

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

----- x  
: Marla Aikens v. Duquesne Light Company : Docket No.  
: : F-00306788  
: Initial Telephone Hearing. :  
: :  
: :  
----- x

Pages 1 through 8  
State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
Monday August 19, 1996

Met, pursuant to notice, at 2:00 p.m.

BEFORE:

JAMES D. PORTERFIELD, Administrative Law Judge

APPEARANCES:

LESLIE GRAY, Esquire  
411 Seventh Avenue 16-006  
Pittsburgh, Pennsylvania 15230  
(For the Respondent)

\*\*\*

DOCUMENT  
FOLDER

DOCKETED  
SEP 03 1996

SEP 3 1996 12:05  
F. J. C.  
INFO. CONTROL DIV.

A 7720

KEENAN REPORTING SERVICE  
John A. Spin  
87 South Grant Street  
Manheim, Pennsylvania 17545

CERTIFIED ORIGINAL

C O N T E N T SWITNESSESDIRECT   CROSS   REDIRECT   RECROSS

Gary Brockman

4

E X H I B I T SNUMBERSFOR IDENTIFICATION IN EVIDENCEFor the Respondent:

|  |   |   |
|--|---|---|
| \\ No. 1 (Statement of Account)        | 7 | 7 |
| \\ No. 2 (Statement of Account)        | 7 | 7 |
| \\ No. 3 (BCS Decision)                | 7 | 7 |
| \\ No. 4 (Summary, payment agreements) | 7 | 7 |

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PROCEEDINGS

1

2

2:35 p.m.

3

ADMINISTRATIVE LAW JUDGE JAMES D. PORTERFIELD: Good afternoon. I am Administrative Law Judge James D. Porterfield, the presiding officer assigned by the Office of Administrative Law Judge for the Pennsylvania Public Utility Commission to hear the matter captioned Marta Aikens v. Duquesne Light Company, at Docket Number F-00306788.

10

It being August the 19th, 1996, at approximately 2:35 p.m., it is the date and time, and we are in the 11th floor hearing room of the Pittsburgh State Office Building, the place for the initial hearing in the foregoing captioned matter.

15

This afternoon Attorney Leslie Gray has entered an appearance via telephone on behalf of the respondent, Duquesne Light Company. I have attempted to contact the complainant at the telephone number on the complaint and have been unable to. We delayed the start of the hearing to allow the complainant time to get to the hearing, but at this time, now approximately 2:30, she still has not appeared nor has anyone appeared on her behalf.

23

Ms. Gray, do you wish to briefly present a witness today so that we can make a record?

25

MS. GRAY: Yes, I would call Gary Brockman.

1 JUDGE PORTERFIELD: Mr. Brockman, would you raise  
2 your right hand and take the oath or affirmation?  
3 Whereupon,

4 GARY BROCKMAN  
5 having been duly sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MS. GRAY:

8 Q Would you state your name for the record?

9 A Gary Brockman, B-r-o-c-k-m-a-n.

10 Q By whom are you employed?

11 A Duquesne Light Company.

12 Q What is your position with Duquesne Light?

13 A I'm a Regulatory Analyst.

14 Q Are you authorized to testify on behalf of  
15 Duquesne Light Company in this matter?

16 A Yes.

17 Q In the course of your employment, have you become  
18 familiar with the account in the name of Marta Aikens?

19 A Yes.

20 Q During your research of this account, did you  
21 cause to have prepared a document which is entitled  
22 Statement of Account for the account of Marta Aikens at  
23 28-A Midway Drive, Apartment A, West Mifflin, Pennsylvania,  
24 which I have marked for identification as Exhibit 1?

25 A Yes, I did.

1 Q Does this Account Statement show the history of  
2 this account?

3 A Yes, it does.

4 Q What does this document show?

5 A It shows the meter reading, the type of reading,  
6 whether an actual or estimated reading, when the meter was  
7 read, the amount of the bill, the due date of the bill, any  
8 payments made on the account and the account balance.

9 Q What dates does this document cover?

10 A From 5-3-95 through 4-22-96 at which time the  
11 account was transferred.

12 Q What was the balance on the account at that time?

13 A The account balance was \$1,547.26.

14 Q I refer your attention to a similar document which  
15 I have marked as Duquesne Light Exhibit 2. Did you cause  
16 this document to be prepared?

17 A Yes.

18 Q Do you have any additions to make to this  
19 document?

20 A Yes. Because of an actual reading, the current  
21 balance on the account is now \$1,618.48 as of August 12th.

22 Q When was the last payment made on this account?

23 A A \$60 payment was received on June 18, 1996.

24 JUDGE PORTERFIELD: I have a question. Does the  
25 complainant still have service with Duquesne Light?

1 THE WITNESS: To the best of our knowledge she is  
2 still living there.

3 BY MS. GRAY:

4 Q Mr. Brockman, what would be the catch-up amount  
5 due on this account?

6 A It would be \$172.64.

7 MS. GRAY: I have no further questions.

8 JUDGE PORTERFIELD: Ms. Gray, you also sent me the  
9 complainant's history of payment plans and a BCS decision.

10 MS. GRAY: Yes, Your Honor, I can ask Mr. Brockman  
11 about those.

12 JUDGE PORTERFIELD: Very well.

13 BY MS. GRAY:

14 Q Mr. Brockman, I draw your attention to a two-page  
15 document I have previously marked as Exhibit 3. Could you  
16 tell us what this document is?

17 A This is the Bureau of Consumer Services decision  
18 dated April 10th, 1996. It states the Ms. Aikens is to pay  
19 her current bills plus \$50 towards the arrearage each  
20 month.

21 Q Also I draw your attention to a one-page document  
22 entitled Chronological Summary of PUC Orders and payment  
23 Arrangements. Did you prepare or cause this document to be  
24 prepared?

25 A Yes.

1 Q And what is this document?

2 A This is a list of the previous payment  
3 arrangements made by Ms. Aikens with either Duquesne Light  
4 Company or through the Bureau of Consumer Services.

5 Q How many payment arrangements have been made by  
6 the complainant with Duquesne Light Company?

7 A Five.

8 MS. GRAY: Thank you. Those are all the questions I  
9 have, Your Honor.

10 I would move that Duquesne Light Exhibits 1 through 4  
11 be admitted into the record.

12 JUDGE PORTERFIELD: Duquesne Light Exhibits 1 through  
13 4 are admitted.

14 (Whereupon, the documents were marked  
15 as Duquesne Exhibit Nos. 1 through 4  
16 for identification and received in  
17 evidence.)

18 MS. GRAY: At this time, Your Honor, Duquesne Light  
19 would move that the complaint be dismissed for failure to  
20 prosecute and that the most recent BCS decision be  
21 reinstated.

22 JUDGE PORTERFIELD: Under the circumstances that will  
23 be granted, and the hearing is concluded at this time.

24 (Whereupon, at 2:45 p.m., the hearing was adjourned.)

C E R T I F I C A T E

1  
2 I hereby certify, as the stenographic reporter,  
3 that the foregoing proceedings were reported by me and  
4 thereafter reduced to typewriting by me or under my  
5 direction; and that this transcript is a true and accurate  
6 record to the best of my ability.

7 KEENAN REPORTING SERVICE

8 BY:   
9 \_\_\_\_\_

John A. Spin

ACCOUNT STATEMENT

CUSTOMER NAME MAATA AIKENS  
 ADDRESS 28 MIDWAY DR APT-A  
WEST MILFORD PA. 15122  
 ACCOUNT NUMBER 9000129810003

Investigator R. RUSH Date Requested By 3-22-96  
 Case Number 0306288 DICO Analyst Blackman  
 FROM: 5-3-95 TO: Present Mail Drop 16-12

55 SEP -3 112.05

Page 1 of 2

| SVC TO   | DAYS | MTR RDC | TYPE*                   | CONS     | ADC   | DEGREE COOL / HTR | DAY | BILL. AMT | DUE DATE | LPC  | PYMTS | PYMT DATE | BALANCE | COMMENTS |
|----------|------|---------|-------------------------|----------|-------|-------------------|-----|-----------|----------|------|-------|-----------|---------|----------|
| 5-1-95   | 28   | 0005    | TRANSFER                | 90001298 | 10002 |                   |     | 1109.38   |          |      |       |           | 1109.38 |          |
| 5-21-95  |      | 0023    | EST. DATE. AMT. ADJUST. | 216      | 7.7   | 26                | 182 | 30.68     | 6-31-95  |      |       |           | 1140.06 |          |
| 6-20-95  | 30   | 0046    | A                       | 276      | 9.2   | 220               | 4   | 38.00     | 7-21-95  |      |       |           | 1178.06 |          |
| 8-14-95  |      |         | LATE. PAYMENT           |          |       |                   |     |           |          | 1456 |       |           | 1192.62 |          |
| 8-14-95  | 32   | 0080    | A                       | 408      | 12.7  | 359               | 0   | 53.01     | 9-22-95  |      |       |           | 1245.63 |          |
| 8-30-95  | 29   | 0108    | A                       | 336      | 11.5  | 373               | 0   | 41.65     | 9-20-95  |      | 30.00 | 9-24-95   | 1215.63 |          |
| 9-21-95  | 30   | 0128    | A                       | 242      | 9.0   | 82                | 78  | 33.22     | 10-23-95 |      | 40.00 | 9-22-95   | 1220.29 |          |
| 10-31-95 | 31   | 0146    | A                       | 216      | 6.9   | 7                 | 255 | 30.97     | 11-20-95 |      | 20.00 | 10-20-95  | 1254.00 |          |
|          |      |         | LATE PAYMENT CENTER     |          |       |                   |     |           |          | 1543 |       |           | 1234.00 |          |
| 12-1-95  | 32   | 0171    | A                       | 300      | 9.3   | 0                 | 829 | 40.55     | 12-24-95 |      | 32.00 | 11-8-95   | 1248.40 |          |
|          |      |         |                         |          |       |                   |     |           |          | 1561 |       |           | 1261.01 |          |
|          |      |         |                         |          |       |                   |     |           |          |      |       |           | 1280.40 |          |
|          |      |         |                         |          |       |                   |     |           |          |      |       |           | 1299.42 |          |
|          |      |         |                         |          |       |                   |     |           |          |      |       |           | 1304.56 |          |
|          |      |         |                         |          |       |                   |     |           |          |      |       |           | 1320.67 |          |

EXHIBIT 1 (R-1)

Codes: A = Actual C = Customer IA = Initial (Actual) FA = Final  
 E = Estimate R = Remote IE = Initial (Estimate) FE = Final

R-1  
 F-00306788  
 8-19-96  
 PHTS  
 JAS

A C C O U N T S T A T E M E N T

CUSTOMER NAME MARTA ALFARO  
 ACCOUNT NUMBER 9000129810003

Investigator R. RUSH Date Requested By 3-22-96  
 Case Number 0306795 DICO Analyst Blackman  
 Mail Drop 16-12

PAID 5-3-95 7. PARKS

PAGE 2 OF 2

| SVC TO  | DAYS | MTR RDG | TYPE*        | CONS     | ADC             | DEGREE HTG / COOL | BILL AMT      | DUE DATE | LPC     | PYMTS | PYMT DATE | BALANCE | COMMENTS |
|---------|------|---------|--------------|----------|-----------------|-------------------|---------------|----------|---------|-------|-----------|---------|----------|
| 96      | 33   | 0197    | A            | 312      | 9.4             | 0                 | 1232          | 4192     | 1/21/96 |       |           | 1362.59 |          |
|         |      |         | BLANK        | CHARGE   | FURNISH         |                   |               |          |         |       |           |         |          |
|         |      |         | LATE-PAYMENT | CHARGE   |                 |                   |               |          | 16.64   |       |           | 1379.23 |          |
| 1-31-96 | 28   | 0223    | A            | 312      | 11.1            | 0                 | 1044          | 4192     | 2-21-96 |       |           | 1421.15 |          |
|         |      |         | LATE-PAYMENT | CHARGE   |                 |                   |               |          | 17.16   |       |           | 1438.31 |          |
| 3-1-96  | 30   | 0250    | A            | 324      | 10.8            | 0                 | 1042          | 4329     | 3-25-96 |       |           | 1481.59 |          |
| 3-30-96 | 25   | 0273    | A            | 226      | 9.5             | 0                 | 881           | 37.81    | 4-23-96 |       |           | 1519.40 |          |
| 4-22-96 | 23   | 0290    | EA           | 204      | 8.8             |                   | 27.84         | 5-13-96  |         |       |           | 1547.24 |          |
| 5-14-96 |      |         |              |          |                 |                   |               |          |         |       |           | 0.00    |          |
|         |      |         |              | TRANSFER | BALANCE TO ACCT |                   | 9000129810003 |          |         |       |           |         |          |

\* Type Codes: A = Actual C = Customer IA = Initial (Actual) FA = Final (Actual)  
 E = Estimate R = Remote IE = Initial (Estimate) FE = Final (Estimate)

ACCOUNT STATEMENT

CUSTOMER NAME MARTA AIKENS  
 ADDRESS 28 MIDWAY DR APT A  
WEST MILFORD NJ 07092

ACCOUNT NUMBER 9870129810004

Investigator 0306788 Date Requested By DICO Analyst BILSWAN  
 Case Number 18-12 Mail Drop

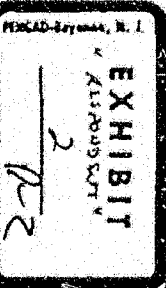
FROM: 4-22-96 TO: PRESENT

25 SEP 96 3 11:12:05

| SVC TO  | DAYS | MTR RDG | TYPE* | CONS | ADC  | DEGREE COOL / | DAY HTG | BILL AMT | DUE DATE | INFO. LPC | DATE | PYMT DATE | BALANCE | COMMENTS |
|---------|------|---------|-------|------|------|---------------|---------|----------|----------|-----------|------|-----------|---------|----------|
| 5-14-96 |      |         |       |      |      |               |         |          |          |           |      |           |         |          |
| 5-14-96 |      |         |       |      |      |               |         |          |          |           |      |           |         |          |
| 5-14-96 | 9    | 0296    | A     | 72   | 8.0  | 0             | 96      | 10.04    | 6-5-96   |           |      |           | 1587.30 |          |
| 6-4-96  | 34   | 0320    | A     | 888  | 9.4  | 69            | 202     | 38.87    | 6-25-96  |           |      |           | 1596.17 |          |
| 6-29-96 | 25   | 0341    | A     | 252  | 10.0 | 212           | 5       | 33.73    | 7-22-96  |           |      |           | 1569.90 |          |
| 8-1-96  | 33   | 0381    | E     | 480  |      | 125           | 14      | 60.54    | 8-27-96  |           |      |           | 1630.44 |          |

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 SEP 03 1996

**DOCUMENT FOLDER**



A = Actual  
 E = Estimate  
 C = Customer  
 R = Remote  
 IA = Initial (Actual)  
 IE = Initial (Estimate)  
 FA = Final (Actual)  
 FE = Final (Estimate)

R-2  
 8-19-96  
 P1145  
 JMS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Date: April 10, 1996

MARTA AIKENS  
28 MIDWAY DRIVE APT A  
WEST MIFFLIN PA 15122

DOCUMENT  
FOLDER

v.

BCS No: 0306788

**DOCKETED**

EXHIBIT  
"RESPONSE"  
3  
12-3

DUQUESNE LIGHT COMPANY  
ONE OXFORD CENTER  
301 GRANT STREET  
PITTSBURGH PA 15279

SEP 03 1996

Acct. No: 9000129810003

-----  
DECISION ON INFORMAL COMPLAINT BY THE BUREAU OF CONSUMER SERVICES:

STATEMENT OF COMPLAINT:

The above-captioned informal complaint was received by the Bureau of Consumer Services on March 13, 1996 from Marta Aikens. In the complaint it was alleged that:

The customer believes her bill dated March 18, 1996 in the amount of \$45.00 is too high. She was not in the residence during that period of time - everything was unplugged. The Company concluded that the bill is correct. The customer would like this matter further investigated.

INVESTIGATION BY STAFF OF THE BUREAU OF CONSUMER SERVICES REVEALED:

1. That there is no record that the customer ever disputed this bill with the Company.
2. That neither the Company nor this investigator has any knowledge about whether the customer was at the residence during the disputed period.
3. That the bill in dispute is in line with the customer's usage pattern.
4. That the customer did call the Company on February 5, 1996 to make payment arrangements.
5. That the customer failed to keep the terms of the above arrangements and a termination notice was sent.
6. That on March 8, 1996 the customer again called in an attempt to make new payment arrangements.
7. That the customer has made only four (4) payments on account.

INFORMATION CONTROL

2-3  
F-00306788  
8-19-96  
PIHS  
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8. That the customer has requested cancellation of service effective April 22, 1996 because she is moving and will not need service at her new address.

9. That the last payment made on this account was received on November 8, 1995 and was in the amount of \$32.00.

10. That as of the date of this decision the customer's outstanding balance is \$1,519.40.

BASED ON THESE FINDINGS, THE BUREAU OF CONSUMER SERVICES CONCLUDES THAT:

The customer mentions that she was not at her residence during the time of the disputed bill. However, she did call the Company on February 5 and March 8, 1996 so she was at the very least available to pick up her mail. She received termination notices which may have prompted both of these calls.

Further, the bill in question is in line with the customer's normal usage patterns. As a result of all of the above, I must conclude that the bill is correct as rendered. The customer, therefore, is responsible for payment of all outstanding charges associated with this account.

THEREFORE, IT IS DECIDED THAT:

1. That the informal complaint of Marta Aikens is dismissed.
2. That the customer must pay current bills plus \$50.00 per month toward the outstanding balance as long as she remains a customer of the Company.
3. That if the customer does not get service at a new location or in fact does cancel the subject service, she still has an obligation to pay this bill and may pay it off at the rate of \$50.00 per month, beginning April 30, 1996 and continuing monthly until the outstanding balance is paid in full.
4. As long as the terms of this decision are kept, the company shall not assess late payment charges.
5. That if the customer fails to keep the terms of this decision, the company may terminate service after providing notification(s) as required by 52 Pa Code 56 Section 93-99.

Copies of this decision will be issued to all participants in the complaint. Any questions concerning the terms of this decision or concerning the Public Utility Commission's appeal procedures may be directed to the Bureau of Consumer Services at 1-800-782-1110.

*Renee Rush*  
Utility Complaint Investigator  
Bureau of Consumer Services  
PA Public Utility Commission

**POQUESNE LIGHT COMPANY**  
**CHRONOLOGICAL SUMMARY OF PUC ORDERS & PAYMENT ARRANGEMENTS**

*Marta C. Aikens*  
28 Midway Dr. Apt. A  
West Mifflin Pa. 15122  
9000129810003

TYPE: PUC BCS 0306788  
DATE: April 10, 1996  
ACCOUNT BALANCE: \$1,519.40  
TERMS: Current bills plus \$50 beginning May  
COMPLIANCE: One payment made

TYPE: Company P/A  
DATE: February 5, 1996  
ACCOUNT BALANCE: \$1,421.15  
TERMS: Budget plus \$6 begin February 21st  
COMPLIANCE: No payments

TYPE: Company P/A  
DATE: November 6, 1995  
ACCOUNT BALANCE: \$1,280.40  
TERMS: Budget plus \$6 begin November 20th  
COMPLIANCE: One partial payment

TYPE: Company P/A  
DATE: September 11, 1995  
ACCOUNT BALANCE: \$1,260.28  
TERMS: Budget plus \$5 begin September 26th  
COMPLIANCE: Two partial payments

TYPE: Company P/A  
DATE: August 14, 1995  
ACCOUNT BALANCE: \$1,215.63  
TERMS: Budget plus \$5 begin August 28th  
COMPLIANCE: No payments

TYPE: Company P/A  
DATE: June 29, 1995  
ACCOUNT BALANCE: \$1,140.06  
TERMS: Budget plus \$15 begin July 24th  
COMPLIANCE: One partial payment

TYPE:  
DATE:  
ACCOUNT BALANCE:  
TERMS:

DOCUMENTS  
FOLDER

INFO. CONTROL DIV.  
SEP 03 1996 3 PM 12:05

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SEP 03 1996

EXHIBIT  
4  
R-4

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