

PLEASE DOCKET

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Terry Mims

v.

Equitable Gas Company

DOCKETED
APR 19 2006

C-20066033

**DOCUMENT
FOLDER**

PREHEARING ORDER

The Commission has scheduled this case for an Initial Telephonic Hearing for Tuesday, May 2, 2006, at 1:00 p.m. You must be available when I contact you or your case will be dismissed. 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 five (5) business days before the hearing.

The parties shall 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 business days prior to the hearing. 52 Pa. Code §1.15(b). Any request to change a hearing date must be sent to me and all parties of record. My address is:

David A. Salapa
P.O. Box 3265
Harrisburg, Pa. 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

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

2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility shall the customer at least one week before the scheduled hearing to discuss possible settlement of this case. Even if you are unable to settle this case, you may still resolve many

questions or issues during your discussion. If the parties reach an agreement, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. THIS CASE WILL BE DISMISSED IF YOU DO NOT PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED IN YOUR COMPLAINT.

4. The Responsible Utility Customer Protection Act, 66 Pa. C.S. §§1401, et seq., applies to this case. **This law provides strict requirements that the Commission must follow in handling customer complaints. The application of this law may result in the issuance of less favorable payment terms than a customer's current payment arrangement.**

5. The customer must make monthly payments for current consumption on or before the billing due date while this complaint is pending. **FAILURE TO MAKE PAYMENTS MAY RESULT IN THE UTILITY TERMINATING THE CUSTOMER'S SERVICE.**

6. As the party seeking affirmative relief from the Commission, Complainant bears the burden of proof.

7. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three copies to me at least five business days before the hearing. You should pre-mark exhibits for identification purposes.

8. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The total gross monthly household income includes but is not limited to the following:

- (a) 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) child support;
- (h) public assistance; and
- (i) any other source(s) of income.

9. The utility must prepare and submit the following documents at least five business days before the hearing:

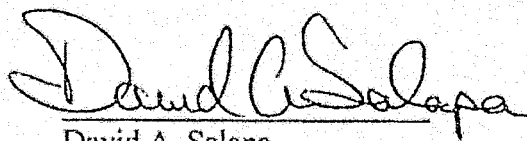
- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a copy of the most recent BCS decision, if any;
- (c) a brief summary of any payment arrangement(s) made between the utility and the customer.

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

11. 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.

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

Date: April 12, 2006


David A. Salapa
Administrative Law Judge

YUKEVICH, MARCHETTI, LIEKAR & ZANGRILLI, P.C.

ATTORNEYS AT LAW

11 STANWIX STREET

SUITE 1024

PITTSBURGH, PENNSYLVANIA 15222-1324

ORIGINAL

TELEPHONE 412/261-6777

FAX 412/261-6789

May 2, 2006

Writer's Direct Dial:
412-261-6786

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
North Office Building
P O Box 3265
Harrisburg Pa 17105-3265

**RE: TERRY MIMS vs. EQUITABLE GAS COMPANY
PUC COMPLAINT DOCKET NO. C-20066033**

Dear Mr. McNulty:


The above-captioned case has been settled and satisfied, and Complainant has agreed to withdraw the Formal Complaint. All issues addressed in the Complaint have been resolved. Therefore, Equitable requests that the instant case be withdrawn pursuant to 52 Pa. Code Section 5.24(b).

Enclosed is the original and three (3) copies of the above noted document to be filed, together with three (3) copies of this letter and one extra copy of the cover sheet.

Please file the original and then time-stamp and return the extra cover sheet to the undersigned in the enclosed self-addressed envelope as proof of filing. Thank you for your courtesy.

Yours truly,

Yukevich, Marchetti, Liekar & Zangrilli, P.C.

By: 
Thomas S. Anderson, Esquire

TSA/nwj

Enclosures

cc: Terry Mims (w/enc) via Regular Mail
ALJ David A. Salapa (w/enc) via Regular Mail
Daniel L. Frutchey, Esquire (w/enc) via Regular Mail
Therese Nolfi (w/enc) via Regular Mail

DOCUMENT
FOLDER

SECRETARY'S BUREAU
2006 MAY -5 AM 8:51

4

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

2006 MAY -5 PM 8:52

Terry Mims,)
)
Complainant,)
)
vs.)
)
EQUITABLE GAS COMPANY,)
)
Respondent.)

Complaint Docket
No. C-20066033

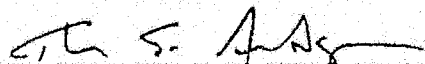
SECRETARY'S BUREAU

**DOCUMENT
FOLDER**

CERTIFICATION OF SATISFACTION

Formal Complaint

I, Thomas S. Anderson, Esq. Attorney of record for Equitable Gas Company, do hereby certify that I have spoken with the Complainant in the above captioned case and that all matters raised in the Formal Complaint have been satisfied. The Complainant has acknowledged satisfaction to Equitable Gas Company. Unless the Complainant objects to this Certification within 10 days of its filing, the Complaint may be withdrawn pursuant to 52 Pa. Code § 5.24(b).



Thomas S. Anderson, Esquire
Attorney for Equitable Gas Company

DOCKETED
MAY 25 2006

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the attached document was served in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant) as follows:

ATTACHED DOCUMENT: CERTIFICATION OF SATISFACTION

DATE OF SERVICE: May 2, 2006

BY: REGULAR U.S. MAIL

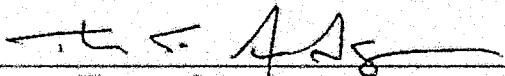
TO: Terry Mims
7112 Upland Street
Pittsburgh, PA 15208

James J. McNulty
Secretary of the Commission
Pennsylvania Public Utility Commission
2nd Floor, Keystone Building
400 North Street
Harrisburg, PA 17105

ALJ David A. Salapa
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

SECRETARY'S OFFICE
MAY 2 5 11 05 AM '06

Yukevich, Marchetti, Liekar & Zangrilli, P.C.

By: 

Thomas S. Anderson, Esquire
Attorney for Equitable Gas Company
11 Stanwix Street, Tenth Floor, Suite 1024
Pittsburgh, PA 15222-1324
(412) 261-6779 FAX 261-6789

Chapter 56 Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20066033		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Terry Mims v Equitable Gas Company	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taped:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Harrisburg	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:	N/A	
Date:	May 2, 2006	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Special Agent:	ALJ David Salapa	DATE:	5/2/2006	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p style="font-size: 24px; font-weight: bold;">RECEIVED</p> <p style="font-size: 18px;">MAY 18 2006</p> <p style="font-size: 14px;">PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU</p>		<p style="font-size: 24px; font-weight: bold;">DOCUMENT FOLDER</p>		
		<p>REMARKS Matter settled</p> <p>Equitable will file</p> <p>Order of satisfaction</p>		

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

Name and Telephone Number	Address	Who are you representing?
Thomas S ANDERSON, Esq Telephone: (412) 261-6777	11 Stanwix St. Suite 1024 <small>City</small> P. Hsburgh <small>State</small> Pa <small>Zip</small> 15232-1324	Equitable Gas Co
Terry Mims Telephone: (412) 231-2006	7112 Upland St <small>City</small> P. Hsburgh <small>State</small> Pa <small>Zip</small> 15208	PRO SE
Telephone: E-mail Address: Fax Number:	City State Zip	E-mail Address: Fax Number:

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

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

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: May 4, 2006
SUBJECT: C-20066033
Terry Mims v. Equitable Gas Company
TO: Wanda Zeiders
Docket Management
FROM: Cherie Pyle, ALJ Support Staff
Office of Administrative Law Judge

DOCUMENT
FOLDER

On May 4, 2006, 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 David Salapa
Beth Plantz
Case File

DOCKETED
MAY 12 2006