

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY:
 - DIRECTOR:
 - SUPERVISOR:
- 6. PERSON IN CHARGE:
- 3. DOCKET NO: F-01648966
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 08/09/04
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: MORALES, VICTOR

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY:

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE NEVER RECIEVED A BILL FROM PPL. THEY ARE NOW 1 1/2 YEARS LATER CHARGING HIM. HE WANTS PPL TO BE FAIR AND JUST.

DOCKETED

AUG 11 2004

DOCUMENT

ORIGINAL

BCS 1658966
Due back Aug 12, 04
F-01658966

Pennsylvania Public Utility Commission

9:52

Formal Complaint Form

SECRET BUREAU

Please Print.

F

1. Your name, mailing address, telephone number and utility account number:

Name VICTOR MORALES

Street/P.O.Box 921 N 6th St Apt # 2

City ALLEN TOWN State PA Zip 18102

Area Code/HOME Phone 484-951-5901 Area Code/WORK Phone 610-814-2830

Utility Account Number 21810-03049

If the above mailing address differs from the address where the utility service is provided, list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. Name of utility company your complaint concerns: PPL

3. Type of Utility (circle one):

GAS WATER MOTOR CARRIER

STEAM HEAT ELECTRIC SEWER

TELEPHONE - (LOCAL OR LONG DISTANCE)

4. What is your complaint? (Use additional paper if you need more space and provide copies of any relevant documentation you believe will support your complaint).

Due to the service I had never received a bill in regard to this account. According to PPL I was notified back 1 1/2 yrs but PPL

never inform me about the bill, and suddenly decide to put charges on my behalf

82

5. What do you want the Public Utility Commission to do about your complaint?
(Use additional paper if you need more space). *Be fair AND JUST*

I should have received a bill each month so that I WAS aware of the problem. Now I have pay a bill for a TENANT.

6. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Victor Ward

Signature

8-6-04

Date

7. If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

8. Mail to:

Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

If you have additional questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

NOTIFICATION OF INTENT TO APPEAL
(Request for Formal Complaint Forms)

Notice to Customer:

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: July 8, 2004. The Commission will send you formal complaint forms.

You must comply with the terms of this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments, or the utility company may pursue the termination of your service.

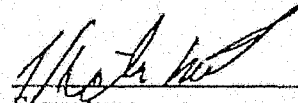
Thank You.
Pennsylvania Public Utility Commission

Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

VICTOR MORALES
921 NORTH 6TH ST APT 2
ALLENTOWN PA 18102

484-951-5901
(Area Code) Telephone Number


Signature

Mail this completed form to:

SECRETARY
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265
HARRISBURG, PA 17105-3265

FOR OFFICE USE ONLY

BCS Number. 1658966

Date of mailing: July 8, 2004

Company: PPL

827 HAUSMAN RD
ALLENTOWN PA 18104-9392

REVISED 11/97

RECEIVED

JUL 15 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

100



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

July 23, 2004

BCS1658966

VICTOR MORALES
921 NORTH 6TH STREET APT 2
ALLENTOWN PA 18102

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before August 12, 2004 to the address listed below:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.

- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:

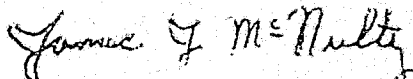
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1 800-782-1110.

Very truly yours,



James J. McNulty
Secretary

ddi
CC: PPI. Electric

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: 08/12/04

Victor Morales
Complainant

DOCKETED

AUG 11 2004

VS.

PPL ELECTRIC UTILITIES
CORPORATION
Respondent

Complaint Docket
No: F-01648966

DOCUMENT
FOLDED

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PPL ELECTRIC UTILITIES CORPORATION

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

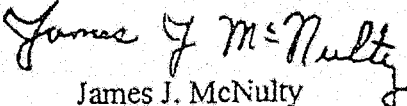
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

DATE SERVED: 08/12/04

F-01648966

PPL ELECTRIC UTILITIES CORPORATION
PAUL E RUSSELL GEN COUNSEL
TWO N 9TH ST
ALLENTOWN PA 18101-1179

DOCUMENT

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Victor Morales. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

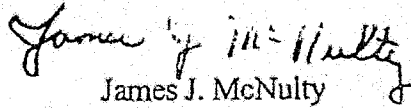
08/12/04

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,


James J. McNulty
Secretary

es

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J. GROSS
PAUL A. MCGINLEY
DONALD LABARRE, JR.
J. JACKSON EATON, III
MICHAEL A. HENRY
PATRICK J. REILLY
WILLIAM J. FRIES
ANNE K. MANLEY
SUSAN ELLIS WILD
VICTOR F. CAVACINI
ELIZABETH R. GRAVER
ROBERT A. ALPERT
JOHN F. GROSS
KIMBERLY G. KRUPKA
K. A. SPOTTS KIMMEL
ERROL C. DEANS, JR.
ANDREW H. RALSTON, JR.

ATTORNEYS AT LAW
33 SOUTH SEVENTH STREET
P.O. BOX 4060
ALLENTOWN, PENNSYLVANIA 18105-4060

(610) 820-5450
TELEFAX (610) 820-6006
E-MAIL kkrupka@gmle.com
Direct number: (610) 871-1325

September 1, 2004

VIA FEDERAL EXPRESS

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
Post Office Box 3265, 400 North Street
Harrisburg, PA 17105-3265

SEP 1 2004
PA PUBLIC UTILITIES COMMISSION
SECRETARY'S OFFICE

**RE: Victor Morales v. PPL Electric Utilities Corporation
Docket No. F-01648966**

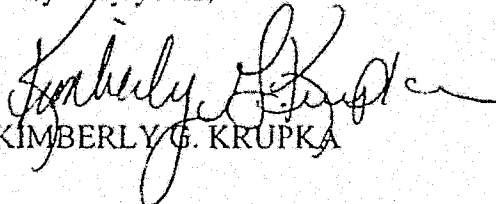
Dear Mr. McNulty:

Enclosed for filing in the above-captioned matter are an original and three (3) copies of the Answer of PPL Electric Utilities Corporation.

Pursuant to 52 Pa. Code §1.11, the enclosed document is to be deemed filed on or before September 1, 2004, which is the date it was deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

In addition, please date and time-stamp the enclosed extra copy of this letter and return it to me in the envelope provided

Very truly yours,


KIMBERLY G. KRUPKA

KGK/es

Enclosures

cc: Deidre Bilger (w/encl.)
Victor Morales (w/encl.)
W:\DOXX\CLIENTS\ppl\puccust\00067911.DOC

DOCUMENT
FOLDER

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SEP
FAPUS
SEC. 5

VICTOR MORALES

Complainant

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. F-01648966

DOCKETED
SEP 14 2004

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utilities Corporation (PPL), by its attorney, hereby Answers the Complaint in the above-captioned proceeding as follows:

1. Admitted.
2. Admitted.
3. Admitted.

DOCUMENT
FOLDER

4. Admitted in part, denied in part. Admitted that on January 9, 2002, PPL mailed an Act 54 informational letter to Complainant notifying him of foreign wiring, and the need to transfer any outstanding balance to his account. On August 29, 2002, Complainant requested that service be disconnected at the residence effective September 3, 2004. Accordingly, on September 12, 2002, PPL sent a final bill to Complainant in the amount of \$789.23. However, an investigation by PPL discovered an inactive meter showing use at this location and attempted to determine the responsible rate payer. On April 23, 2004, PPL was able to determine that a new tenant had moved into the service address on April 1, 2004. However, Complainant remained the owner of the building, despite his notice of August

29, 2002 and had not notified PPL of compliance with the Act 54 requirements to fix foreign wiring. PPL again notified Complainant on April 27, 2004 of the need to fix all foreign wiring, pursuant to Act 54 requirements. As of the date of the Complaint, Complainant remains the owner of record for the service address, and has not rectified all foreign wiring issues, and has not brought the building into compliance with Act 54 regulations.

All bills rendered to Complainant are correct and due.


5 Paragraph 5 constitutes a request for relief to which no Answer is required. To the extent a response is required, PPL incorporates by reference herein the averments set forth in its Answer to Paragraph 4 of the Complaint.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Commission deny the above-captioned Complaint.

Respectfully submitted,

GROSS, MCGINLEY, LABARRE & EATON, LLP

BY:


KIMBERLY G. KRUPKA, ESQUIRE
Attorney for Respondent, PPL Electric Utilities Corporation

Dated: September 1, 2004
In Allentown, Pennsylvania
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SEP 1 2004
PA PUBLIC UTILITY
SECRETARY

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VICTOR MORALES

Complainant

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. F-01658966

CERTIFICATE OF SERVICE

This is to certify that ANSWER of PPL ELECTRIC UTILITIES CORPORATION TO THE COMPLAINT OF VICTOR MORALES was mailed by first class United States mail, postage on this the 1st day of September, 2004.

Victor Morales
921 N. 6th Street
Allentown, PA 18102

GROSS, MCGINLEY, LaBARRE & EATON, LLP

By:


KIMBERLY G. KRUPKA, ESQUIRE
I.D. # 83071

Counsel for Defendant, PPL Electric Utilities
Corporation
33 South 7th Street
P.O. Box 4060
Allentown, PA 18105
Phone (610) 820-5450
Fax (610) 820-6006