

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY:
  - DIRECTOR:
  - SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: C-20066013
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 03/20/06
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: RASIELESKI, FRANK

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: LACKAWANNA

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON HIS BILL AND HE WANTS RE-IMBURSED FOR THE OVERCHARGES THAT HAVE OCCURED.

**DOCKETED**

MAR 23 2006

101 120

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

SECRET  
2005 MAR 20 AM 10:14

Please print or type.

C-20066013

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name FRANK RASIELESKI

Street/P.O. Box 24 TIFFANY DRIVE Apt# \_\_\_\_\_

City DUNMORE State PA Zip 18505

County LACKA WANNA

Area Code/HOME Phone 570-499-2805

Area Code/WORK Phone NONE

Utility Account Number 89404-20153  
(from your bill)

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MAR 23 2006

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PPL Electrical Utilities

3. TYPE OF UTILITY (check one)

- ELECTRIC
- GAS
- WATER
- TELEPHONE  
(local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER  
(taxi, moving company, limousine)

4. COMPLAINT (check one)

A. In general, what is your complaint?

I want to oppose the company's proposed rate increase.

There are incorrect charges on my bill.

There is a reliability, safety or quality problem with my utility service.

I received a notice that my utility service is being terminated.

I would like a payment agreement.

Other.  
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

*Please see attached.*

5. RELIEF

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

*Please see attached.*

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES   
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification: I FRANK RASIELESKI, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Frank Rasieleski (Signature) 3/14/06 (Date)

9. LEGAL REPRESENTATION (IF ANY)

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

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 <sup>nd</sup> Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

**Keep a copy of your complaint for your records.**

Untitled

4B. STATE THE FACTS OF YOUR COMPLAINT...

The electric bill for gate service at my house averaged 43.35 per month for the year of 2004. I have lived at this address for 15 years, nothing has been added or changed to the gate service. There is no possible way to draw or use this service for anything other than its intended use as verified by the electric company. (My house is on a separate meter for which I receive a separate bill.)

The service for the billing and usage for the gate service stayed consistent until March of 2005, and then started to rise with no explanation, to the amount of 400.80 for the month of July 2005. This service is used to open and close the gates to the property and for low voltage lights during the night at the gate area.

The charges began to change in the following months:

May 2005 (78.11)  
June 2005 (92.99)  
July 2005 (400.80)  
August 2005 (156.48)  
September 2005 (100.86)  
October 2005 (107.29)  
November 2005 (111.30)  
December 2005 (108.39)  
January 2006 (108.91)  
February 2006 (61.41)

The above charges are verifiable through PPL.

The bill is now back to normal (39.38 for March 2006). Nothing has been changed except the charges for the gate service.

5. RELIEF.....What do you want the PUC to do about your complaint?

I would like to be reimbursed for the overcharges that have occurred as nothing has been done to cause these fluctuations in billing charges. The electric company has no explanation.

Billing for the 10 months in dispute is 1326.54.

Previous year monthly average was 43.35 per month times 10 months is 433.50.

I feel I should be reimbursed or credited to my account in the amount I feel overcharged which is 993.04.

Thank you for your time and consideration in this matter. Hoping to receive a favorable response to this situation quickly as I have already paid the overcharged amounts instead of having the service terminated as threatened by the utility company.

Thanks again,

*Frank Rasielecki*

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: March 23, 2006

FRANK RASIELESKI  
Complainant

v.

PPL ELECTRIC UTILITIES CORPORATION  
Respondent

Complaint Docket  
No: C-20066012

FILED  
**DOCKETED**

MAR 23 2006

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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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 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



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: March 23, 2006

C-20066013

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

Dear Mr. Russell:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by FRANK RASIELESKI. 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.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

DOCUMENT  
FOLDER

March 23, 2006

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

ddi

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J. GROSS  
PAULA MCGINLEY  
DONALD LABARRE, JR.  
J. JACKSON EATON, III  
MICHAEL A. HENRY  
PATRICK J. REILLY  
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ANNE K. MANLEY  
SUSAN ELLIS WILD  
VICTOR F. CAVACINI  
ROBERT A. ALPERT  
JOHN P. SERVIS  
ALLEN J. TULLAR  
RICHARD T. CURLEY  
RAYMOND J. DERAYMOND

ATTORNEYS AT LAW  
33 SOUTH SEVENTH STREET  
P.O. BOX 4060  
ALLENTOWN, PENNSYLVANIA 18105-4060

(610) 820-5450  
TELEFAX (610) 820-6006  
E-MAIL [kkrupka@gmle.com](mailto:kkrupka@gmle.com)  
Direct number: (610) 871-1325

JOHN F. GROSS  
KIMBERLY G. KRUPKA  
K. A. SPOTTS-KIMMEL  
ERROL C. DEANS, JR. \*  
ANDREW H. RALSTON, JR.  
LOREN A. WALMER

OF COUNSEL  
DAVID C. KEEHN

\*Also admitted in NY

EASTON OFFICE:  
717 WASHINGTON ST  
EASTON PA 18042  
(610) 258-1506

April 12, 2006

VIA FEDERAL EXPRESS

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
Post Office Box 3265, 400 North Street  
Harrisburg, PA 17105-3265

RE: Frank Rasielski v. PPL Electric Utilities Corporation  
Docket No. C-20066013

Dear Mr. McNulty:

Enclosed for filing in the above-captioned matter are an original and three (3) copies of the Answer of PPL Electric Utilities Corporation.

Pursuant to 52 Pa. Code §1.11, the enclosed document is deemed to be filed on April 12, 2006 and was deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

In addition, please date and time-stamp the enclosed extra copy of this letter and return it to me in the envelope provided.

**DOCUMENT  
FOLDER**

Very truly yours,

*Kimberly G. Krupka*

KIMBERLY G. KRUPKA

KGK:dm

Enclosures

cc: Ms. Deidre Bilger (w/encl./via e-mail and U.S. Mail)  
Ms. Mildred A. Castillo (w/encl./via e-mail)  
Mr. Frank Rasielski (w/encl.)

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**ORIGINAL  
RECEIVED**

APR 12 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FRANK RASIELESKI

Complainant  
vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET  
NO. C-20066013

RECEIVED

APR 12 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
REGISTRY'S BUREAU

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utilities Corporation (PPL), by its attorney, hereby Answers Complaint in the above-captioned proceeding as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4a. Denied. PPL denies any incorrect charges on Complainant's bill.

4b. Admitted in part, denied in part. PPL admits it provides two separate bills to Complainant, one of which is for an electric gate. More specifically, the non-residential meter serves an electric gate and a 5,000 electric heat cable for the driveway. PPL admits the July 2005 bill was higher than historical usage. However, Complainant informed PPL that he had the driveway repaved in April and that the heat sensor in his driveway was cut by the paving contractor. This led to the increased usage. The repairs to the driveway were Complainant's responsibility. PPL denies any incorrect charges on Complainant's bill.

By way of further response, the electric meter was tested at 99.16% accuracy and Complainant was informed of the results.

5. Paragraph 5 constitutes a request for relief to which no Answer is required. To the extent a response is required, PPL incorporates by reference herein the averments set forth in its Answer to Paragraph 4 of the Complaint.

DOCKETED  
APR 17 2006

DOCUMENT  
FOLDER

6. No response of answering Respondent is required as the allegations of this paragraph do not pertain to answering Respondent.

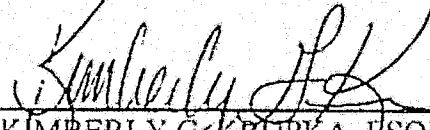
7. Admitted.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Commission deny the above-captioned Complaint.

Respectfully submitted,

GROSS, MCGINLEY, LABARRE & EATON, LLP

BY:

  
KIMBERLY G. KRUPKA, ESQUIRE  
*Attorney for Respondent, PPL Electric Utilities Corporation*

Dated: April 12, 2006  
In Allentown, Pennsylvania

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FRANK RASIELESKI

Complainant

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET  
NO. C-20066013

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APR 12 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

This is to certify that ANSWER of PPL ELECTRIC UTILITIES CORPORATION TO THE COMPLAINT OF FRANK RASIELESKI was mailed to counsel/complainant of record on behalf of Complainant by first class United States mail postage on this the 12th day of April, 2006.

FRANK RASIELESKI  
24 TIFFANY DRIVE  
DUNMORE, PA 18505

GROSS, MCGINLEY, LaBARRE & EATON, LLP

By:

  
KIMBERLY G. KRUPKA, ESQUIRE  
I.D. #83071

Counsel for Defendant, PPL Electric Utilities  
Corporation

33 South 7<sup>th</sup> Street, P.O. Box 4060

Allentown, PA 18105

Phone (610) 820-5450

Fax (610) 820-6006

VERIFICATION

RECEIVED

APR 12 2006

COMMONWEALTH OF PENNSYLVANIA )  
: SS  
COUNTY OF LEHIGH )

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I, Robert M. Geneczko, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Robert M Geneczko

Date: 4/12/06