

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Jamie Swelling

v.

National Fuel Gas Distribution Corporation

DOCKETED
APR 06 2006

C-20065896

**DOCUMENT
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PREHEARING ORDER

An Initial Telephone Hearing in this case is scheduled for Tuesday, April 25, 2006 at 9:00 a.m. Your case is one of several that have been scheduled for this day. **You must be available when contacted by the presiding officer or your case will be dismissed. If you will be at a telephone number that is different than the number listed on the Complaint, you must notify me of that telephone number at least five (5) business days before the hearing.**

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is:

Pittsburgh State Office Building
300 Liberty Avenue, Suite 1103
Pittsburgh, PA 15222
Telephone: 412-565-3550
Fax: 412-565-5692

SECRETARY'S BUREAU

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Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will contact the customer at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three (3) copies to me at least five (5) business days before the hearing. This includes a copy of a Protection from Abuse (PFA) Order if you marked the "yes" response on the Complaint form that asks if you are a victim under a PFA. Proposed exhibits should be properly pre-marked for identification purposes.

4. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

5. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code §1.24(b).

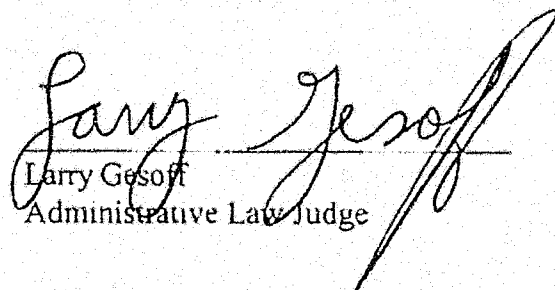
6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

7. The Complainant is responsible for payment of current bills pending the resolution of this complaint. 52 Pa. Code § 56.181. Failure to make payments may result in the termination of utility service.

8. **THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.**

9. The Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that he/she is entitled to the relief requested in the Complaint.

Date: March 27, 2006


Larry Gesoff
Administrative Law Judge

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20065896		YES	NO
Case Name:	Jamie Swelling	Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
	v	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	National Fuel Gas Distribution Corporation	Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Pittsburgh	Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date:	April 25, 2006	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Larry Gesoff	Estimated Add'l Days:		
Reporting Firm:	Commonwealth Reporting	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		DATE:	5/9/06	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:		

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PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?						
Jamie Swelling	521 West 16 th Street, 1 st Floor	Complainant <i>pro se</i>						
Telephone: 514-323-2534	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: 0.8em;">City</td> <td style="text-align: center; font-size: 0.8em;">State</td> <td style="text-align: center; font-size: 0.8em;">Zip</td> </tr> <tr> <td>Erie</td> <td>PA</td> <td>16502</td> </tr> </table>	City	State	Zip	Erie	PA	16502	
City	State	Zip						
Erie	PA	16502						
Lee E. Hartz, Esq.	P.O. Box 2081	Respondent						
Telephone: 814-871-8060	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: 0.8em;">City</td> <td style="text-align: center; font-size: 0.8em;">State</td> <td style="text-align: center; font-size: 0.8em;">Zip</td> </tr> <tr> <td>Erie</td> <td>PA</td> <td>16512</td> </tr> </table>	City	State	Zip	Erie	PA	16512	
City	State	Zip						
Erie	PA	16512						
Telephone:	E-mail Address:	Fax Number:						

Check this box if additional parties or attendees appear on back of form.

4/26/06
-1/2

Anne Thompson

Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.