

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 05/14/04
8. DOCKET NO: F-01608749	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: HOPKINS, DENISE M.

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: LACKAWANNA

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE OWES PPL \$3500 FOR PAST BILLS BECAUSE HIS METER IS BROKEN AND WAS NOT BEING CHARGED ENOUGH. WOULD LIKE PPL TO ONLY CHARGE HIM THE LAST 6 MONTHS INSTEAD OF THE LAST 5 YEARS.

CLIMEN

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MAY 14 2004

ORIGINAL

BCS1608749

5/27/04

F-01608749

110550

Formal Complaint Form
Pennsylvania Public Utility Commission

Please Print: (you may also type your answers directly onto the form as it appears on your screen)

1. Your name, mailing address and telephone number:

Name Denise M. Hopkins
Street/P.O.Box 1453 Dartmouth St Apt # _____
City Scranton State PA Zip 18504
County LACKA, Area Code/Home Phone 570-843-4397
Area Code/Work Phone _____

SECRET
MAY 27 2004
BUREAU

2. Name of company your complaint concerns: P.P.L. COMPANY

3. What is your complaint? (Use additional paper if need more space)

When I moved to 1453 DARTMOUNT ST I CALLED UP ELECTRIC COMPANY to turn power on they did. I ALWAYS PAID MY BILL EVERY MONTH DURING this time. then I got A BILL FOR 3500. FROM ELECTRIC COMPANY they SAID my meter WAS BROKE FOR 5 YRS. I dont think I SHOULD TAKE FULL RESPONSABILITY FOR THE ELECTRIC BILL. How can they ESTIMATE BILL FOR 5 YRS. I AM ON A FIXED INCOME AND DISABLED BY THE STATE (they TRIED TO CONTACT ME BUT HAD WRONG PHONE NUMBER)

4. What do you want the Public Utility Commission to do about your complaint?
(Use additional paper if need more space).

EXCLUDE IT OR DONT GO BACK 5 YRS WITH WITH BILL
0 MONTHS TO A YEAR IS ENOUGH.

5. You must sign and date your complaint below.

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.

Denise M. Hopkins
Signature

5/12/04
Date

Continued on next page

NOTIFICATION OF INTENT TO APPEAL
(Request For Formal Complaint Forms)

Notice to Customer:

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: 4/22/04. The Commission will send you formal complaint forms.

You must comply with the terms of this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments, or the utility company may pursue the termination of your service.

Thank You.
Pennsylvania Public Utility Commission

Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

DENISE HOPKINS
1453 DARTMOUTH ST SCRANTON PA 18504

570-343-4397
(Area Code) Telephone Number

Denise Hopkins
Signature

Mail this completed form to:

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

FOR OFFICE USE ONLY

BCS Number: 1608749
Company: PPI.

Date of mailing: 4/22/04

REVISED 11/97

RECEIVED

MAY - 4 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

57



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

5/27/04

IN REPLY PLEASE
REFER TO OUR FILE

May 7, 2004

BCS1608749

DENISE HOPKINS
1453 DARTMOUTH STREET
SCRANTON PA. 18504

Dear Sir/Madam:

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

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before May 27, 2004 to the address listed below:

James J. McNulty, 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:

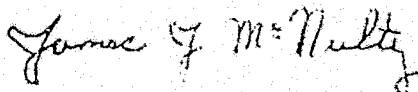
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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,



James J. McNulty
Secretary

ddi

CC: PPL ELECTRIC

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: 06/17/04

Denise M. Hopkins
Complainant

VS.

PPL ELECTRIC UTILITIES
CORPORATION
Respondent

DOCUMENT
FILED
Complaint Docket
No: F-01608749

DOCKETED
JUN 16 2004

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PPL ELECTRIC UTILITIES CORPORATION

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,

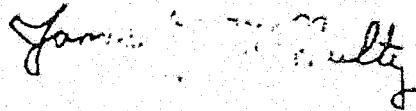
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as 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, 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.



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

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

DATE SERVED: 06/17/04

F-01608749

PPL ELECTRIC UTILITIES CORPORATION
PAUL E RUSSELL GEN COUNSEL
TWO N 9TH ST
ALLENTOWN PA 18101-1179

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Denise M. Hopkins. 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.

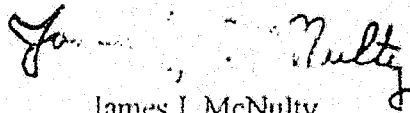
06/17/04

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,



James J. McNulty
Secretary

Mitchell
Gallagher

ORIGINAL

Attorneys at Law

J. Neffie Mitchell (1919-1986)

C. Edward S. Mitchell
Robert A. Gallagher
Gary L. Weber
Bret J. Southard
Daryl R. Wishard

Email: ghw@mungsw.com

July 7, 2004

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JUL 08 2004

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

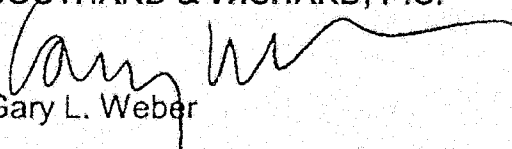
RE: Denise M. Hopkins v. PPL Electric Utilities
Corporation
Docket No. F-01608749

Dear Secretary McNulty:

Enclosed please find an original and three photocopies of the Answer of PPL Electric Utilities to Formal Complaint of Denise M. Hopkins for filing in the above-captioned case.

Very truly yours,

MITCHELL MITCHELL GALLAGHER WEBER
SOUTHARD & WISHARD, P.C.


Gary L. Weber

GLW:bgh

Enclosures

pc w/enc: Denise M. Hopkins
Deidre Bilger

DOCUMENT
FOLDER

Mitchell Mitchell Gallagher Weber Southard & Wishard P.C.

www.mungsw.com

10 West Third Street, Williamsport, Pa 17701-6513
(570) 323-8404 Fax (570) 323-8585

29

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: 6/17/04

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JUL 08 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DENISE M. HOPKINS, :
Complainant : Complaint Docket
: No. F-01608749
: vs :
: PPL ELECTRIC UTILITIES :
CORPORATION, :
Respondent :

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION TO FORMAL COMPLAINT
OF DENISE M. HOPKINS

1. Admitted.
2. Denied as stated; the correct name of the Respondent is PPL Electric Utilities Corporation ("PPL").

3. Admitted that Complainant established a PPL electric account in her name at 1453 Dartmouth Street, Scranton, Pennsylvania. Admitted that Complainant regularly paid electric bills in a timely manner. By way of further answer, said bills from the time she established service in her name in 1998 through the bill rendered on October 10, 2003 always ranged between \$6.42 and \$6.81 per month, which encompassed the customer charge and, occasionally, a few cents for one to three kilowatt hours of usage.

Denied that Complainant received a bill for \$3,500. To the contrary, on or about February 27, 2004, Complainant was billed for \$3,333.93 for four years of previously unbilled electric service used by Complainant. By way of further answer, said re-billing was for the period of September 9, 1999 to October 23, 2003, a period of time during which Complainant's meter was not recording actual usage. Said bill was estimated

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JUL 08 2004

**DOCUMENT
FOLDER**

based on information available to the company as to historical usage of electricity at the property. The average usage of 31 kWh per day that was estimated for the time during which the meter was not working is less than Complainant's current recorded usage of 35 to 37 kWh per day.

Denied that PPL billed Complainant for previously unbilled service for a period of five years; to the contrary, PPL billed for a period of four years back from the date that it discovered that the meter had stopped. Said re-billing is authorized where a meter problem led to under-billing for service used by a customer. Angie's Bar v. Duquesne Light Company, 72 Pa. P.U.C. 213 (1990). Said re-billing may be based upon an estimate where an actual reading is not available due to equipment failure. 52 Pa. Code Section 56.12(3).

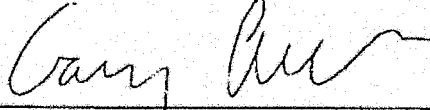
Denied that Complainant should not take full responsibility for her electric bill in that the bill is only for electric service that she used. Pursuant to the Public Utility Code, 66 Pa. C.S. Section 1303, PPL is not permitted to charge Complainant less for electric service than that required by the appropriate rate schedule.

Admitted that PPL did estimate Complainant's bill for four years; denied that said bill was estimated for five years. By way of further answer, said estimate was based on an estimate of usage that is less than Complainant's current, actual usage.

After reasonable investigation, PPL is without knowledge or information sufficient to form a belief as to whether Complainant is on a fixed income and disabled. By way of further answer, Complainant was offered a payment plan for the repayment of the bill at issue.

WHEREFORE, PPL Electric Utilities Corporation requests the Commission to deny the relief requested by Complainant and to dismiss the Complaint.

MITCHELL MITCHELL GALLAGHER WEBER
SOUTHARD & WISHARD, P.C.

BY: 

Gary L. Weber ID #37648

Attorney for Respondent
10 West Third Street
Williamsport, PA 17701
(570) 323-8404
(570) 323-8585 - FAX
glw@mmgsw.com

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 Section 1.54 (relating to service by a participant).


Denise M. Hopkins
1453 Darthmount Street
Scranton, PA 18504

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JUL 08 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dated this 7th day of July, 2004



Gary L. Weber
Counsel for PPL Electric Utilities Corporation



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

IN REPLY PLEASE
REFER TO OUR FILE

July 30, 2004

In Re: F-01608749

(SEE ATTACHED LIST)

Denise M. Hopkins v. PPL Electric Utilities Corporation
Billing Dispute

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 Telephone Hearing
Date: Tuesday, October 12, 2004
Time: 10:00 a.m.
Presiding: Administrative Law Judge Ember S. Jandebour
Room 317
Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503
Telephone: (570) 963-4818
Fax: (570) 963-3310

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.

DOCUMENT
FOLDER

DOCKETED
AUG 03 2004

RJP

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

Denise M. Hopkins	570-343-4397
Gary L. Weber, Esquire	570-323-8404

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge 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: Judge Jandebaur
Cherie Pyle
Beth Plantz
Docket Section
Calendar File

ORIGINAL

Mitchell
Gallagher
Attorneys at Law

J. Neffie Mitchell (1919-1996)

C. Edward S. Mitchell
Robert A. Gallagher
Gary L. Weber
Bret J. Southard
Darryl R. Wishard

Email: glw@mmgsw.com

September 30, 2004

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

RE: Denise M. Hopkins v. PPL Electric Utilities
Corporation
Docket No. F-01608749

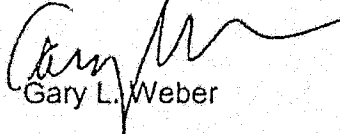
Dear Secretary McNulty:

Enclosed please find for filing in the above-referenced matter an original and three (3) copies of a Certificate of Satisfaction of Complaint under 52 Pa. Code § 5.24(b).

Because all legal and factual issues in this proceeding have been resolved, PPL Electric Utilities Corporation respectfully requests that this docket be terminated.

Very truly yours,

MITCHELL MITCHELL GALLAGHER WEBER
SOUTHARD & WISHARD, P.C.


Gary L. Weber

GLW:bgh
Enclosures

pc w/enc. Denise M. Hopkins
Deidre Bilger
Administrative Law Judge Ember Jandebour, Via Fax 963-3310
Lori Bickford
Susan Licon

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SEP 30 2004
PPL ELECTRIC UTILITIES
BUREAU

DOCUMENT
FOLDER

Mitchell Mitchell Gallagher Weber Southard & Wishard P.C.

www.mmgsw.com

10 West Third Street, Williamsport, Pa 17701-6513
(570) 323-8404 Fax (570) 323-8585

Complainant's account for half this amount on April 23, 2004, in accordance with the BCS decision. The remaining \$339.39 will be credited to Complainant's account.

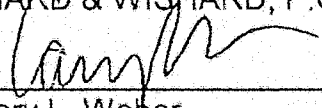
- b. Complainant agrees to make payments on the unpaid balance of the electric bill in accordance with the decision of the Bureau of Consumer Services (current bill plus \$15.00).
- c. Complainant agrees to withdraw her complaint with prejudice.

WHEREFORE, PPL respectfully requests that the docket be marked closed in this matter.

Respectfully submitted,

MITCHELL MITCHELL GALLAGHER WEBER
SOUTHARD & WISHARD, P.C.

By: _____


Gary L. Weber
Attorney for PPL Electric Utilities
Corporation

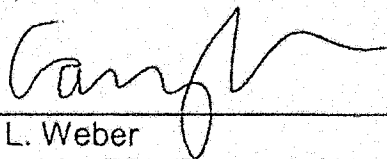
Dated: September 30, 2004

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 Section 1.54 (relating to service by a participant).

Denise M. Hopkins
1453 Darthmount Street
Scranton, PA 18504

Dated this 30th day of September, 2004



Gary L. Weber
Counsel for PPL Electric Utilities Corporation

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: October 6, 2004
SUBJECT: F-01608749 Denise M. Hopkins v. PPL Electric Utilities Corp.
TO: Wanda Zeiders
Docket Management
FROM: Susan Licon, Scheduling Officer
Office of Administrative Law Judge

DOCKETED
OCT 19 2004

On October 1, 2004, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Ember Jandebeur
Beth Plantz
Case File

**DOCUMENT
FOLDER**