

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Lydia Woelfel

v.

Duquesne Light Company

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:
:

C-20066006

DOCKETED
MAY 25 2006

PREHEARING ORDER

DOCUMENT
FOLDER

An initial telephonic hearing in this case is scheduled for Wednesday, May 31, 2006 at 10:00 a.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. If you intend to present any documents or exhibits for my consideration, you must send one (1) copy to the other party and three (3) copies to me one week before the hearing. This includes a copy of a Protection from Abuse (PFA) Order if you marked the "yes" response on the Complaint form that asks if you are a victim under a PFA.
2. If you or any proposed witness 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 one (1) week before the hearing.
3. If the Commission's Bureau of Consumer Services ("BCS") has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made. **FAILURE TO MAKE REGULAR PAYMENTS FOR CURRENT CONSUMPTION (SERVICE) BY THE DUE DATE EACH MONTH MAY RESULT IN THE TERMINATION OF THE CUSTOMER'S SERVICE BEFORE THE TIME SET FOR THE HEARING. FAILURE TO MAKE THESE PAYMENTS MAY ALSO SUBJECT THE CUSTOMER TO THE**

PAYMENT OF A LUMP SUM OF MONEY EQUAL TO ALL MISSED PAYMENTS FOR SERVICE FROM THE DATE OF THE BCS DECISION UNTIL THE DATE ON WHICH THE COMMISSION ENTERS ITS ORDER. 66 Pa. C.S. §§1405(f), 1406(a) & 1410(2).

4. At the hearing, the customer must be prepared to testify about and document the total gross monthly income of the household. A household includes all adults living in a residential household, who benefit from the utility service. The "total gross monthly income of the household" includes, but is not limited to, the following income received by every person residing in the customer's home: (a) the "before taxes or other deductions pay" from 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) support; (h) public assistance; and (i) any other source(s) of income. 66 Pa. C.S. §1403.

5. The Pennsylvania Legislature added Chapter 14 to the Public Utility Code, 66 Pa. C.S. §§1401, *et seq.*, which became effective December 14, 2004. Chapter 14 applies to your case and may result in new payment terms, which may be less favorable than those you currently have.

a. For instance, the length of any payment agreement you had with the utility may change. Depending upon how your gross monthly household income and the number of people living in your household relate to the federal poverty level, the length of time you have to pay off the entire balance owed on your account may be anywhere from less than six (6) months to no more than sixty (60) months. 66 Pa. C.S. §1405(b).

b. The Commission has no authority to negotiate or approve any payment agreement involving your participation in this utility's Customer Assistance Program ("CAP"). 66 Pa. C.S. §1405(c).

c. Unless you have had a change in income, the Commission can not establish or direct the utility to establish a second or subsequent payment agreement, if you have failed to make all payments under an earlier Commission-ordered payment agreement with the utility. 66 Pa. C.S. §1405(d).

d. Depending upon the level of your gross monthly household income, it may be easier for the utility to terminate your service in the winter months. Regardless of your income level, the utility can terminate your service in the winter months if you used service that was not authorized, if you misrepresented your identity to obtain service, if you tampered with meters or other utility equipment or if you violated the utility's tariff to the extent that it endangered the safety of a person or the integrity of the utility's delivery system. 66 Pa. C.S. §1406.

e. There also are stricter provisions regarding reconnection fees, security deposits and payments to restore service. 66 Pa. C.S. §1407.

6. At the hearing, the customer must be prepared to testify about and document any change in income that would support establishing a second or subsequent payment agreement if the customer has missed a payment on a previous payment agreement or any significant change in circumstance that would support extending the time period for a payment plan. 66 Pa. C.S. §1405(d) & (e).

7. The utility must prepare and submit the following documents at least one week 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 service usage comparison report for the same period as the account statement; (c) a copy of the most recent BCS decision, if any; and (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

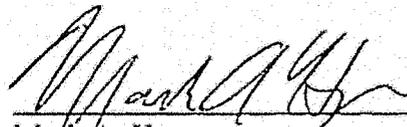
8. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. Only the undersigned Administrative Law Judge or OALJ Scheduling Staff may grant a request for a change of an initial hearing. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent hearings, if any, should also be served directly on me.

9. **YOU MAY LOSE THIS CASE, IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.** 52 Pa. Code §5.245.

10. **ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS STILL A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.** 52 Pa. Code §§1.1, *et seq.*

11. Commission policy is to encourage settlements. 52 Pa. Code §5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.

Date: April 27, 2006



Mark A. Hoyer
Administrative Law Judge



Duquesne Light
Our Energy...Your Power

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

May 23, 2006

DOCUMENT
FOLDER

ORIGINAL

SECRETARY
HARRISBURG BUREAU

2006 MAY 25 AM 9:05

RECEIVED

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

RE: Lydia Woelfel v. Duquesne Light Company
Docket No. C-20066006

Dear Secretary McNulty:

An original and three copies of Duquesne Light Company's Certification of Satisfaction are enclosed for filing. Copies of this document have been served upon Complainant in accordance with Commission Regulations and upon the presiding officer via fax at his request. Please cancel the hearing scheduled for May 31, 2006.

Sincerely,

Regina M. Sestak
Attorney for Duquesne Light Company

encs

cc: Lydia Woelfel (with enclosure)
Administrative Law Mark Hoyer (with enclosure) - VIA FAX: 412/565-5692
PUC Scheduler Sue Licon (with enclosure)

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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LYDIA WOELFEL,)
)
 Complainant,)
)
 v.) No. C-20066006
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent)

RECEIVED
2006 MAY 25 AM 9:05
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

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

Lydia Woelfel
1907 6th Avenue
Beaver Falls, PA 15010

Administrative Law Judge Mark A. Hoyer
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

Date: May 23, 2006


Regina M. Sestak, Attorney for Respondent
Duquesne Light Company
Pa. I. D. # 23632

Duquesne Light Company
411 Seventh Avenue, 8-2
Pittsburgh, PA 15219
Telephone: (412) 393-1546
FAX: (412) 393-1418

Chapter 56 Hearing Report

Please check Those Blocks Which Apply

Docket No.:	C-20066006		YES	NO
Case Name:	Lydia Woelfel v. Duquesne Light Company	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taped:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Pittsburgh	Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Date:	May 31, 2006	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Special Agent:	ALJ Mark A. Hoyer	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		DATE:	5/24/06	
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	Received Certificate of Satisfaction.	

RECEIVED

JUN - 2 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

Name and Telephone Number	Address			Who are you representing?
Lydia Woelfel	1907 6 th Avenue			Self
	City	State	Zip	
	Beaver Falls	PA	15010	
Telephone 724-417-4395	E-mail Address:			Fax Number:
Regina M. Sestak, Esquire	411 Seventh Avenue, 8-2			Duquesne Light Company
	City	State	Zip	
	Pittsburgh	PA	15219	
Telephone: 412-393-1546	E-mail Address:			Fax Number:
<i>ilp</i>	City	State	Zip	
Telephone:	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: June 1, 2006

SUBJECT: C-20066006 Lydia Woelfel v. Duquesne Light Company

TO: Wanda Zeiders
Docket Management

FROM: Susan Licon, ALJ Support Staff
Office of Administrative Law Judge

On May 25, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, 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 Mark A. Hoyer
Beth Plantz
Case File

DOCUMENT
FOLDER

DOCKETED
JUN 06 2006