

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: 07/27/04
8. DOCKET NO: C-20043432	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: THOMPSON, BRENDA

RESPONDENT/APPLICANT: DUQUESNE LIGHT COMPANY

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 110150

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE WANTS A NEW PAYMENT PLAN BASED ON HER INCOME.

DOCUMENT
FOLDER

DOCKETED
JUL 29 2004

ORIGINAL

FORMAL COMPLAINT FORM
Pennsylvania Public Utility Commission

Please Print:

C-20043432

COMMUNICATIONS BUREAU
MAY 27 11:15

1. Your Name, Mailing Address and Telephone Number.

Name Brenda Thompson

Street/P.O. Box 107 DUGUESSE BL DE. Apt.# 807

City DUGUESSE State PA Zip 15110

County Allegheny Home Telephone-Area Code (412) 466-11687
Work Telephone-Area Code ()

2. Name of Company your complaint concerns: DUGUESSE Light

3. What is your complaint?

My light were terminated early may 2004 I
called the PUC. I was given a payment plan
of \$90 a month based on my job income. I
recently had a BAD to am no longer working
to unable to pay \$90 a month. I received \$150
every 10 weeks from public assistance so
I need a new payment plan

(If you need more space, use additional paper and attach to this form).

(-over-)

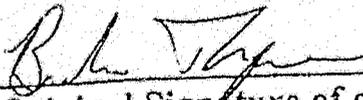
25

4. What do you want the Public Utility Commission to do about your complaint?
Give me a new payment plan based on my
Income.

(If you need more space, use additional paper and attach to this form.)

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.


Original Signature of complaining person

07-21-09
Date

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Telephone Number-Area Code () _____

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

DATE SERVED: JULY 30, 2004

C-20043432

MORGAN O'BRIEN PRESIDENT
DUQUESNE LIGHT COMPANY
411 7TH AVENUE 16-1
PITTSBURGH PA 15219-1905

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by BRENDA THOMPSON. 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.

DOCUMENT
FOLDER

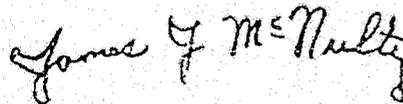
JULY 30, 2004

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,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in dark ink and is positioned above the typed name and title.

James J. McNulty
Secretary

JIH

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JULY 30, 2004

BRENDA THOMPSON
Complainant

VS.

DUQUESNE LIGHT COMPANY
Respondent

Complaint Docket
No: C-20043432

COMPLAINT
FOLDER

DOCKETED
JUL 29 2004

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: DUQUESNE LIGHT COMPANY

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).

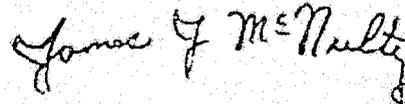
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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 file, 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



Duquesne Light

A DQE Company

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

Tel 412-393-1546
Fax 412-393-1418
rsestak@duqlight.com

Regina M. Sestak
Assistant General Counsel

DOCUMENT

August 19, 2004



Certificate of Mailing

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

RE: Brenda Thompson v. Duquesne Light Company
Docket No. C-20043432

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 Brenda Thompson (w/enclosure)

RECEIVED

AUG 19 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

95

RECEIVED

JUG 1 9 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BRENDA THOMPSON,)
)
 Complainant,)
)
 v)
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent.)

Docket No. C-20043432

DOCKETED

SEP 02 2004

ANSWER AND NEW MATTER

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.
2. Admitted.
3. Admitted in part and denied in part.

DUQUINENT

Complainant's averment that her lights were terminated in early May of 2004 is admitted. By way of further response, electric service to Account No. 8001243690001 was terminated for failure to pay on May 5, 2004. Complainant contacted Respondent on that day and was informed that she needed to pay her delinquent balance of \$2,233 plus a \$50 reconnection fee in order to restore her electricity. At that time, Complainant had made only two payments in the

preceding 18 months, and had failed to comply with the decision of the Public Utility Commission (PUC) Bureau of Consumer Services (BCS) issued at BCS Case Number: 1523686. A copy of the printout evidencing that BCS decision, which was transmitted to Respondent electronically, is attached hereto, incorporated herein, and marked Exhibit 1. On May 6, 2004 Respondent received notice that Complainant had filed an informal complaint with the PUC BCS at BCS Case No. 1658620. On May 24, 2004, Dr. Robert Lemert contacted Respondent and requested that electricity be restored to the premises due to Complainant's medical condition. Service was restored on that date in accordance with Commission Regulation 56.115, 52 Pa. Code §56.115, and remains on.

Complainant's averment, "I called the PUC & was given a payment plan of \$90 a month based on my job income," is an apparent reference to the decision issued at BCS Case Number: 1658620. If so, this averment is denied as stated. By way of background, the decision required Complainant to pay \$746 00 by July 9, 2004 and to pay a special budget amount of \$92.00 a month beginning August 2004. Said special budget includes a regular budget amount of \$52 00 plus \$40.00 toward the account balance. The regular budget is an average based upon usage, which is recomputed monthly and is therefore subject to change. A copy of the printout evidencing the BCS decision, which was transmitted to Respondent electronically, is attached hereto, incorporated herein, and marked Exhibit 2. Complainant failed to comply with the decision and on July 20, 2004 Respondent issued a 10-day service termination notice. On July 22, 2004 Complainant filed an informal complaint at BCS Case No.

1727272. It is Respondent's understanding that this informal complaint was closed without decision due to Complainant having filed this formal complaint.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments that she recently had a baby and that she is no longer working, and these averments are therefore denied.

Complainant's averment, "unable to pay \$90 a month," is a statement 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 averment that she receives \$150 every two weeks from public assistance, and this averment is therefore denied.

The averment, "I need a new payment plan" is a statement of opinion and/or request for relief to which no response is required

4. This paragraph contains a request for relief, to which no response is required.

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

New Matter

5. Paragraphs one through four above are hereby incorporated by reference.

6. Since the BCS decision went into effect, Respondent has not received any payments on the account in question

WHEREFORE, Respondent requests that the Commission:

- 1) remove the automatic stay of payment arrangements ordered in the BCS decision issued at BCS Case No: 1658620 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, payments for current consumption that remain unpaid as of the date of hearing or date of final order.

Respectfully submitted:

DUQUESNE LIGHT COMPANY
By Counsel:



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

Brenda Thompson
#1523686

cupump - [X]

File Edit View Window Help

Medicaid Complaint For Customer THOMPSON, BRENDA - ACS #: 1523686 - ALCT #: B0112-3950001

General/Case Information Payment Information Final Report Information
Departments, Employee Contacts, Problems and Complaints Investigative Contacts Closing Information

Status: Record of PUE Decision Date Set: 11/21/2003 Date Closed: 12/01/03 Closing Data Received: 12/27/03 07:45:33

Justified: Internal Utilization: No Reason Justified: Error Code:

Decision: Written Oral Decision Balance: \$1,913.12 Balance Date: 11/27/03

Requested: Awarded: \$453.00 Difference: Date Awarded: 12/25/03 Service Restored: \$0.00

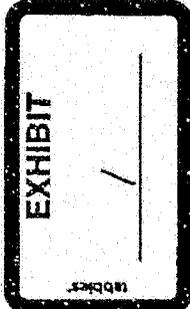
Budget Payments: Request: \$70.00 Amount Put: \$15.00 Special: \$85.00 Monthly Payments: Current: \$0.00 First: \$0.00 End: \$0.00

Decision Type: EGW RECAPTER/NO LFCS/BUDGET +

Term: JANUARY 2004

RAWANJIC, WAVE LFCS

Ready | Start | James H Pool - Jobs... | IBM Host On-Deman... | 10/27/04 - A - 11:35:36 | cupump - \\Ran... | Formal reports | Document1 - Photo... | 10/18/04



AUG 20 2004
PA PUBLIC UTILITY...
SECRETARY'S OFFICE

Brenda Thompson
1658620

cupump
File Edit View Window Help
Mediation Contribution Form: CONSUMER HURPS/MS, WYANDOTA - QLS #: 1658620 - ALL #: 60012-3650001
General/ Open Information | Payment Information | Final Report Information
Departments, Employee Contacts, Problems and Complaints | Investigative Contacts | Closing Information

Statut: Receipt of PUC Decision
Justified: Internal Justification: No
Decision: P
Awarded: \$746.00
Reason Justified: None-not justified
Decision Balance: \$2,245.50
Date Dated: 06/04/2004
Date Awarded: 07/09/04
Error Code: None
Closing Date Received: 07/17/04 03:46:54

Requested: 1654.52
Awarded: \$746.00
Difference:
Special: \$32.00
Monthly Payments
Current: \$0.00
End: \$0.00
Service Requested: \$0.00

Decision Type: CHANGE IN CIRCUMSTANCE/ISSUES/SPECIAL ROGT/NO LPCSI
Terms: AUGUST 2004
Resolution: WAVE LPCS PAY 746 BY 7/9/04
THEIR PAY 689+40 BEGINNING AUGUST 2004

Field(s) Required: Date Type Error Double Click to access the Calendar Window
J Start | James H Pool - Inbox - L... | 184 Hour On-Demand S... | IN3270 - A - (1) 36 | cupump - Remote | Formal reports | 10:20 AM

EXHIBIT
2

AUG 2 2004
PA PUBLIC UTILITIES COMMISSION
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

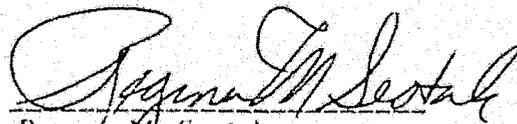
BRENDA THOMPSON,)
)
 Complainant,)
)
 v.) Docket No. C-20043432
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent.)

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)

Brenda Thompson
1107 Duquesne Place Drive, Apt. 307
Duquesne, PA 15110

Dated this 19th day of August, 2004.



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

AUG 19 2004
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU