

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:
- 8. DOCKET NO: F-00306788
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 05/03/96
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: AIKENS, MARTA

RESPONDENT/APPLICANT: DUQUESNE LIGHT COMPANY

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 110150

ALLEGATION OR SUBJECT

COMPLAINANT ALLEGING INABILITY TO PAY AS REQUESTED. COMPLAINANT WILLING TO PAY CURRENT BILL PLUS \$20.00 ON ARREARAGES. SHE ALSO ASKING FOR A TELEPHONE HEARING.

DOCUMENT
FOLDER

DOCKETED

MAY 07 1996

138

FORMAL COMPLAINT FOR
Pennsylvania Public Utility Commission

5/8.

Please Print:

F. 0306788

RECEIVED 0306788

1. Your Name, Mailing Address and Telephone Number

Name Martha A. ...

Street/P.O. Box 28-A Midway Dr Apt# A

City West Mifflin State Pa Zip 15122

County _____ Home Telephone-Area Code (412) 461-5241

Work Telephone-Area Code () _____

2. Which company does your complaint concern?

Name of Company Duquesne Light

DOCUMENT
FOLDER

3. What is your complaint?

My complaint is the decision PUC made for me is very very unacceptable they want me to pay 50.00 extra plus my bill. I am on DPA and I don't have that kind of money my assistance is for 316.00 and they want me to pay too much I have a 2yr old who is growing fast do they want me not to clothe him \$100.00 dollars for light \$5 for gas & 50 for phone where does any thing else fit in I am willing to pay \$20.00 plus my bill that's ALL I can afford

~~SECRETED~~ A month will be sentable

(If you need more space use additional paper and attach to this form).

MAY 07 1996

ORIGINAL I am asking for a telephone hearing 36

4. What do you want the Public Utility Commission to do about your complaint?

Bring my payment to \$5000 a month

(If you need more space use additional paper and attach to this form).

5. You must sign and date your complaint.

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.

Marta Atkins

4-22-96

Signature of complaining person, or officer (if customer is a corporation, trust or association) or member (if customer is a partnership). Make sure the complaint form with your original signature is one of the copies you return to the Commission.

Date Signed

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Telephone Number-Area Code () _____

REQUEST FOR APPEAL FROM CONSUMER SERVICES DECISION

RECEIVED
INFORMATION SYSTEMS

Please send me formal complaint forms at the address listed below.

000294

96 APR 17 11:53

0306788

BCS Number

April 10, 1996

Date of Mailing

Marta C. Aikens

Signature

Company Name:

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

CUSTOMER NAME AND ADDRESS

412-461-5241

(Area code) Telephone no.

Please correct any mistakes in your name and address.

MARTA AIKENS
28 MIDWAY DRIVE APT A
WEST MIFFLIN PA 15122

Mail this completed form to: Secretary
PA Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

THIS SLIP MUST BE RETURNED WITHIN 20 DAYS OF THIS DATE: April 10, 1996

APPEAL DATE

4/17
34

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

5/8

April 18, 1996

BCS 0306788

MARTA AIKENS
28 MIDWAY DRIVE APT A
WEST MIFFLIN PA 15122

DOCUMENT
FOLDER

Dear Sir/Madam:

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

We have enclosed three complaint forms for you to complete. Please read carefully the instructions to help you complete the forms. You can fill out all three forms using the same words, or you can fill out one to use as an original and make two copies. Please make sure you sign the forms (an original signature is required). Return all 3 forms to us on or before May 8, 1996 to the address listed below:

John G. Alford, 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,

for Betty R. Jones
Administrator
Information Control & Records Section
Division of Office Service

cc: DUQUESNE LIGHT COMPANY

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: May 7, 1996

MARTA AIKENS
Complainant

vs.

DUQUESNE LIGHT COMPANY
Respondent

Complaint Docket
No: F-00306788

DOCUMENT
FOLDER

FORMAL COMPLAINT
NOTICE TO RESPONDENT
TO ANSWER OR SATISFY

DOCKETED

MAY 07 1996

TO: DUQUESNE LIGHT COMPANY

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 17120, an answer (original and two 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.



John G. Alford
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

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

DATE SERVED: May 7, 1996

F-00306788

DUQUESNE LIGHT COMPANY
WESLEY W VON SCHACK PRES
ONE OXFORD CENTER
301 GRANT STREET
PITTSBURGH PA 15279

DOCUMENT
FOLDER

Dear MR. SCHACK:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by MARTA AIKENS. 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

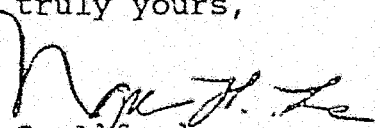
An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

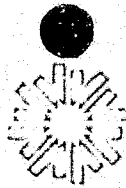
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

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,


for John G. Alford
Secretary



Duquesne Light Company

ORIGINAL

Legal Unit
411 Seventh Avenue
P.O. Box 1930
Pittsburgh, Pennsylvania 15230-1930
Phone: (412) 393-6900
Fax: (412) 393-6645

Writer's DIRECT DIAL Number

(412) 393-4113

May 29, 1996

Certificate of Mailing

Mr. John G. Alford, Secretary
Pennsylvania Public Utility Commission
North Office Building
New Filing Section, Room B-20
P.O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
MAY 29 1996
SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

Re: Marta Aikens vs. Duquesne Light Company
Docket No. F-00306788

Dear Mr. Alford:

Enclosed for filing in the above-referenced matter are an original and two copies of the Answer and New Matter of Duquesne Light Company. A copy of this Answer and New Matter has been served upon the Complainant in accordance with Commission rules.

Sincerely,

Regina M. Sestak
Attorney

RMS/rms:

Enclosures (3)

c: Marta Aikens (w/enclosure)

DOCUMENT
FOLDER

JAF

5/31
79

ORIGINAL

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARTA AIKENS,)
)
)
 Complainant,)
)
 vs.)
)
 DUQUESNE LIGHT COMPANY,)
)
)
 Respondent.)

Docket No. F-00306788

RECEIVED
MAY 29 1996

ANSWER AND NEW MATTER OF DUQUESNE LIGHT COMPANY SECRETARY'S OFFICE
Public Utility Commission

TO THE HONORABLE COMMISSION:

AND NOW comes the Respondent, Duquesne Light Company, by and through its attorney, Regina Sestak, and files the within Answer and New Matter of which the following is a statement:

Although Complainant filed her Complaint on two separate complaint forms, the facts averred and the relief requested on both forms are substantially the same. Therefore, for the purposes of this answer, the averments and requests for relief contained on both complaint forms will be addressed collectively.

ANSWER

1. Admitted.
2. Denied as stated. The correct spelling of Complainant's name is Duquesne Light Company.
3. Denied.

DOCKETED

JUN 05 1996

DOCUMENT
FOLDER

Complainant's averment that the decision of the Public Utility Commission (PUC) is "very unacceptable" is a statement of opinion to which no response is required. By way of further response, this decision was issued by the PUC Bureau of Consumer Services (BCS), on April 10, 1996, in response to an informal complaint Complainant filed on March 13, 1996, at BCS No. 0306788. Said decision required Complainant to pay current bills plus \$50 each month toward the account balance, which then totaled \$1,519.40. Said decision is attached hereto, incorporated herein and marked Exhibit 1.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments regarding her income, her lack of having "that kind of money," her child, her other expenses, her willingness to pay \$20 plus her bill, and that this amount is what she can afford, and these averments are therefore denied.

Complainant's averment that "\$50 a month will be suitable" is an opinion which requires no response.

Complainant's request for a telephone hearing requires no response. However, Respondent has no objection to having the hearing on this complaint conducted telephonically.

4. As this paragraph contains a request for relief, no response is required.

WHEREFORE, Respondent requests that after reasonable investigation and hearing the Complaint be dismissed.

NEW MATTER

5. Paragraphs one through four are hereby incorporated herein by reference.

6. Complainant has made no payments since said BCS decision was issued.

7. On April 3, 1996, Complainant contacted Respondent and requested cancellation of her electric service account, effective April 22, 1996.

8. Respondent complied with Complainant's cancellation request.

9. On May 10, 1996, Complainant contacted Respondent and requested that service be reinstated at the same address.

10. Respondent established a new electric service account for Complainant and transferred her prior account balance of \$1,547.26 to the new account.

WHEREFORE, Respondent requests that the Commission issue an interim order directing Complainant to:

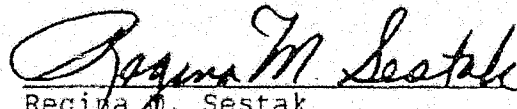
- 1) make payments in accordance with the BCS decision issued April 10, 1996, pending hearing on his Complaint;
- 2) if Complainant fails to make payments in accordance with said BCS decision, authorize Respondent to terminate service prior to hearing; and
- 3) if Complainant fails to make payments in accordance with said BCS decision prior to hearing, require Complainant

to make a lump sum payment of all amounts due under said BCS
decision and unpaid as of the date of hearing.

Respectfully submitted:

DUQUESNE LIGHT COMPANY

By Counsel:



Regina M. Sestak
411 Seventh Avenue, 16-006
Pittsburgh, PA 15230-1930
(412) 393-4113
FAX (412) 393-6645

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

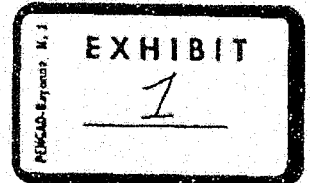
Date: April 10, 1996

MARTA AIKENS
28 MIDWAY DRIVE APT A
WEST MIFFLIN PA 15122

V.

BCS No: 0306788

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



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 this account.

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

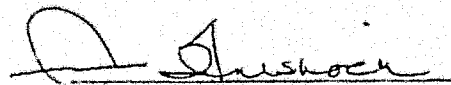
Utility Complaint Investigator
Bureau of Consumer Services
PA Public Utility Commission

AFFIDAVIT

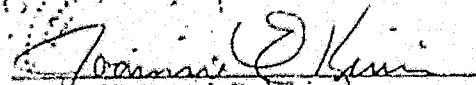
COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY)

SS:

ANN STRISHOCK, being duly sworn according to law, deposes and says that she is Director, PJC Relations of Duquesne Light Company; that she is authorized to and does make this Affidavit for it; and that the facts set forth above are true and correct to the best of her knowledge, information and belief, and she expects the said Duquesne Light Company to be able to prove the same at any hearing hereof.


Ann Strishock

Subscribed and sworn to
before me this 29th day
of May, 1996.


Notary Public

Notarial Seal
Joanne E. Kirin, Notary Public
Pittsburgh, Allegheny County
My Commission Expires March 17, 1997
Member, Pennsylvania Association of Notaries

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

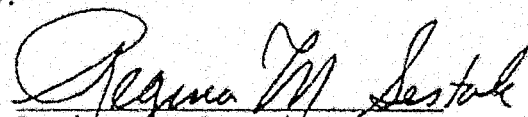
MARTA AIKENS,)
)
 Complainant,)
)
 vs.) Docket No. F-00306788
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent)
)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant).

Marta Aikens
28-A Midway Drive, Apt. A
West Mifflin, PA 15122

Dated this 29th day of May, 1996.


Regina M. Sestak
Counsel for:
Duquesne Light Company
411 Seventh Avenue, 16-006
Pittsburgh, Pa 15230-1930
(412) 393-4113
FAX (412) 393-6645