

PLEASE DOCKET

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Frank Rasioleski

v.

PPL Electric Utilities Corporation

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C-2006601

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PREHEARING ORDER

On July 12, 2006, I was assigned as the presiding officer in this case. The purpose of this order is to bring to the attention of the parties certain procedural rules that apply to the participants in this proceeding. This case is scheduled for a telephonic hearing on Thursday, August 24, 2006 at 10:00 a.m.

In the complaint, which was filed on March 20, 2006, the Complainant alleged the following: that there are incorrect charges on his bill; that his bill for gate service averages \$43.35 a month; that he has lived at this address for 15 years; that his bills were consistent until March 2005; that his bills started to increase without explanation; that his bill returned to normal in March 2006; that he was overcharged \$993.04; and that the gate service account is limited to service to open and close his gate and for low voltage lights during the night. The Complainant requested that the incorrect amount be removed.

On April 12, 2006, the Respondent, through its counsel, filed an Answer. The Respondent admitted that the Complainant's July 2005 bill was higher than historical usage. The Respondent averred that the Complainant informed it that his driveway was repaved in April 2005 and the heat sensor in his driveway was cut by the paving contractor. The Respondent stated that this led to increased usage. The Respondent noted that the non-residential meter serves an electric gate and a 5,000 electric heat cable for the driveway. The Respondent denied that there were incorrect charges on the Complainant's bill. Furthermore, the Respondent stated that the Complainant's meter tested at 99.16% accuracy.

BTL

The Complainant has the burden of proving that the allegations in the complaint are true. Section 332(a) of the Public Utility Code, 66 Pa. C.S. §332(a). The Complainant is required to pay the undisputed portion of the bill until a final order is issued in this matter.

The Respondent must submit the account statement and the applicable BCS decision, if any.

If you wish to offer documents into evidence during the hearing (i.e. letters, bills, canceled checks, receipts, account statements, etc.), you should send three copies to me (a copy for the presiding officer and 2 copies for the Court Reporter) and send a copy to every other party in the case at least seven days in advance. Please keep a copy for yourself. 52 Pa. Code §5.409. Please send my copies to 1302 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130.

Pursuant to 52 Pa. Code §1.15(b), requests for postponements or continuance of hearings must be submitted in writing no later than five (5) days prior to the hearing. Requests for postponement or continuance of hearings are to be sent to the presiding officer with copies to the Scheduling Office and the other party of record. The address for the Scheduling Office is P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

All witnesses should be prepared to testify during the August 24, 2006 hearing. If the witness will be at a different telephone number, please notify my office at least five days in advance so that the necessary arrangements can be made.

If you will be at a different telephone number than the one listed on the hearing notice, please contact my office immediately. My telephone number is (215) 560-2105.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Complainant shall pay the undisputed bill pending a final Commission Order.
2. That the parties shall comply with the procedural rules and regulations discussed herein.

Date: July 28, 2006

Cynthia Williams Fordham
Cynthia Williams Fordham
Administrative Law Judge

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20066013		YES	NO
Case Name:	Frank Rasioleski v. PPL Electric Utilities Corporation	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Philadelphia, PA	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date:	August 24, 2006	Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ:	Cynthia W. Fordham	Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
		RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:	9/15/06	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	I Record to close - 9/15/06 - date transcript is due.	

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

Name and Telephone Number	Address	Who are you representing?
Michael R. May, Esquire	Wormuth, Mey + Sulla 318 Penn Ave	Complainant
Telephone: (570) 961-1929	City: Scranton State: PA Zip: 18503-1950	E-mail Address: Fax Number:
Kimberly G. Krupka, Esquire	Gross McGinley LaBare + Eaton LLP 335 Seventh St P.O. Box 4060	PPL
Telephone: (610) 871-1325	City: Allentown State: PA Zip: 18105-4060	E-mail Address: KKrupka@gmlc.com Fax Number: (610) 820-6006
Telephone:	City: State: Zip:	E-mail Address: Fax Number:

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

Carol Krupka
Reporter's Signature

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



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
PHILADELPHIA STATE OFFICE BUILDING
1400 SPRING GARDEN STREET
PHILADELPHIA, PENNSYLVANIA 19130

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IN REPLY PLEASE
REFER TO OUR FILE

August 31, 2006

DOCUMENT
FOLDER

Michael Mey, Esquire
318 Penn Avenue
Scranton, PA 18503

Re: Frank Rasieleski v. PPL Electric Utilities Corporation
Docket Number C-20066013

Dear Mr. Mey:

You represented the Complainant in the telephonic hearing in the above referenced matter on August 24, 2006. Please submit a notice of appearance to comply with 52 Pa. Code §§1.24(b) and 1.25.

Sincerely,

Cynthia Williams Fordham

CYNTHIA WILLIAMS FORDHAM
Administrative Law Judge

cc: File Room
Kimberly G. Krupka, Esquire