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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION-6 PH 1:49

PA. P.U.C.
SECRETARY'S BUREAU

Danel Payne

v.

Duquesne Light Company

DOCKETED

NOV 17 2003

Z-01351208

PREHEARING ORDER

DOCUMENT
FOLDER

An initial telephonic hearing in this case is scheduled for Monday, December 8, 2003 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.
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 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.

4. At the hearing, the customer must be prepared to testify about, or otherwise document, the total net monthly income of the household. A household includes all individuals regularly residing there and receiving the benefit of the utility service. The "total net monthly income of the household" includes, but is not limited to, the following payments received by every person residing in the customer's home: (a) the "after taxes take-home-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.

5. If the customer or any member of the customer's household is receiving food stamps and/or medical assistance, the customer must be prepared to testify or document the amount of food stamps or the nature of the medical assistance received.

6. At the hearing, the customer must be prepared to testify about or document the total monthly expenses of the household, which shall include, but are not limited to, the following items: (a) rent or mortgage payments; (b) utility bills (including electric, gas, telephone, water, sewer, cable television, etc.); (c) food, in addition to any food stamp benefits; (d) clothing; (e) automobile (loan payments, gasoline, maintenance, etc.); (f) transportation (bus, taxicabs, jitneys, etc.); (g) insurance premiums (homeowners' or renters' insurance, automobile insurance, life insurance, medical insurance, etc.); (h) medical bills, (doctors, dentists, hospitals, prescriptions, etc.); (i) credit card and charge account payments; (j) loan payments; and (k) miscellaneous expenses. When testifying to these expenses, the customer should be prepared to give balances due or missed payments for each item.

7. TO ASSIST THE CUSTOMER PROVIDE THE INCOME AND EXPENSE INFORMATION REQUESTED BY THIS ORDER, THREE (3) COPIES OF A

BUDGET INFORMATION SHEET ARE ENCLOSED WITH THIS ORDER. THE CUSTOMER MUST FILL OUT THIS BUDGET SHEET, RETURN ONE COPY TO ME AND SEND ONE COPY TO COUNSEL FOR THE UTILITY AT LEAST ONE WEEK BEFORE THE HEARING. YOU MAY KEEP ONE COPY OF THE BUDGET SHEET AND THE ORDER FOR YOUR USE.

8. 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.

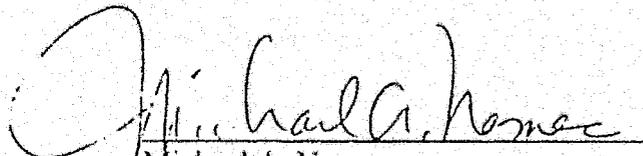
9. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty 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.

10. YOU MAY LOSE THIS CASE, IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

11. 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.

12. 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: November 4, 2003


Michael A. Nemec
Administrative Law Judge

Chapter 56 Hearing Report

Please check those blocks which apply

Docket No.:	Z-01351208	Prehearing Held:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Case Name:	Danel Payne v. Duquesne Light Company	Hearing Held:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
		Testimony Taped:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Pittsburgh	Hearing Concluded:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Further Hearing Needed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:	1 day	
Date:	December 8, 2003	RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Special Agent:	ALJ Michael A. Nemeec	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	Case continued at request of counsel for Duquesne and Complainant.	

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 OFFICE OF C.A.L.J.
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PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
	City State Zip	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	

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 20 DEC 15 AM 11:52
 SECRETARY'S BUREAU

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.

Name and Telephone Number	Address			Who are you representing?
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

December 15, 2003

In Re: Z-01351208

(See letter of 10-29-03)

DOCUMENT

Danel Payne v. Duquesne Light Company

Requests payment arrangements.

DOCKETED

JAN 14 2004

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Further telephone hearing
Date: Tuesday, February 17, 2004
Time: 10:00 a.m.
Presiding: Administrative Law Judge Michael A. Nemec
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.

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

Danel Payne	412.351.2404
Joann E. Noble-Choder, 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:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

Pc: Judge Nemeč
Susan Licon
Beth Plantz
Docket Section
Calendar File

Chapter 56 Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	Z-01351208		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Danel Payne v. Duquesne Light Company	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taped:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Pittsburgh	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	February 17, 2004			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
Special Agent:	ALJ Michael A. Nemeo	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<i>! Parties have reached a settlement. Complaint will be withdrawn as part of the settlement.</i>	

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

Name and Telephone Number	Address	Who are you representing?
	<div style="font-size: 2em; font-weight: bold; margin: 0;">DOCUMENT FOLDER</div>	
	City _____ State _____ Zip _____	
Telephone:	E-mail Address:	Fax Number:
	City _____ State _____ Zip _____	
Telephone:	E-mail Address:	Fax Number:
	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.

RJF

Name and Telephone Number	Address			Who are you representing?
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
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	City	State	Zip	
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	City	State	Zip	
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	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:



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

ORIGINAL

February 25, 2004

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RE: Danel Payne v. Duquesne Light Company
No. Z-01351208

Dear Secretary McNulty:

Enclosed for filing in the above-captioned matter are an original and three copies of the Settlement Agreement, and of Complainant's Withdrawal of the Formal Complaint and Respondent's Consent thereto. Copies of these documents have been served upon Complainant and the Presiding Officer in accordance with Commission Regulations.

Sincerely,

Regina M. Sestak
Attorney for Duquesne Light Company

cc: Danel Payne (with enclosures)
Administrative Law Judge Michael A. Nemecek (with enclosures)

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2004 FEB 27 AM 10:39
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ORIGINAL

SETTLEMENT AGREEMENT

**Danel Payne
vs. DUQUESNE LIGHT COMPANY
DOCKET #Z-01351208**

The account at 211 3rd Avenue, Rankin PA, 15104 is in the name of Clarence and Danel Payne. Danel Payne filed a Formal Complaint, Docket # Z-01351208 on June 9, 2003. A settlement agreement was reached on February 16, 2004, between Danel Payne and J.M. Pool, representing Duquesne Light Company. Ms. Payne has agreed to pay the budget bill + \$50.00 toward the arrearage each month beginning with her bill due in March 2004.

Danel Payne
Danel Payne

2/19/04
Date

J.M. Pool
J.M. Pool
for Duquesne Light Co.

2/23/04
Date

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SECRETARY'S BUREAU

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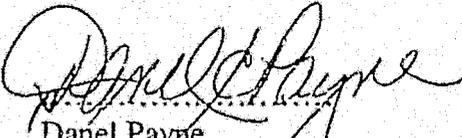
ORIGINAL

Secretary, James J. McNulty
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

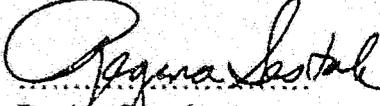
Danel Payne vs. Duquesne Light Company
Docket Number Z-01351208

Dear Mr. McNulty:

I have reached a settlement agreement with Duquesne Light Company acceptable to me concerning the above-captioned Formal Complaint. I therefore withdraw my Complaint and request you to close the Commission's files in this matter.


.....
Danel Payne
2/19/04
.....
Date

Respondent, Duquesne Light Company, by its attorney, hereby consents to the withdrawal of the above-captioned complaint.


.....
Regina Sestak
2-25-04
.....
Date

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SECRETARY'S BUREAU

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DOCKETED
MAR 2 2004

COMMONWEALTH OF
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: March 3, 2004

SUBJECT: Petition for Leave to Withdraw Filed
Z-01351208 Danel Payne v. Duquesne Light Company

TO: Wanda Zeiders,
Docket Management

FROM: Susan Licon, Scheduling Officer
Office of Administrative Law Judge

On March 1, 2004, a Petition for Leave to Withdraw was filed in the above-captioned proceeding by Regina M. Sestak, Esquire. If no objection is filed to this petition within 10 days of service, 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 Michael A. Nemeč
Elzy Ditzler
Beth Plantz
Case File

DOCUMENT
FOLDER

DOCKETED
MAR 15 2004