

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-20066C06
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 03/20/06
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: WOELFEL, LYDIA

RESPONDENT/APPLICANT: DUQUESNE LIGHT COMPANY

COMP/APP COUNTY: BEAVER

UTILITY CODE: 110150

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE IS ON LOW INCOME AND CAN NOT AFFORD TO PAY THE AMOUNT OWED. COMPLAINANT STATES SHE APPLIED FOR CRISIS AND THEY WILL PAY UP TO \$300. BUT SHE ONLY RECEIVES HERSELF \$600.00 A MONTH AND HAS TO PAY \$350.00 FOR RENT. COMPLAINANT IS REQUESTING A BUDGET AMOUNT THAT SHE CAN AFFORD TO PAY.

**DOCKETED**

MAR 21 2006

DOCUMENT  
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

C-20066006

1. CUSTOMER NAME (COMPLAINANT)

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

Name Lydia Woelzel

Street/P.O. Box 1907 6th Ave Apt #

City Beaver Falls State Pa Zip 15010

County Beaver County

Area Code/HOME Phone 724-417-4395

Area Code/WORK Phone

Utility Account Number 1001297009001 (from your bill)

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: Dwyer's Light

3. TYPE OF UTILITY (check one)

[X] ELECTRIC

[ ] STEAM HEAT

[ ] GAS

[ ] WASTE WATER

[ ] WATER

[ ] MOTOR CARRIER

(taxi, moving company, limousine)

[ ] TELEPHONE (local, long distance)

FILED

MAR 21 2006

RECEIVED 2006 MAR 20 AM 10:16 SECRETARY'S BUREAU

DOCUMENT FOLDER

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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. *can't pay amount Light Company*  
(explain) *wants 314. and I only have 603.00*  
*9 month and pay rent of 350.965 45. and phone 69.00*

B. State the facts of your complaint. *plus car Ins.*

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.

5. RELIEF

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

*get me on a budget that I can afford to pay. I need my clea for my breathing equipment that I use. I apply for Crisis - they will pay up to 300.00 and I will have to pay the rest*

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 Sydia Woelfel 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).

Sydia Woelfel  
(Signature)

3-14-2006  
(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.**

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: MARCH 21, 2006

LYDIA WOELFEL

Complainant

v.

DUQUESNE LIGHT COMPANY

Respondent

Complaint Docket  
No: C-20066006

DOCKETED

MAR 21 2006

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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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



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 21, 2006

C-20066006

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

Dear Mr. O'Brien:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by LYDIA WOELFEL. 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.

MARCH 21, 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



**Duquesne Light**

Our Energy · Your Power

Regina M. Sestak  
Assistant General Counsel

Legal Department  
417 Seventh Avenue, S2  
Pittsburgh, PA 15219

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

**ORIGINAL  
RECEIVED**

April 10, 2006

APR 10 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Certificate of Mailing

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 Answer are enclosed. A copy of this document has been served upon Complainant in accordance with Commission regulations.

**DOCUMENT  
FOLDER**

Sincerely,

Regina M. Sestak  
Assistant General Counsel  
Duquesne Light Company

encs

c: Lydia Woelfel (w/enclosure)

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**ORIGINAL RECEIVED**

APR 10 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LYDIA WOELFEL, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 DUQUESNE LIGHT COMPANY, )  
 )  
 Respondent. )

Docket No. C-20066006

**DOCKETED**  
APR 13 2006

ANSWER

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 of which the following is a statement:

1. Admitted.
2. Admitted.
3. Admitted.

**DOCUMENT  
FOLDER**

4. A. Complainant's averment that she would like a payment agreement is a statement of opinion and/or a request for relief to which no response is required.

Complainant's averment, "[c]an't pay amount Light Company wants 314." is a statement of opinion to which no response is required. By way of further response, \$314 is the catch-up amount on the payment agreement

Complainant made with Respondent on May 17, 2005, that was due when Respondent issued a ten-day termination notice to her on March 7, 2006.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment, "I only have 603.00 a month and pay rent of 350, gas 45 and phone 64.00 plus car ins.," and this averment is therefore denied.

B. As this paragraph is blank, no response is required.

5. To the extent this paragraph contains a request for relief, no response is required. By way of further response, Respondent has repeatedly referred Complainant to its Customer Assistance Program (CAP) which permits low income customers to pay a reduced amount. Complainant participated in Respondent's CAP prior to April 29, 2004, when she was defaulted for non-payment. It is Respondent's understanding that Complainant has recently been in contact with Goodwill, the Community-Based Organization that administers Respondent's CAP in her area, and that she may be in the process of re-enrolling in Respondent's CAP.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that she needs her electricity for the breathing equipment that she uses, and this averment is therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment, "I apply for Crisis," and this averment is therefore denied. By way

of further response, Respondent has not been notified of Complainant's CRISIS application.

As Complainant's averment that CRISIS will pay up to \$300.00 and Complainant will have to pay the rest is a statement of opinion and/or speculative in nature, no response is required.

6. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that the court has not granted a "Protection from Abuse" order for her personal safety, and this averment is therefore denied.

7. Admitted.

8. No response is required to Complainant's verification and signature.

9. As this paragraph is blank, no response is required.

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

Respectfully submitted:

DUQUESNE LIGHT COMPANY  
By Counsel:



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

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 Operational 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 10th day of April, 2006.

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

RECEIVED

APR 10 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

LYDIA WOELFEL, )  
 )  
 Complainant. )  
 )  
 v. )  
 )  
 DUQUESNE LIGHT COMPANY, )  
 )  
 Respondent. )

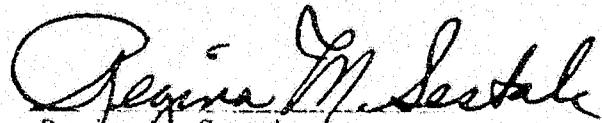
Docket No. C-20066006

CERTIFICATE OF SERVICE

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

Lydia Woelfel  
1907 6<sup>th</sup> Avenue  
Beaver Falls, PA 15010

Dated this 10th day of April, 2006.



Regina M. Sestak  
Pa. I.D. # 23632  
Duquesne Light Company  
411 Seventh Avenue  
Mail Drop 8-2  
Pittsburgh, PA 15219  
Telephone: (412) 393-1196  
FAX (412) 393-1418



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
April 25, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20066006

(See attached list)

## DOCUMENT FOLDER

Lydia Woelfel v. Duquesne Light Company  
Requests payment arrangements.

### 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: Wednesday, May 31, 2006  
Time: 10:00 a.m.  
Presiding: Administrative Law Judge Mark A. Hoyer  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
Telephone: 412.565.3550  
Fax: 412.565.5692

The judge will be presiding as authorized by  
52 Pa. Code §56.174.

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.

**DOCKETED**  
APR 26 2006

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

Lydia Woelfel	724-417-4395
Regina M. Sestak, Esquire	412-393-1546

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 at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Hoyer  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File