19 Q. Okay. Now, was a meter test performed at that
20 property previously?
- 21 A. Yes, there was.
- 22 Q. Was that test done by your predecessor?
- 23 A. Yes, it was by John P. Jenoski (phonetic).
- 24 Q. And you're now in his position?
- 25 A. Yes, he has since retired.

1 Q. All right. And what meter was tested at that
2 point?

3 A. The meter number, I have the location that was
4 tested by John was 74768275.

5 Q. And was that the meter that was at the property
6 prior to the AMR meter?

7 A. That would be correct.

8 Q. And how did that test?

9 A. That tested exactly 100 percent.

10 Q. Accurate? 100-percent accurate?

11 A. 100-percent accurate.

12 Q. All right. And what is the reason for the
13 replacement of that particular meter with an AMR
14 meter?

15 A. The company had instituted a program to change all
16 meters throughout our entire company to automatic
17 reading meters.

18 Q. All right. Very good.

19 ATTORNEY WEBER:

20 That's all I have, Your Honor.

21 JUDGE JONES:

22 Thank you. Mr. George.

23 A. Yes.

24 JUDGE JONES:

25 Is there any paperwork associated with

1 the meter test that you performed on March 2005?

2 A. Yes, there was an order issued to test the meter.

3 JUDGE JONES:

4 Did you record anything as far as making
5 a report of the test?

6 A. Did I record anything?

7 JUDGE JONES:

8 Did you make a report of the test in
9 writing?

10 A. I closed out the order that the meter test was
11 completed, the date, the time and what the meter
12 tested.

13 JUDGE JONES:

14 Mr. Weber.

15 ATTORNEY WEBER:

16 Yes. I would like an exhibit of that
17 paperwork.

18 ATTORNEY WEBER:

19 Your Honor, let me just follow up on
20 that.

21 BY ATTORNEY WEBER:

22 Q. Mr. George, is that something that would have been
23 entered into the PPL computer system?

24 A. Yes, it should have been. Yes.

25 Q. That would have been in the customer contract

1 field?

2 A. Yes, there should be a contract there.

3 ATTORNEY WEBER:

4 All right. Your Honor, I believe that
5 what he's indicating is that he would have typed it in
6 after he returned from the test.

7 JUDGE JONES:

8 I see.

9 ATTORNEY WEBER:

10 And certainly, I can certainly secure a
11 copy of what he typed in.

12 JUDGE JONES:

13 That would be fine, Mr. Weber.

14 ATTORNEY WEBER:

15 Yes. Okay. Very good.

16 JUDGE JONES:

17 Mr. George.

18 A. Yes.

19 JUDGE JONES:

20 To your knowledge, is there any paperwork
21 that Mr. Jenoski, I believe was your predecessor's
22 name, had in reference to his meter test?

23 A. Yeah, let me just look here a minute, but --- on
24 his other order, the order that he had closed out at
25 that time he does have the date, what the meter read

1 at the time and the test, I can forward a copy of
2 this.

3 JUDGE JONES:

4 Okay. Mr. Weber.

5 ATTORNEY WEBER:

6 Yes.

7 JUDGE JONES:

8 Same request.

9 ATTORNEY WEBER:

10 Will do.

11 JUDGE JONES:

12 Mr. George.

13 A. Yes.

14 JUDGE JONES:

15 You assumed Mr. Jenoski's position after
16 he retired?

17 A. Yes, I did, Your Honor.

18 JUDGE JONES:

19 When did he retire, sir?

20 A. John retired, it will be --- I think it's a year
21 today.

22 JUDGE JONES:

23 Okay. And do you know when the test was
24 performed on the meter that he tested?

25 A. Yes, I do, Your Honor. That was July 29th of

1 2002.

2 JUDGE JONES:

3 Okay. And it is your testimony that his
4 test was a 100-percent accurate?

5 A. That is what I have on the paperwork in front of
6 me, Your Honor. 100-percent accurate.

7 JUDGE JONES:

8 Okay. I have no further questions for
9 Mr. George. Ms. Kurtz.

10 MS. KURTZ:

11 Yes.

12 JUDGE JONES:

13 Do you have questions for Mr. George?

14 MS. KURTZ:

15 No, I don't.

16 JUDGE JONES:

17 Okay. Mr. George.

18 A. Yes, Your Honor.

19 JUDGE JONES:

20 Your are excused, sir. Thank you.

21 A. All right. Thank you, Your Honor.

22 ATTORNEY WEBER:

23 Your Honor, may he disconnect? Again,
24 there will be just a short ---.

25 JUDGE JONES:

1 Yes, I understand that, Mr. Weber. Thank
2 you.

3 A. Okay. Good afternoon, everyone.

4 ATTORNEY WEBER:

5 Great, Your Honor. At this point, I
6 would call Linda Waskevich.

7 JUDGE JONES:

8 Thank you, Ms. Waskevich?

9 MS. WASKEVICH:

10 Yes.

11 JUDGE JONES:

12 Please raise your right hand, ma'am.

13 -----

14 LINDA WASKEVICH, HAVING FIRST BEEN DULY SWORN,
15 TESTIFIED AS FOLLOWS:

16 -----

17 JUDGE JONES:

18 Please state your full name, spelling
19 your last name for the record.

20 A. It's Linda Waskevich, that's
21 W-A, S as in Sam, K-E, V as in Victor, I-C-H.

22 JUDGE JONES:

23 Mr. Weber, you may continue with this
24 witness.

25 ATTORNEY WEBER:

1 Yes.

2 DIRECT EXAMINATION

3 BY ATTORNEY WEBER:

4 Q. By whom are you employed, Ms. Waskevich?

5 A. PPL Electric Utilities.

6 Q. And in what position?

7 A. As a customer service supervisor.

8 Q. Now, in that capacity, are you familiar with the
9 Complainant's electric service account?

10 A. Yes, I am.

11 Q. Looking at PPL Exhibit Number One, what is that?

12 A. That's a statement of account.

13 Q. Is that something --- well, what is the source of
14 the information that's on that?

15 A. The source of the information are the monthly
16 billing transactions.

17 Q. And are these entries in PPL's computer system?

18 A. Yes, they are.

19 Q. Now, if you could just give a brief overview of
20 what appears on that document?

21 A. It was a column on the date that the bill went
22 out. The second column on the transaction's either it
23 was an actual monthly bill, a payment, if any credit
24 was supplied to the account, and if cancelled, it
25 would show any of that. The third was on due date.

1 The fourth is the transaction amount, so that would be
2 the amount that was that current bill would have been
3 or who subsequent after that, then there's a column
4 for balance forward, actual bills, the part balance
5 they used in subsequent such as billing. The next one
6 is the degree day ---.

7 Q. What does the degree day refer to?

8 A. The degree day refers to the average temperature
9 within the building area.

10 Q. Okay.

11 A. Then the next column is the reading and the type
12 of reading whether it was actual or estimated.

13 Q. That's the reading from the meter?

14 A. Yes, the meter reading. The next column is the
15 number of days within the bill cycle, the next column
16 is how many kilowatt hours were used during that
17 billing cycle, and then the final one is bills KW
18 which is a demand applied to the residential ---.

19 Q. Now, did you review this account activity
20 statement?

21 A. Yes.

22 Q. And what did you note about the consistency of
23 usage of electricity throughout the period of time?

24 A. Well, it varies a lot, this area that's involved
25 here. The bills range anywhere from \$70 to \$150 or

1 more. Typically in the spring time is when the usage
2 decreases.

3 Q. Now, in looking at a couple of these entries, did
4 you note the entry of 4/11/2002?

5 A. Yes.

6 Q. And what was the amount of that bill?

7 A. \$160.04.

8 Q. Now, it says cancelled service here, what does
9 that mean?

10 A. That means that the bill was cancelled and
11 re-billed.

12 Q. And did you determine what the reading was for
13 that?

14 A. By looking in the wrapper, it was because at that
15 time when apparently when Ms. Kurtz received that bill
16 she called and disputed that bill and the
17 representative just billed it at a lower amount.

18 Q. All right. But was there any indication of
19 anything that is on record with PPL that there was
20 anything wrong with that bill?

21 A. No.

22 Q. Now, looking at the bill of 12/11/2002, what was
23 that amount?

24 A. That was \$449.72.

25 Q. All right. And on April 11th, 2003, what was the

1 amount of that bill?

2 A. \$159.99.

3 Q. Now, that bill consisted of a couple of estimates?

4 A. Yes, it did.

5 Q. Okay. And what does that mean?

6 A. Well, before we had the automatic reader
7 installed, there were times that possibly we weren't
8 able to obtain a meter reading for various reason.
9 And so the system would automatically estimate that
10 month's bill. So, in 4/11, we did get an actual
11 reading, so yes, we had under billed them prior to
12 during that month.

13 Q. All right.

14 A. We had no way of knowing for sure.

15 Q. Okay. And looking at the prior month's bill,
16 March of 2003 was what amount?

17 A. \$125.47, that's again is an estimated bill.

18 Q. February of 2003 was what amount?

19 A. That was \$107.73 and that also was an estimated
20 bill.

21 Q. Okay. So would it be fair to say that the bill of
22 April 11th, 2003, is it shouldn't all have --- if the
23 electricity that was billed for in that month
24 shouldn't have --- didn't occur in that particular
25 month, it would have occurred sometime within the

1 prior two months?

2 A. Right.

3 Q. And also February 6th of 2004, what was the amount
4 of that bill?

5 A. That was \$141.

6 Q. All right. Now, there were other bills as you
7 mentioned that were in the \$70s; is that correct?

8 A. That's correct.

9 Q. Now, did you prepare PPL Exhibit Number Two?

10 A. Yes.

11 Q. High Bill of Cost Estimated Worksheet?

12 A. Yes.

13 Q. Could you describe what that document is?

14 A. Well what that is, is that takes the items that
15 the customer has in their home and gets an average
16 usage to us, what the average usage is for a
17 particular item. That adds all that up and gives a
18 base use which is on the second page, and then the
19 third page would include heating and/or air
20 conditioning. In this case, it's heating that's
21 included in this particular estimate.

22 Q. Okay. And what's the purpose of the document
23 then?

24 A. The purpose of the document is to show whether or
25 not the potential is there for the customer who used

1 the amount of electricity that they're billed for.

2 Q. Now, the information that's on there, what was the
3 source of that information?

4 A. The source of the information came from Mr. Kurtz.

5 Q. Would that have been in a telephone call?

6 A. That's correct.

7 Q. Is this something that is ordinarily filled in by
8 a customer representative when the customer calls into
9 the company?

10 A. Yes, it is.

11 Q. Now, we went through --- I won't go through this
12 again with you because we went through it with Ms.
13 Kurtz. She did indicate that she had indoor and
14 outdoor lighting, a range, a microwave oven,
15 dishwasher, washer and dryer, two refrigerators and a
16 freezer and is that what's indicated on the first page
17 of this sheet?

18 A. Yes, that's correct.

19 Q. Now, on the second page she indicated that she had
20 hot water ---

21 A. Yes.

22 Q. --- I'm sorry. Hot water --- electric hot water
23 and could you describe how the first --- the electric
24 standby heat watch, what's the purpose of that?

25 A. That just shows what the usage should be if no one

1 was using it just to have hot water at your finger
2 tip.

3 Q. All right.

4 A. I mean, if nobody used hot water at all it would
5 take 175 kilowatt hours just to maintain the setting.

6 Q. Okay. And then there's some additional figures
7 there, is that an estimate for usage for two adults
8 and one child?

9 A. Yes, it is.

10 Q. Okay. Now, going to the next section that says
11 miscellaneous, Ms. Kurtz indicated that she had two
12 televisions in addition to the 27 inch, or rather the
13 large-screen television, so that would be a total of
14 three televisions. What is the computation that was
15 done here? Was it fewer than that?

16 A. It was only done for two.

17 Q. And she has two VCRs and indicated, here it's
18 indicated two VCRs, she indicated she had three and
19 you didn't take that into account?

20 A. No. Because that's not the information that we're
21 given.

22 Q. All right. And there's an indication here of zero
23 for a well pump, did you understand that there was no
24 well pump when you prepared this document?

25 A. Yes, I understood there was not a well pump.

1 Q. All right. So that would be an additional amount?

2 A. Yes.

3 Q. And she mentioned that she has three ceiling fans
4 that are used in the winter to circulate heat, did you
5 include any computations for ceiling fans?

6 A. No, we weren't aware of that.

7 Q. All right. In any event, without those additions
8 that we've just discussed, what was the kilowatt hour
9 usage for these appliances and the hot water that you
10 determined when you performed a computation?

11 A. It was 1,662 kilowatt hours.

12 Q. And what was the period of time you were looking
13 at when you prepared this?

14 A. April the 6th, 2004 through May the 6th, 2004.

15 Q. And that corresponds to a billing period?

16 A. Yes.

17 Q. Okay. Now, going to the third page, did you then
18 enter information to make a determination as to
19 potential used heat?

20 A. Yes.

21 Q. And did you base that on electric baseboards?

22 A. Yes.

23 Q. And what was the amount, the square footage of the
24 house that you looked at?

25 A. 1,200.

1 Q. All right. That did not take into account, the
2 additional I think 450 --- I have a note here. 450
3 some square feet that is indicated was added?

4 A. No, it didn't.

5 Q. All right. And what was the potential for heating
6 that you noted here?

7 A. The potential for heating was 707 kilowatt hours.

8 Q. And what was the total potential that you found
9 for electric use?

10 A. With the heating and the base added together would
11 have been 2,359 kilowatt hours.

12 Q. And what was the amount of heat --- what was the
13 amount of electricity in kilowatt hours that was
14 billed for in that particular month?

15 A. 1,978 kilowatt hours.

16 Q. So did you find that the usage of electricity for
17 that month was justified?

18 A. Yes, we did.

19 ATTORNEY WEBER:

20 That's all I have for this witness, Your
21 Honor.

22 JUDGE JONES:

23 Mr. Weber, do you wish to move your two
24 exhibits, sir?

25 ATTORNEY WEBER:

1 Yes, ma'am, I do.

2 JUDGE JONES:

3 Ms. Kurtz.

4 MS. KURTZ:

5 Hold on a minute, please.

6 JUDGE JONES:

7 Sure.

8 MS. KURTZ:

9 This is the end of the beginning of the
10 end.

11 JUDGE JONES:

12 Okay. We're almost done.

13 MS. KURTZ:

14 Oh, okay. I apologize.

15 JUDGE JONES:

16 That's okay. I was forewarned. I was
17 actually anticipating it earlier.

18 MS. KURTZ:

19 Yeah, it was about a half an hour after
20 just 3:00, and the kids get out and it's eight minutes
21 till 3:00.

22 JUDGE JONES:

23 Right. Ms. Kurtz, do you have an
24 objection to either exhibit?

25 MS. KURTZ:

1 No, I just would like to say something.

2 JUDGE JONES:

3 Wait a minute.

4 MS. KURTZ:

5 Well, ---.

6 JUDGE JONES:

7 Wait a minute. Do you have an objection
8 to either exhibit?

9 MS. KURTZ:

10 Yes, I do then.

11 JUDGE JONES:

12 Okay. And what is your objection?

13 MS. KURTZ:

14 I want to make it clear that these things
15 that we're talking about such as ---.

16 JUDGE JONES:

17 Are you referring to one particular
18 exhibit, Ms. Kurtz?

19 MS. KURTZ:

20 Let me see. The additional items that
21 were not on the exhibits that we were speaking about
22 were not being used at the time.

23 JUDGE JONES:

24 Okay. So you are referring to PPL
25 Exhibit Number Two?

1 MS. KURTZ:

2 That's correct.

3 JUDGE JONES:

4 Okay. So your objection is to PP&L
5 Exhibit Number Two?

6 MS. KURTZ:

7 Yes.

8 JUDGE JONES:

9 Okay. Go ahead.

10 MS. KURTZ:

11 My objection is I'm not sure whether ---
12 because it's not on the exhibit or because Mr. Weber
13 is talking about it that it should have been on the
14 exhibit which it really should not have been or the
15 items that we're talking about such as the big-screen
16 TV, the additional VCR and the DVD player and the
17 ceiling fan, all of which were not being used at the
18 time before, --- this addition was unusable because it
19 had a leaking roof.

20 JUDGE JONES:

21 Okay.

22 MS. KURTZ:

23 Not until eight months ago both rooms had
24 no bearing on the usage in April and May of 2004.

25 JUDGE JONES:

1 Okay. Ms. Kurtz, I understand the
2 testimony that you gave.

3 MS. KURTZ:

4 Okay.

5 JUDGE JONES:

6 However, the exhibit, the purpose of the
7 exhibit is not to say that this is what you used, the
8 purpose of the exhibit is to say that you have the
9 potential of using this.

10 MS. KURTZ:

11 Right.

12 JUDGE JONES:

13 And because those items were not on the
14 exhibit, your potential is understated.

15 MS. KURTZ:

16 Right.

17 JUDGE JONES:

18 You understand that?

19 MS. KURTZ:

20 That's what I object to.

21 JUDGE JONES:

22 I know you object to that, ma'am, but
23 your objection is overruled.

24 MS. KURTZ:

25 Okay.

1 JUDGE JONES:

2 So, exhibit PP&L Number One, you have no
3 objection?

4 MS. KURTZ:

5 No.

6 JUDGE JONES:

7 Okay. Those two exhibits are admitted.
8 Ms. Waskevich.

9 (PPL Exhibits One and Two marked for
10 identification.)

11 A. Yes.

12 JUDGE JONES:

13 Referring, ma'am, to Exhibit Number Two.

14 MS. KURTZ:

15 Are you talking to me? I apologize.

16 JUDGE JONES:

17 No. Ms. Waskevich.

18 MS. KURTZ:

19 Oh, okay.

20 A. Yes.

21 JUDGE JONES:

22 Under lighting, what is the entry for
23 rooms that you used, ma'am?

24 A. It's not showing what that was. Six to eight
25 rooms is what that is.

1 ATTORNEY WEBER:

2 Your Honor, I would apologize for that.
3 That's a defect in the program. It eliminates that
4 when we print it out.

5 JUDGE JONES:

6 Okay.

7 A. But I have a copy of this same thing and it is six
8 to eight rooms.

9 JUDGE JONES:

10 Six to eight rooms?

11 A. Yes.

12 JUDGE JONES:

13 Okay. What would be the kilowatt usage
14 for four to five rooms, ma'am?

15 A. I really can't get that figure. Sixty (60)
16 kilowatt hours.

17 JUDGE JONES:

18 So 20 kilowatts decreased?

19 A. Yeah. Thank you.

20 JUDGE JONES:

21 Okay. Still, Ms. Waskevich, the freezer
22 that you have indicated is 15 to 20 cubic feet manual
23 defrost; correct?

24 A. Right.

25 JUDGE JONES:

1 I believe the testimony was it was 14
2 cubic feet? Do you have a potential kilowatt hour
3 usage for that capacity?

4 A. No, I don't. But it wouldn't be far off from that
5 which is one cubic foot difference.

6 JUDGE JONES:

7 Okay. Ms. Kurtz, do you have any
8 questions for Ms. Waskevich?

9 MS. KURTZ:

10 Yes. I have to get back to my paper.

11 JUDGE JONES:

12 I'm sorry.

13 MS. KURTZ:

14 Okay. I have to get my thoughts
15 together. Now I have the two year old, so I'm going
16 to try to keep going.

17 JUDGE JONES:

18 Okay. I will prefer to keep going than
19 to have another session. I'm thinking that it may be
20 more inconvenient with a newborn.

21 MS. KURTZ:

22 Yeah, I didn't know if we could do it
23 before I ---.

24 JUDGE JONES:

25 I do not think we can schedule something

1 before your due date, ma'am.

2 MS. KURTZ:

3 Okay. I'm trying to regroup here.

4 JUDGE JONES:

5 Understood.

6 MS. KURTZ:

7 Okay.

8 JUDGE JONES:

9 Take your time.

10 CROSS EXAMINATION

11 BY MS. KURTZ:

12 Q. The question that I have that she had made a
13 statement, well, previously Mr. George sent me the
14 statement, but I had no questions for him. But they
15 had stated that I had made a complaint and the bill
16 was adjusted in the year 2002, in April I believe.
17 And they at the time Mr. George said that the meter
18 was read and it was found to be 100-percent accurate.
19 However, they did make an adjustment in the bill for
20 me. Now, with the new meters, the ARMs, they were
21 found to be 99.98-percent accurate, and I'm trying to
22 figure as a question why it is they would make an
23 adjustment for me when a meter was found to be a
24 100-percent accurate, yet when this one is 99.98 which
25 is very close; however, that's not 100-percent

1 accurate? Now, this time they're finding it
2 objectionable. That is my question. If they give in
3 and they make an adjustment for 100-percent accuracy
4 as they found, why at less than a 100-percent accuracy
5 would they find that there's no possibility of them
6 being wrong? That's my question.

7 A. The adjustment was made before the meter was ever
8 tested.

9 Q. Say it again, I'm sorry.

10 A. The adjustment was made before the meter was ever
11 tested.

12 Q. Oh, it was. I thought it was made prior to that.

13 JUDGE JONES:

14 The meter was tested --- Ms. Kurtz, the
15 meter was tested in, it looks like July 2002.

16 MS. KURTZ:

17 Right, July 29.

18 JUDGE JONES:

19 Your adjustment was made in April 2002.

20 MS. KURTZ:

21 That's correct.

22 JUDGE JONES:

23 So they did not know the 100-percent
24 accuracy when they gave you the adjustment.

25 MS. KURTZ:

1 Okay. Because I was --- I suppose I was
2 just assuming that they figured that these meters were
3 a 100-percent accurate beforehand, before they made
4 the adjustment. So I was off my a couple of months.
5 That was my question.

6 JUDGE JONES:

7 Okay.

8 MS. KURTZ:

9 And the only other question or statement
10 I have was about the potential use, but I had
11 mentioned that earlier.

12 JUDGE JONES:

13 Right.

14 MS. KURTZ:

15 Because it has the potential because in
16 the year of 2004, which I was objecting to, there was
17 no heat being used in 54 ---

18 JUDGE JONES:

19 Okay.

20 MS. KURTZ:

21 --- degree whether. In 54-degree
22 weather, I don't have heat on. And if for some reason
23 I did, it would not be electric. It would be propane.
24 That's a statement really. That's not a question to
25 her because she is not living in my house.

1 JUDGE JONES:

2 That's true, Ms. Kurtz. Okay. Ms. ---.

3 MS. KURTZ:

4 Oh, I'm sorry.

5 JUDGE JONES:

6 Are you done, Ms. Kurtz?

7 MS. KURTZ:

8 Yes.

9 JUDGE JONES:

10 Ms. Waskevich, I have another question
11 for you.

12 A. Okay.

13 JUDGE JONES:

14 If you would not add the heat for the
15 kilowatt hours, you would arrive at a total of 1,662
16 kilowatt hours; correct?

17 A. That is correct.

18 JUDGE JONES:

19 And that is a little less than what was
20 used in that period; correct?

21 A. That's correct.

22 JUDGE JONES:

23 There is a difference of give or take 300
24 kilowatt hours?

25 A. Yes.

1 JUDGE JONES:

2 Okay. But that does not include those
3 items that were that Ms. Kurtz testified to that do
4 exist like the additional TV ---.

5 A. I think she testified that the one TV was added
6 after this billing period. But there were some other
7 things that were not included in there, the ceiling
8 fan ---.

9 JUDGE JONES:

10 The ceiling fans. Okay. I understand.
11 Ms. Kurtz.

12 MS. KURTZ:

13 Yes.

14 JUDGE JONES:

15 Something that is troubling me that I do
16 not believe we have on the record, how many rooms are
17 there in your house?

18 MS. KURTZ:

19 One, two, three --- do you include
20 bathrooms?

21 JUDGE JONES:

22 Ms. Waskevich?

23 A. Yes, we include bathrooms.

24 MS. KURTZ:

25 Okay. Then there's --- at the time when

1 I was billed?

2 JUDGE JONES:

3 Okay.

4 MS. KURTZ:

5 Or at the time is current now?

6 JUDGE JONES:

7 At the time of your dispute which was
8 April 2004 ---

9 MS. KURTZ:

10 Right.

11 JUDGE JONES:

12 --- May 2004, June 2004 and July 2004.

13 MS. KURTZ:

14 Okay. The rooms --- okay, there were
15 five rooms and two bathrooms and then there was the
16 addition, but I have to qualify that by saying the
17 addition was totally useless as I said twice before.

18 JUDGE JONES:

19 Yes, but you also said that the family
20 room was lit with lamps; right?

21 MS. KURTZ:

22 No, there were lamps in there, I mean
23 there were no lamps in there plugged in at the time
24 because we had a leaking roof.

25 JUDGE JONES:

1 Okay, so ---.

2 MS. KURTZ:

3 The structure was completed being made.
4 However, there was nothing in there, carpeting, there
5 was no furniture, there was nothing. It was a
6 completed structure that was totally useless until
7 about September, October of 2004.

8 JUDGE JONES:

9 Okay.

10 MS. KURTZ:

11 Then we finally got the roof fixed. We
12 had to pay for it ourselves because the gentleman that
13 did --- I'll call him a gentleman --- that did our
14 addition refused to come back and fix our leaking room
15 that he put up.

16 JUDGE JONES:

17 Okay. So it's your testimony that there
18 were seven usable rooms?

19 MS. KURTZ:

20 That's right, yes. A living room, a
21 kitchen, a dining room, two bedrooms; five rooms and
22 two bathrooms.

23 JUDGE JONES:

24 Okay. And then two unusable rooms?

25 MS. KURTZ:

1 That's correct.

2 JUDGE JONES:

3 All right. Mr. Weber.

4 ATTORNEY WEBER:

5 Yes.

6 JUDGE JONES:

7 Do you have any Redirect for your
8 witness?

9 ATTORNEY WEBER:

10 No, nothing.

11 JUDGE JONES:

12 Ms. Waskevich.

13 A. Yes.

14 JUDGE JONES:

15 You are excused, ma'am. Ms. Kurtz.

16 MS. KURTZ:

17 Yes.

18 JUDGE JONES:

19 Do you have any additional statements you
20 wish to make for me to consider?

21 MS. KURTZ:

22 Let me just check and see. I don't think
23 so, but I'll just like to check and see. No, I don't
24 believe so. The only other thing that I did want to
25 say is that although the cost per month as far as

1 kilowatt hours usage varies, it did vary anywhere from
2 \$55 up to \$169, I did want to point out that the limit
3 was \$160, I think it was \$169.99 or \$154.99. It
4 wasn't an actual from the previous two months that Mr.
5 Weber had mentioned that were estimates, and those
6 four were higher because they were the winter. So the
7 April one that was way up in the \$160s was a
8 compensation for the previous two months which have
9 been higher because they were winter months.

10 JUDGE JONES:

11 Okay.

12 MS. KURTZ:

13 And as I said also earlier, the base cost
14 estimate for things like kitchen appliances, laundry
15 which says the estimate is like one load a day,
16 electric washer and electric dryer, that's, I mean,
17 that's more like about two to three times as much I
18 use. But I told you that earlier.

19 JUDGE JONES:

20 Right.

21 MS. KURTZ:

22 You know, things like that.

23 JUDGE JONES:

24 Okay. Mr. Weber.

25 ATTORNEY WEBER:

1 Yes.

2 JUDGE JONES:

3 Do you wish to make a closing statement,
4 sir?

5 ATTORNEY WEBER:

6 No, Your Honor. I don't believe so.

7 JUDGE JONES:

8 Okay. Thank you, Mr. Weber. I
9 appreciate that.

10 MS. KURTZ:

11 I'm sorry.

12 JUDGE JONES:

13 Ms. Kurtz, we are at the end of
14 soliciting testimony from you as well as from PP&L. I
15 need to let you know how the process works after this.
16 There has been a court reporter recording everything
17 that has been said. That court reporter will provide
18 a transcript to me so that I will have in writing what
19 has been said over this telephone conversation. Mr.
20 Weber also has to submit to me two exhibits that I
21 asked for during the testimony of Mr. George.

22 MS. KURTZ:

23 Okay.

24 JUDGE JONES:

25 Once I receive those exhibits, I will

1 admit them into the record and I believe I will be
2 closing the record so that no more testimony or
3 exhibits will be used by me to write a decision. I
4 have 90 days to write a decision. That decision will
5 then be mailed to you as well as to PP&L with a cover
6 letter on it. The cover letter will provide you with
7 instructions as to what to do if you disagree with the
8 decision.

9 MS. KURTZ:

10 Okay.

11 JUDGE JONES:

12 If you disagree with the decision, you
13 have 20 days from the date that's written on the cover
14 letter to provide the commission with a written
15 document of why you disagree. It is called an
16 exception.

17 MS. KURTZ:

18 Okay. Will that all be put in writing?

19 JUDGE JONES:

20 Yes. It will be a part of the cover
21 letter. I'm just telling you now so that you will not
22 be surprised.

23 MS. KURTZ:

24 Okay.

25 JUDGE JONES:

1 You have to have that exception, the
2 written presentation of why you disagree with the
3 decision to the commission within the 20-day period.
4 If it does not make it within the 20-day period, the
5 commission has the discretion to disregard it.

6 MS. KURTZ:

7 Okay.

8 JUDGE JONES:

9 If you decide to provide the exception,
10 the company then has ten days to respond to your
11 exception.

12 MS. KURTZ:

13 I'm sorry, could you say that one
14 sentence again?

15 JUDGE JONES:

16 If you should decide to write an
17 exception, why you disagree with the decision, the
18 company has then ten days to respond to your
19 exception. If the company chooses to respond, the
20 commission will use my decision, the record, your
21 exceptions, the company's response and then come to a
22 final decision.

23 MS. KURTZ:

24 Okay.

25 JUDGE JONES:

1 Do you understand that?

2 MS. KURTZ:

3 Yes, I think so.

4 JUDGE JONES:

5 Okay. If ---.

6 MS. KURTZ:

7 Those will also be all in writing
8 when ---?

9 JUDGE JONES:

10 Yes. Yes. And then there will be also a
11 number that you can call to ask questions if you do
12 not understand.

13 MS. KURTZ:

14 Okay. That'll be great because now I'm
15 trying to listen to her and you at the same time.

16 JUDGE JONES:

17 I understand that.

18 MS. KURTZ:

19 So I hate to divide my attention, but
20 it's been a long since she's had me. I just
21 understand it to mean after the decision the exception
22 would be a 20 day period for me.

23 JUDGE JONES:

24 Right.

25 MS. KURTZ:

1 If I don't get it within the 20 days,
2 they have the right to refuse it. And if I do get it
3 within the 20 days, if I still need to do that, they
4 have ten days to respond.

5 JUDGE JONES:

6 Correct. And likewise, with the company.
7 If I write a decision that's favorable to you, the
8 company has 20 days to say why they don't like the
9 decision.

10 MS. KURTZ:

11 Oh, okay. And then I have ten.

12 JUDGE JONES:

13 Correct. Okay. All right. Do you have
14 any further questions, Ms. Kurtz?

15 MS. KURTZ:

16 No, I don't think so.

17 JUDGE JONES:

18 Okay. Mr. Weber?

19 ATTORNEY WEBER:

20 Nothing else, Your Honor.

21 JUDGE JONES:

22 Okay. Thank you. We are adjourned. The
23 record is closed.

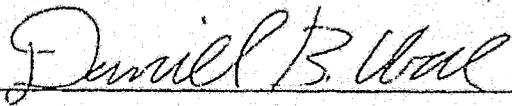
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25 HEARING CONCLUDED AT 3:10 P.M.

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C E R T I F I C A T E

I hereby certify, as the
stenographic reporter, that the foregoing
proceedings were taken stenographically by
me, and thereafter reduced to typewriting
by me or under my direction; and that this
transcript is a true and accurate record
to the best of my ability.



Court Reporter

Account Activity Statement

Date: 05/19/05
Page: 1

*** Account Information ***

Mail To:
KERRY KURTZ
51 LEMARE DR
FAST STROUDSBURG PA 18301

*** Current Account Status ***

Payment Agreement: \$0.00 Balance: \$0.00
Installment: \$0.00 Balance: \$0.00
Budget Bill Amortization: \$0.00 Balance: \$0.00
Current Rate: RS

Requested By:
KERRY KURTZ
(570) 424-9199 Extension:

DATE	TRANSACTION TYPE	DATE	TRANSACTION AMOUNT	BALANCE FORWARD	ACTUAL BILLED	DEFERRED BALANCE	DEG DAY H/C	REG/TYPE	DAYS USBD	KWH	BILLED KW
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DOCUMENT FOLDER

DOCKETED JUN 18 2005

RECEIVED JUN 10 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

EXHIBIT
PPL #1

2-01663172
5-31-05 [Signature]

01/12/2001	ELECTRIC SERVICE	08/02	\$77.61								
01/12/2001	Regular Bill		\$77.61								
08/01/2001	Payment		\$-77.61								
08/10/2001	ELECTRIC SERVICE	09/04	\$82.96								
08/10/2001	Regular Bill		\$82.96								
08/24/2001	Payment		\$-82.96								
09/11/2001	ELECTRIC SERVICE	10/02	\$55.86								
09/11/2001	Regular Bill		\$55.86								
09/26/2001	Payment		\$-55.86								
10/09/2001	ELECTRIC SERVICE	10/30	\$91.44								
10/09/2001	Regular Bill		\$91.44								
10/24/2001	Payment		\$-91.44								
11/08/2001	ELECTRIC SERVICE	11/29	\$77.40								
11/08/2001	Regular Bill		\$77.40								
11/26/2001	Payment		\$-77.40								
12/10/2001	ELECTRIC SERVICE	12/31	\$112.39								
12/10/2001	Regular Bill		\$112.39								
12/26/2001	Payment		\$-112.39								
01/10/2002	ELECTRIC SERVICE	01/31	\$116.71								
01/10/2002	Regular Bill		\$116.71								
01/25/2002	Payment		\$-116.71								
02/11/2002	ELECTRIC SERVICE	03/04	\$110.78								
02/11/2002	Regular Bill		\$110.78								
02/27/2002	Payment		\$-110.78								
03/12/2002	ELECTRIC SERVICE	04/02	\$136.68								
03/12/2002	Regular Bill		\$136.68								
03/25/2002	Payment		\$-136.68								
04/11/2002	CANCELLED ELECTRIC SERVICE	05/02	\$160.04								
04/11/2002	Cancelled Bill		\$160.04								

0662/0000 91150A 30 2041

0889/0000 89301A 32 1716

0854/0000 87585E 29 1356

1004/0000 86229A 31 1432

0615/0000 84791A 32 1369

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0187/0036 82542A 29 1080

0003/0230 80857A 29 963

0013/0186 79894A 27 889

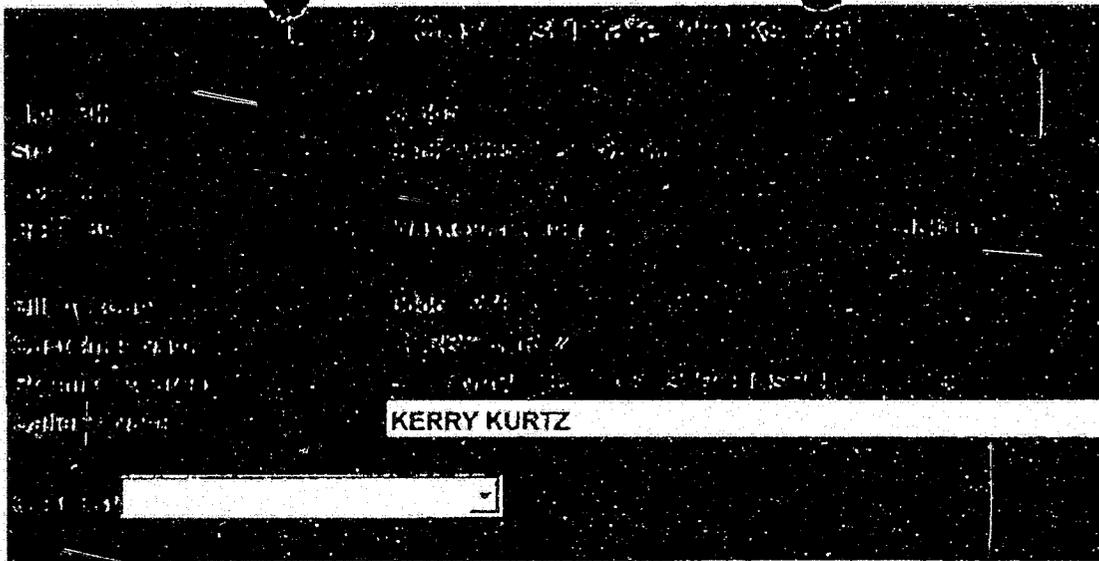
12/07/2004 Regular Bill 12/28 \$242.53 5154.51 0722/0000 22591A 32
 Bill Account: 86661-27017 Account Activity Statement Date: 05/19/05
 Page: 5

DATE	TRANSACTION TYPE	DUE DATE	TRANSACTION AMOUNT	BALANCE FORWARD	ACTUAL BILLED	DEFERRED BALANCE	DEG DAY H/C	RDG/TYPE	DAYS USED	KWH	BILLED KM
12/17/2004	Payment		\$-242.53								
01/10/2005	ELECTRIC SERVICE Regular Bill	01/31	\$111.13				1043/0000	24031A	34	1334	
01/20/2005	Payment		\$-111.13								
02/07/2005	ELECTRIC SERVICE Regular Bill	02/28	\$103.75				1139/0000	25188A	28	1157	
02/18/2005	Payment		\$-103.75								
03/09/2005	ELECTRIC SERVICE Regular Bill	03/30	\$98.82				1034/0000	26281A	30	1093	
03/22/2005	Payment		\$-98.82								
04/08/2005	ELECTRIC SERVICE Regular Bill	05/02	\$99.82				0729/0000	27387A	30	1106	
04/25/2005	Payment		\$-99.82								
05/09/2005	ELECTRIC SERVICE Regular Bill	05/31	\$90.27				0401/0000	28369A	31	982	

DOCUMENT
FOLDER

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JUN 18 2005



KERRY KURTZ

EXHIBIT
PPL # 2

Lighting	Watts	KWH	# Of	KWH Usage
How many rooms in your house?	735	90	N/A	90
Outdoor lights	200	70	2	140
Kitchen Appliances				
Electric Range	12200	150	1	150
Microwave Oven	1000	40	1	40
Drip Coffee Maker	1200	38		0
Dishwasher (1 load per day)	1200	25	1	25
Laundry				
Washer	510	8	1	8
Electric Dryer	5500	75	1	75
Iron	1100	18		0
Refrigeration				
How many refrigerators do you have?				
What kind?				
Refrigerators				
14-18 cu. ft. manual defrost	350	100		0
14-18 cu. ft. auto defrost	650	150	2	300
19-24 cu. ft. manual defrost	550	125		0
19-24 cu. ft. auto defrost	750	190		0
Side-by-side, auto defrost	900	225		0
Apartment "cube"	150	40		0
Water cooler (hot and cold)	660	80		0
Freezers				
15-20 cu. ft. manual defrost	350	90	1	90
15-20 cu. ft. auto defrost	450	120		0

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

JUN 10 2005

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2-01663172
5-31-05 HAF
ZUG

Water Heating		Watts	KWH	# Of	KWH Usage
<input checked="" type="checkbox"/>	Electric (Stand-by heat loss)	4500	175	1	175
	- Number of adults (average use)	N/A	75	2	150
	- Infants or teenagers (high use)	N/A	125	1	125
<input type="checkbox"/>	Oil-fired, free-standing water heater tank	240	60		0
Miscellaneous					
	TV up to 27-inch	130	45	1	45
	TV over 27-inch	200	75	1	75
	VCR/DVD player	24	9	2	18
	Satellite dish	170	51		0
	Computer	300	50	1	50
	Hair dryer	1000	15	1	15
	Vacuum cleaner	100	12	1	12
	Radon fan	100	70		0
	Outdoor Hot-tub or spa	6000	450		0
	Indoor Hot-tub or spa	1000	120		0
	Well pump	1400	45		0
	Sump pump	825	79	1	79
	Aquarium	100	12		0
	Water bed	360	100		0
	Humidifier	180	35		0
	Dehumidifier	900	300		0
Other KWH					
Other KWH Item 1					
Other KWH Item 2					
				30 Day KWH	1662
Enter the Billing Date Range					
Bill From Date (MM/DD/YY)		4/6/2004			
Bill To Date (MM/DD/YY)		5/6/2004			
(Number of Billing Days)		30		Total Base KWH	1662

Degree Days (Used in Heating and/or Cooling Cost Estimates)

Operating Center for Account >>

Airport Location

AVP - Northeast	
Bill From Date	4/6/2004
Bill To Date	5/6/2004

DD Information for Date Range

Heating DD	397
Cooling DD	11
Average Temp	52.5

% Changes from Previous Year

>> 12.0% LOWER
>> 450.0% HIGHER

Previous Year's DD Information

Heating DD	451
Cooling DD	2
Average Temp	50.5

Premise Information

When was the house built?

Heating Estimate

Energy Usage (Based on indoor temp setting)

What is the average temperature in the house?

How is the house heated?

H Factor 0.001483

How many square feet of the house is heated?

Square Ft 1200

Heating DD	397	Total Heating KWH	707
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Total Base KWH	1662
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How many KWH was the customer billed for?

Billed KWH	1978
------------	------

Total Estimated KWH	2369
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None Selected

Customer Satisfied?

Yes No

% of Billed KWH	120%
-----------------	------

Utility Report Provided?

Click on "Estimate Not Justified" Sheet if % is not justified

Comment (Double click the text area to edit)

282

HEATING ESTIMATE JUSTIFIED

HB_ID: 25365; Caller: KERRY KURTZ; Heat KWH: 707; Base KWH: 1662; Total Est KWH: 2369; % of KWH Billed: 120%; JUSTIFIED; Bill From/To: 4/6/2004-5/6/2004; Satisfied? NO; Util Rpt: Not Required

Re: Z-01663172

PPL Electric Utilities

ppl

Your Bill Account Number
86661-27017
Use when calling or writing

Electric Service

Summary Page

For:
 KERRY KURTZ
 51 LENAPE DR
 EAST STROUDSBURG PA 18301

Balance as of May 6, 2004 \$ 0.00
 Charges:
 Total PPL ELECTRIC UTILITIES Charges \$ 154.51
 Total Charges \$ 154.51

Pay This Amount No Later than May 27, 2004	\$ 154.51
Account Balance	\$ 154.51

RECEIVED

JUN 10 2005

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

Questions about this bill? Please contact us by May 27 at 1-800-342-5775 or 484-634-4900

or write to:
 Customer Service
 827 Hausman Rd.
 Allentown, PA
 18104-9392
 www.pplweb.com

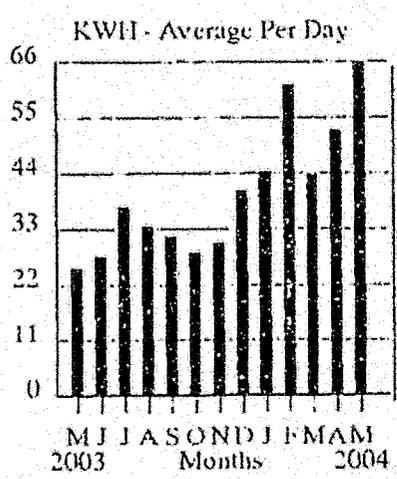
case #
 1663172
 Terry Ridge
 female
 Shiela

DOCKETED
 JUN 18 2005

Electric Use

This graph shows your electric use over the last 13 months.

Types of Meter Readings:
 Actual
 Estimated
 Customer



Meter Reading Information

Meter #41806900
May 6 Actual 1460
Apr 6 Actual 1263
30 Days KWH Billed 197

Average - May 2003 2004
Temperature 55F 54F
KWH Per Day 26 66

Yearly Use:	Total Use	Average Month
Jan 2002 - May 2003	15702	17
Jun 2003 - May 2004	15050	17

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2005 MAY 11 AM 12:00

EAST STROUDSBURG PA
 PUBLIC UTILITY COMMISSION

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Other important information on back →

Return this part to address below with a check payable to PPL Electric Utilities Corporation

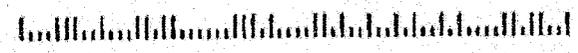
Your Bill Account Number
86661-27017

Please Pay By
May 27, 2004

Pay This Amount
\$ 154.51

Amount Enclosed

<input type="checkbox"/>							
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KERRY KURTZ
 51 LENAPE DR
 EAST STROUDSBURG PA 18301 -9385

PPL ELECTRIC UTILITIES
 2 NORTH 9TH STREET-GENN
 ALLENTOWN PA 18101-1175

1 9200001545120000154512 8666127017
 Z-01663172
 5-31-05 hnj Hbj
 COMPLAINANT #1

Your Bill Account Number
86661-27017
Use when calling or writing

**Electric
Service**

For:
KERRY KURTZ
51 LENAPE DR
EAST STROUDSBURG PA 18201

Summary Page

Balance as of Jun 7, 2004 \$ 154.51

Charges:
Total PPL ELECTRIC UTILITIES Charges \$ 152.80

Total Charges \$ 307.31

Pay This Amount No Later than Jun 28, 2004 \$ 307.31

Account Balance \$ 307.31

Questions about
this bill? Please
contact us by Jun 28
at 1-800-342-5775 or
484-634-4900

or write to:
Customer Service
827 Heusman Rd
Allentown, PA
18104-9392
www.pplweb.com

DOCKETED
JUN 18 2005

RECEIVED

JUN 10 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

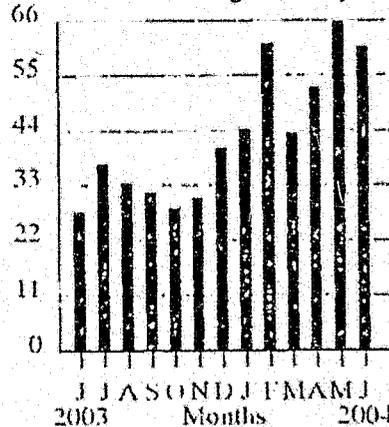
**Electric
Use**

This graph shows
your electric use
over the last 13
months.

Types of
Meter Readings:

- Actual
- Estimated
- Customer

KWH - Average Per Day



Meter Reading Information

Meter #41806900		
Jun 7	Actual	1656
May 6	Actual	1460
32 Days	KWH Billed	195

Average - Jun	2003	2004
Temperature	58F	66F
KWH Per Day	28	61

Yearly Use:	Total Use	Average Month
Jul 2002 - Jun 2003	15717	13
Jul 2003 - Jun 2004	16179	13

Other important information on back →

**DOCUMENT
FOLDER**

2-01663172
5-31-05 HQ HQ
COMPLAINANT # 2

**PPL Electric
Utilities**

ppl

Page 1

Your Bill Account Number
86661-27017
Use when calling or writing

**Electric
Service**

For:
KERRY KUREZ
51 LENAPE DR
EAST STROUDSBURG PA 18301

Summary Page

Balance as of Jul 7, 2004 \$ 154.51
 Charges:
 Total PPL ELECTRIC UTILITIES Charges \$ 124.43
 Total Charges \$ 278.94

Pay This Amount No Later than Jul 28, 2004	\$ 278.94
Account Balance	\$ 278.94

Questions about
this bill? Please
contact us by Jul 28
at 1-800-342-5775 or
484-634-4900

or write to:
Customer Service
827 Hausman Rd.
Allentown, PA
18104-9392
www.pplweb.com

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JUN 18 2005

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JUN 10 2005

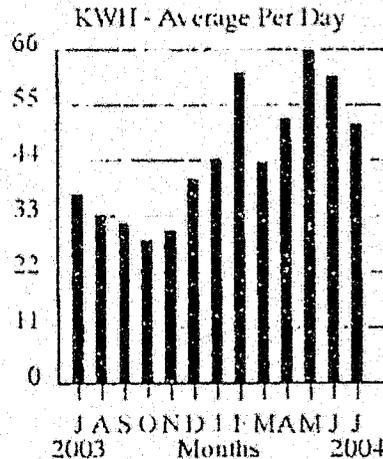
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**Electric
Use**

This graph shows
your electric use
over the last 13
months.

Types of
Meter Readings:

- Actual
- Estimated
- Customer



Meter Reading Information

Meter #41806900		
Jul 7	Actual	18120
Jun 7	Actual	16567
30 Days	KWH Billed	1552

Average - Jul	2003	2004
Temperature	72F	70F
KWH Per Day	36	52

Yearly Use:	Total Use	Average Month
Aug 2002 - Jul 2003	15947	13
Aug 2003 - Jul 2004	16594	13

Other important information on back →

**DOCUMENT
FOLDER**

2-01663172
5-31-05 reg Hlg
COMPLAINANT #3

UNIFORM RESIDENTIAL APPRAISAL REPORT

File No. 10993012

Valuation Section

ESTIMATED SITE VALUE		= \$	15,000	Comments on Cost Approach (such as source of cost estimate, site value, square foot calculation and for HUD, VA and FmHA, the estimated remaining economic life of the property) See Attached Addendum. Estimated remaining economic life is 50/55.
ESTIMATED REPRODUCTION COST-NEW OF IMPROVEMENTS:				
Dwelling	1,216 Sq Ft @ \$ 64.00	= \$	77,824	
crawl 736	Sq. Ft. @ \$ 7.00	=	5,152	
F/P Deck, Porch, appl., misc.		=	8,000	
Garage/Carport	240 Sq. Ft. @ \$ 20.00	=	4,800	
Total Estimated Cost New		= \$	95,776	
Less	Physical Functional External	Est. Remaining Econ. Life:	50	
Depreciation 4%		= \$	3,831	
Depreciated Value of Improvements		= \$	91,945	
"As-is" Value of Site Improvements		= \$	12,000	
INDICATED VALUE BY COST APPROACH		= \$	118,900	

ITEM	SUBJECT	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
51 Lenape Drive		924 Dogwood Lane	Sunrise Trail	13 Lenape Drive
Address Pocono Highland Lake		The Hamlet	Leisure Lands	Pocono Highland Lake
Proximity to Subject		4 miles	3.5 miles	2 blocks
Sales Price	\$ n/a	\$ 120,000	\$ 124,000	\$ 117,000
Price/Gross Liv. Area	\$ 0.00 / sq ft	\$ 88.89 / sq ft	\$ 101.31 / sq ft	\$ 97.50 / sq ft
Data and/or Verification Sources	Inspection	MLS#02-05758	MLS#02-04258	MLS#02-01374
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
Sales or Financing		DOM 119	DOM 218	DOM 265
Concessions		conv.	conv.	conv.
Date of Sale/Time	n/a	1/10/03	2/13/03	11/27/02
Location	average	average	average	average
Leasehold/Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Site	.47 acre	1 acre -2,000	.34 acre	.46 acre
View	average	average	average	average
Design and Appeal	contemp/avg.	ranch/avg.	contemp/avg.	contemp/avg.
Quality of Construction	average	average	average	average
Age	16A/2E	15A/2E	13A/2E	15A(est)/2E
Condition	average	average	average	average
Above Grade	Total: 5 Bdrms: 2 Baths: 2.00	Total: 5 Bdrms: 3 Baths: 2.00	Total: 6 Bdrms: 3 Baths: 2.00	Total: 9 Bdrms: 3 Baths: 2.00
Room Count	20			
Gross Living Area	1,216 Sq Ft	1,350 Sq Ft -2,700	1,224 Sq Ft 0	1,200 Sq Ft 0
Basement & Finished	crawl	crawl	full -3,000	crawl
Rooms Below Grade	none	none	none	none
Functional Utility	average	average	average	average
Heating/Cooling	BBE/none	BBE/none	BBE/none	FHAE/central -2,000
Energy Efficient Items	none	none	none	none
Garage/Carport	1 car att.	none 2,000	1 car att.	none 2,000
Porch, Patio, Deck	deck/scr.porch	deck 2,000	porch 2,000	deck 2,000
Fireplace(s) etc	fireplace	fireplace	none 2,000	fireplace
Fence, Pool etc	none	none	none	none
Net Adj. (total)		+ X - \$ 700	X + - \$ 1,000	X + - \$ 2,000
Adjusted Sales Price of Comparable		7.2% -0.6% \$ 119,300	5.6% -0.8% \$ 125,000	.51% 1.7% \$ 119,000

Comments on Sales Comparison (including the subject property's compatibility to the neighborhood, etc.): All comparables were taken from the same marketing area as the subject. It was necessary to exceed the mileage and six month closing date guidelines due to the lack of recently closed sales in the immediate area of similar utility. Site values were adjusted according to their market values not the size. Effective ages were determined by outside appearances. The GLA was adjusted at \$20 per square foot. All comparables were adjusted for their inherent differences. All three comparables were considered the best available at time of inspection.

ITEM	SUBJECT	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Date, Price and Data	courthouse	courthouse	courthouse	courthouse
Source for prior sales	6/15/2001	not sold within 1 year	not sold within 1 year	not sold within 1 year
within year of appraisal	\$80,000			

Analysis of any current agreement of sale, option, or listing of the subject property and analysis of any prior sales of subject and comparables within one year of the date of appraisal: n/a

INDICATED VALUE BY SALES COMPARISON APPROACH \$ 120,000

INDICATED VALUE BY INCOME APPROACH (If Applicable) Estimated Market Rent \$ N/A Mo. x Gross Rent Multiplier N/A = \$ N/A

This appraisal is made "as is" subject to the repairs, alterations, inspections or conditions listed below subject to completion per plans and specifications
 Conditions of Appraisal: The borrower is not the intended user of this report. The foregoing is submitted for purposes of information only, this information is confidential and furnished as a matter of business courtesy, without the assumption of any responsibility on the part of the Association or of its officers and is not to be construed as an estimate against this Association.

Final Reconciliation: See Attached Addendum.

The purpose of this appraisal is to estimate the market value of the real property that is the subject of this report, based on the above conditions and the definition, contingent and limiting conditions, and market value definition that are stated in the attached Freddie Mac Form 4399/Income Value Form 1004B (Revised 6/93).

I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE REAL PROPERTY THAT IS THE SUBJECT OF THIS REPORT, AS OF July 25, 2003 (WHICH IS THE DATE OF INSPECTION AND THE EFFECTIVE DATE OF THIS REPORT) TO BE \$ 120,000

APPRaiser: Thomas J. O'Connor SUPERVISORY APPRAISER (ONLY IF REQUIRED):
 Signature: Thomas J. O'Connor Signature: _____
 Name: Thomas J. O'Connor Name: _____
 Date Report Signed: July 25, 2003 Date Report Signed: _____
 State Certification #: RL-001969-1 State PA State Certification #: _____ State: _____
 Or State License #: _____ State: _____ Or State License #: _____ State: _____