

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Doborah Blocker

v.

Duquesne Light Company

:  
:  
:  
:  
:

Z-01645063

DOCUMENT

INTERIM PAYMENT ORDER

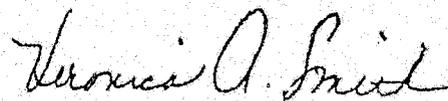
SEP 21 2004

The Respondent utility, Duquesne Light Company, has requested the Commission to issue an Interim Payment Order reminding the Complainant of the obligation to make regular monthly payments towards the utility bill while awaiting a hearing on the complaint, consistent with the Commission's Order in Charles Stammel v. PG Energy Co., A Division of Southern Union Company, Opinion and Order entered May 21, 2003 at Docket No. C-20027994.

The Complainant, Deborah Blocker, is hereby directed to pay the monthly utility bill, on or before the billing due date, unless otherwise directed by the Administrative Law Judge, until a final Commission Order is issued or until the proceeding is otherwise resolved.

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE TERMINATION OF YOUR SERVICE. THE UTILITY MUST GIVE YOU TERMINATION NOTICES AS REQUIRED BY 52 PA CODE CHAPTER 56.

Date: August 31, 2004



VERONICA A. SMITH  
Chief Administrative Law Judge



**Duquesne Light**

A DQE Company

Legal Department  
411 Seventh Avenue, 8-2  
Pittsburgh, PA 15219

Tel 412-393-1546  
Fax 412-393-1418  
rsestak@duq'ight.com

Regina M. Sestak  
Assistant General Counsel

August 19, 2004

ORIGINAL

Certificate of Mailing

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

DOCUMENT

RE: Deborah Blocker v. Duquesne Light Company  
Docket No. Z-01645063

Dear Secretary McNulty:

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

Sincerely,

Regina M. Sestak  
Assistant General Counsel  
Duquesne Light Company

encs

c: Deborah Blocker (w/enclosure)

RECEIVED

AUG 19 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

96

RECORDED

AUG 18 2004

ORIGINAL

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DEBORAH BLOCKER,	)	
	)	
Complainant,	)	
	)	
v.	)	Docket No. Z-01645063
	)	
DUQUESNE LIGHT COMPANY,	)	
	)	
Respondent.	)	

-----  
ANSWER AND NEW MATTER  
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TO THE HONORABLE COMMISSION:

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

Answer

1. Admitted. No response is required to Complainant's averment, "N/A"
2. Admitted.
3. Admitted.
4. Denied.

DOCUMENT

Complainant's averment that Respondent wants her to pay \$354.00 is an apparent reference to the Public Utility Commission (PUC) Bureau of Consumer Services (BCS) decision issued at BCS Case Number: 1645063. If so, this

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SEP 23 2004

avermment is denied as stated. By way of background, Complainant was accepted into Respondent's Customer Assistance Program (CAP) on August 19, 2003. The CAP payment arrangement was based upon 80% of her regular budget amount, which was subsequently reduced to 70%. The regular budget amount is an average based upon usage that is recomputed monthly and is therefore subject to change. At the time of the BCS decision, this CAP amount was \$50.00 a month and the Complainant had made only three payments during the preceding year. The decision required Complainant to make a CAP catch up payment of \$355.00 by July 7, 2004, and to pay a CAP budget amount of \$50.00 a month beginning August, 2004. A copy of the printout evidencing the BCS decision, which was transmitted to Respondent electronically, is attached hereto, incorporated herein, and marked Exhibit 1.

Complainant's averments that the amount is too much and that she agrees with continuing her payment through the CAP program are statements of opinion to which no response is required.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments regarding whether she has just returned to work, whether she has just had two surgeries back to back, and whether she is dealing with one income and the cause of this, and these averments are therefore denied.

5. To the extent this paragraph contains a request for relief, no response is required.

Complainant's averment, "I just can not come up with \$354.00 to start," is a statement of opinion to which no response is required.

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

New Matter

6. Paragraphs one through five above are hereby incorporated by reference.

7. Since the BCS decision went into effect, Respondent has not received any payments on the account in question. In fact, the last payment received toward Complainant's account was a payment of \$105.00 on January 23, 2004.

WHEREFORE, Respondent requests that the Commission:

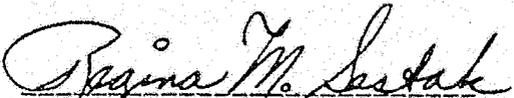
- 1) remove the automatic stay of payment arrangements ordered in the BCS decision in accordance with Commission Regulation 56.174(c), 52 Pa. Code §56.174(c),
- 2) issue an interim order that directs Complainant to make payments as directed by said BCS decision or, in the alternative, payments for current consumption, pending further order on her complaint;
- 3) authorize Respondent to terminate service to Complainant prior to hearing in the event that Complainant fails to make payments as directed in any interim order issued under (2), above or, if no interim order is issued, payments for current consumption; and

- 4) require Complainant to make a lump sum payment of the amount due and payable to Respondent pursuant to any interim order issued under (2), above, or, if no interim order is issued, either the amount accrued for current consumption or the amount accrued under Complainant's CAP arrangement that remains unpaid as of the date of hearing or date of final order.

Respectfully submitted:

DUQUESNE LIGHT COMPANY

By Counsel:



Regina M. Sestak

Pa. 1.D. # 23632

Duquesne Light Company

411 Seventh Avenue, 8-2

Pittsburgh, PA 15219

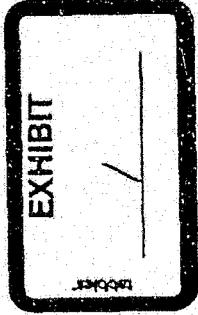
Telephone: (412) 393-1546

FAX (412) 393-1418

Status:  Receipt of FUC Decision    Date Sent: 06/02/2004    Closing Date Received: 07/04/2004  
 Justified:  Internal Justification: No    Reason Justified: None-not notified    Ethic Code: None  
 Decision:  Written     Oral    Decision Balance: \$3710.05    Balance Date: 06/02/04    Service Requested: \$0.00

Lump		Date Awarded: 07/07/04		Service Requested: \$0.00	
Requested:	Awarded: \$355.00	Difference:			
Budget Payments		Date Awarded: 07/07/04		Service Requested: \$0.00	
Request:	Amount Paid: \$0.00	Special:	\$50.00	Final:	\$0.00

Decision Type: CAP FULL CAP LUMP  
 Terms: AUGUST 2004  
 Resolution: CUSTOMER MUST PAY CAP CHUP PMT OF 365 TO GO BY 7/7/04 THEN 865 AUGUST 2004 PAY CAP BUDGET PMT OF 50.00. WAIVE LPCS.



AUG 2 9 2004  
 PA PUBLIC UTIL. & COMM. DIVISION  
 SECRETARY'S OFFICE

AFFIDAVIT

I, Joseph W. Smetanka, being duly sworn according to law depose and say that I am authorized to make this affidavit on behalf of Duquesne Light Company being the holder of the office of Assistant Vice President - Customer Services with that corporation, and that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief and Duquesne Light Company expects to be able to prove the same at any hearing hereof.

Joseph W. Smetanka  
Joseph W. Smetanka

Sworn and subscribed before me this 19th day of August, 2004.

Mary Jane Hammer  
Notary Public

My Commission Expires Oct. 6, 2007

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Mary Jane Hammer, Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Oct. 6, 2007  
Member, Pennsylvania Association Of Notaries

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DEBORAH BLOCKER, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 DUQUESNE LIGHT COMPANY, )  
 )  
 Respondent. )

Docket No. Z-01645063

CERTIFICATE OF SERVICE

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

Deborah Blocker  
1107 Maple Avenue  
Turtle Creek, PA 15145

Dated this 19th day of August, 2004.

AUG 19 2004  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE



Regina M. Sestak  
Pa. I.D.# 23632  
Duquesne Light Company  
411 Seventh Avenue  
Mail Drop 8-2  
Pittsburgh, PA 15219  
Telephone: (412) 393-1546  
FAX (412) 393-1418



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

IN REPLY PLEASE  
REFER TO OUR FILE

November 5, 2004

In Re: Z-01645063

(SEE ATTACHED LIST)

Deborah Blocker v. Duquesne Light Company

Requests payment arrangements.

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial telephonic hearing.  
Date: Monday, December 13, 2004  
Time: 2:00 p.m.  
Presiding: Special Agent Bradley A. Bingaman  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
Telephone: (717) 783-5452  
Fax: (717) 787-0481

The special agent will be presiding as authorized by 52 Pa. Code §56.174.

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

DOCKETS  
NOV 22 2004

DOCUMENT  
FOLDER

At the above date and time, the Presiding Officer will contact the parties as follows:

Deborah Blocker	412-537-0099
Regina M. Sestak, Esquire	412-393-1546

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Special Agent and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

*Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.*

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Special Agent Bingaman  
Cherie Pyle  
Beth Plantz  
Docket Section  
Calendar File