

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Sandra Cupeles

v.

PPL Electric Utilities Corporation

F-01579672

DOCKETED

OCT 26 2004

DOCUMENT

PREHEARING ORDER

An Initial Telephonic Hearing in this case is scheduled for Monday, October 4, 2004 at 1:30 p.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. Commission policy promotes settlements. 52 Pa.Code §5.231(a). You are urged to contact each other 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.

2. The customer is required to make regular monthly payments towards their utility bill while their complaint is pending. **FAILURE TO MAKE REGULAR PAYMENTS MAY RESULT IN AN ORDER REQUIRING A CATCH UP PAYMENT EQUAL TO THE AMOUNT OF THE PAYMENTS THAT SHOULD HAVE BEEN MADE.**

3. If the Commission's Bureau of Consumer Services (BCS) has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made. The utility must submit a copy of the latest BCS decision as a hearing exhibit.

4. 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 one week before the hearing. Proposed exhibits should be properly pre-marked for identification purposes.

5. If you will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one week before the hearing.

6. The customer bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the named utility has violated the Public Utility Code, a Commission regulation or Commission order so that the customer is entitled to the relief requested in the complaint.

7. At the hearing, the customer must be prepared to testify about, or otherwise document, the total net monthly income of the household. A household includes all individuals regularly residing there and receiving the benefit of the utility service. The "total net monthly income of the household" includes, but is not limited to, the following payments received by every person residing in the customer's home: (a) the "after taxes take-home-pay" from salaries, wages, tips or other compensation; (b) pension, retirement or social security benefits; (c) Supplemental Security Income (SSI); (d) unemployment compensation benefits; (e) workers' compensation benefits; (f) alimony; (g) support; (h) public assistance, and (i) any other source(s) of income.

8. If the customer or any member of the customer's household is receiving food stamps and/or medical assistance, the customer must be prepared to testify or document the amount of food stamps or the nature of the medical assistance received.

9. At the hearing, the customer must be prepared to testify about or document the total monthly expenses of the household, which shall include, but are not limited to, the following items: (a) rent or mortgage payments; (b) utility bills (including electric, gas, telephone, water, sewer, cable television, etc.); (c) food, in addition to any food stamp benefits; (d) clothing;

(e) automobile (loan payments, gasoline, maintenance, etc.); (f) transportation (bus, taxicabs, jitneys, etc.); (g) insurance premiums (homeowners' or renters' insurance, automobile insurance, life insurance, medical insurance, etc.); (h) medical bills, (doctors, dentists, hospitals, prescriptions, etc.); (i) credit card and charge account payments; (j) loan payments; and (k) miscellaneous expenses. When testifying to these expenses, the customer should be prepared to give balances due and missed payments for each item.

10. TO ASSIST THE CUSTOMER IN PROVIDING THE INCOME AND EXPENSE INFORMATION REQUIRED BY THIS ORDER, THREE (3) COPIES OF A BUDGET INFORMATION FORM ARE ENCLOSED. THE CUSTOMER MUST FILL OUT THIS FORM; RETURN ONE (1) COMPLETED COPY TO ME, AND SEND ONE (1) COMPLETED COPY TO THE ATTORNEY FOR THE UTILITY AT LEAST ONE WEEK BEFORE THE HEARING. YOU SHOULD KEEP ONE (1) COMPLETED COPY AND THIS ORDER FOR YOUR USE DURING THE HEARING.

11. The utility must prepare and submit the following documents at least one week before the hearing: (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less; (b) a service usage comparison report for the same period as the account statement; (c) a copy of the most recent BCS decision, if any; and, (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

12. 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).

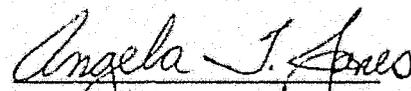
13. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code § 5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object,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

14. 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) 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: Administrative Law Judge Angela T. Jones, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Changes are granted only in rare situations where good cause exists.

15. YOU MAY LOSE THIS CASE IF YOU DO NOT TAKE PART IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

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

Date: September 15, 2004


Angela T. Jones
Administrative Law Judge

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J. GROSS
PAUL A. MCGINLEY
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*Also admitted in NY

October 4, 2004

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

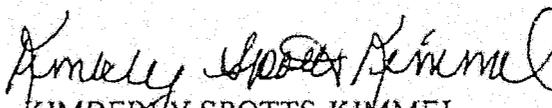
RE: Sandra Cupeles v. PPL Electric Utilities Corporation
Docket No. F-01579672

Dear Mr. McNulty:

Enclosed for filing in the above-captioned matter are an original and three (3) copies of the Entry of Appearance and Request for Notices and Service of Papers entering my appearance on behalf of PPL Electric Utilities Corporation.

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 SPOTTS-KIMMEL

KSK/sam
Enclosures

cc: Administrative Law Judge Angela T. Jones (w/enc.)
Deidre L. Bilger (w/enc.)
Sandra Cupeles (w/enc.)

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DOCUMENT
FOLDER

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SANDRA CUPELES,

Complainant,

v

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. F-01579672

ENTRY OF APPEARANCE AND REQUEST FOR NOTICES
AND SERVICE OF PAPERS

Kindly enter my appearance on behalf of Pennsylvania Power and Light Electric Utilities Corporation, in the above entitled matter, and take notice that as a party in interest, we hereby request, through Gross, McGinley, LaBarre & Eaton, LLP, and its undersigned counsel, that all notices given or required in these proceedings and all papers served or required to be served in these proceedings be served upon

Kimberly A. Spotts-Kimmel, Esquire
Gross, McGinley, LaBarre & Eaton, LLP
33 South 7th Street
P.O. Box 4060
Allentown, PA 18105-4060.

DOCUMENT
FOLDER

Respectfully submitted,

Date: October 4, 2004

GROSS, MCGINLEY, LABARRE & EATON, LLP

DOCKETED
NOV 08 2004

BY: *Kimberly A. Spotts-Kimmel*
KIMBERLY A. SPOTTS-KIMMEL, ESQUIRE
33 South 7th Street, P.O. Box 4060
Allentown, PA 18105-4060
(610) 820-5450

COPIES TO:
Administrative Law Judge Angela T. Jones
Sandra Cupeles

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NOV 11 2004

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SANDRA CUPELES,

Complainant,

v.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. F-01579672

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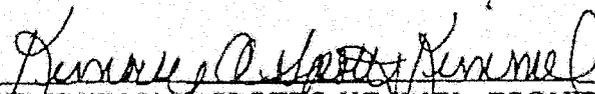
CERTIFICATION OF SERVICE

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

Sandra Cupeles
2864 Dell Lane
Lancaster, PA 17603

Dated this the 4th day of October 2004.

GROSS, MCGINLEY, LABARRE & EATON, LLP

By: 
KIMBERLY A. SPOTTS-KIMMEL, ESQUIRE
Attorney for PPL Electric Utilities Corp.
33 South 7th Street, P.O. Box 4060
Allentown, PA 18105-4060
(610) 820-5450
I.D. #84343

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	F-01579672		YES	NO
Case Name:	Sandra Cupeles v PPL Electric Utilities Corp	Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	HBG	Further Hearing Needed:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
Date:	October 4, 2004	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Angela T. Jones	DATE:	NO 24204	
Reporting Firm:	Sargents Court Reporting	Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	MOTION TO DISMISS GRANTED FOR LACK OF PROSECUTION. COMPLAINANT NO-SHOW (HOWEVER RECONSIDERED WILL REFLECT IN ORDER)	

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

Name and Telephone Number	Address			Who are you representing?
KIMBERLY SPOTTS-KIMMEL	GROSS MCGINLEY LABARRE & EATON 33 S. 7th ST.			PPL ELECTRIC UTILITIES, CORP.
	City	State	Zip	
	ALLEN TOWN	PA	18101	
Telephone: 610-820-5450	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:

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

Courtney M. Kilborn
Reporter's Signature

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