

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :  
2. BUREAU: ALJ :  
3. SECTION(S): : 4. PUBLIC MEETING DATE:  
5. APPROVED BY: : 00/00/00  
DIRECTOR: :  
SUPERVISOR: :  
6. PERSON IN CHARGE: : 7. DATE FILED: 08/13/04  
8. DOCKET NO: C-20043528 : 9. EFFECTIVE DATE: 00/00/00

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PARTY/COMPLAINANT: LINSINBIGLER, FRANK

RESPONDENT/APPLICANT: SOUTHERN UNION COMPANY

COMP/APP COUNTY:

UTILITY CODE: 120011

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ALLEGATION OR SUBJECT

COMPLAINANT STATES HE CANNOT PAY HIS BILL ALL AT ONCE. WOULD LIKE A PAYMENT PLAN.

UMEN  
DER

**DOCKETED**  
AUG 13 2004

ORIGINAL

Formal Complaint Form

2004 10 10 11:00  
SEC...  
EQU

Please Print.

C-20043528

1. Your name, mailing address and telephone number:

Name Frank Linsinbigler

Street/P.O.Box 116 Grant Street Apt # \_\_\_\_\_

City Olyphant State PA Zip 18447

County Lackawanna Area Code/Home Phone (570) 383-4997

Area Code/Work Phone -

2. Name of company your complaint concerns: PG Energy

3. What is your complaint? (Use additional paper if need more space).  
I believe that the Informal Complaint Decision entered on July 6, 2004 is oppressive in its payment requirement by insisting on approximately 50% of the balance to be paid in three (3) weeks to avoid service termination. Due to unavoidable personal health issues, I fell behind, but this arrearage could be more fairly addressed by allowing me to make the future suggested special budget amount for a more extended period of time.

4. What do you want the Public Utility Commission to do about your complaint? (Use additional paper if need more space).  
After becoming aware of the circumstances surrounding the reasons for creation of my balance with PG Energy, to require them to permit me to pay the subject balance under conditions which are more realistic, practical and affordable to me, so as to avoid the otherwise hardship a termination of services would create.

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Frank Linsinbigler  
Signature

8/10/04  
Date

Continued on next page

21

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

Lawyer's Name Thomas J. Jones, Jr., Esquire

Street 406 Jefferson Avenue

City Scranton State PA Zip 18510

Area Code/Phone Number (570) 342-9295

**Mail to:**

Secretary

Pennsylvania Public Utility Commission

P. O. Box 3265

Harrisburg, PA 17105-3265

**For more information, please contact the Secretary's Bureau at  
717-772-7777.**

*Law Offices*  
**THOMAS J. JONES, JR.**  
*A Professional Corporation*  
406 JEFFERSON AVENUE  
SCRANTON, PENNSYLVANIA 18510

(570) 342-9295  
FAX (570) 342-6011

REC ID  
2004 AUG 13 11:02

SECRET BUREAU

August 10, 2004

Secretary  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

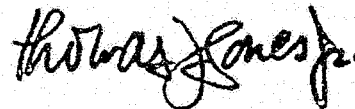
RE Frank Linsinbigler vs PG Energy

Dear Sir/Madam,

Enclosed herewith please find the original and one (1) copy of a Formal Complaint Form to be filed on behalf of the above-captioned, Frank Linsinbigler. Please advise my office as to the date and time of the hearing.

Thanking you for your attention hereto, I remain,

Very truly yours,  
THOMAS J. JONES, JR., P.C.



Thomas J. Jones, Jr., Esquire

TJJ, Jr/ss  
enclosure

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

DATE SERVED: 08/16/04

C-20043528

DOCUMENT

SOUTHERN UNION COMPANY  
ATTN JEFFERY H SUNDAY ESQ  
ONE PEI CENTER  
WILKES-BARRE PA 18711-0601

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Frank Linsinbigler. 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.

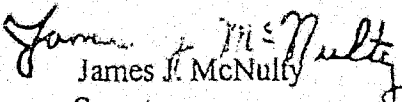
08/16/04

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

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

es

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: 08/16/04

Frank Linsinbigler  
Complainant

VS.

SOUTHERN UNION COMPANY  
Respondent

Complaint Docket  
No. C-20043528

**DOCKETED**  
AUG 13 2004

EXHIBIT IV

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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TO: SOUTHERN UNION 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

ORIGINAL

PG Energy  
a Division of Southern Union Company

Jeffery H. Sunday  
House Counsel  
(570) 829-8824

DOCUMENT

August 20, 2004

RECORDS & COMMUNICATIONS BUREAU  
AUG 23 9:15

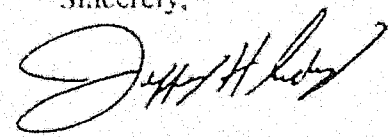
James J. McNulty  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17120

RE: Frank Linsinbigler vs. PG Energy  
C-20043528

Dear Secretary McNulty:

Enclosed please find the original and three (3) copies of PG Energy's Answer and also my Notice of Appearance in the above matter.

Sincerely,



Enclosures

c: S. Napkora

33

Commonwealth of Pennsylvania  
Before the Pennsylvania Public Utility Commission

Frank Linsinbigler

v.

PG Energy, a Division of Southern  
Union Company

Complaint Docket No.

C-20043528

COMPLAINTS BUREAU  
SEP 15 9:15

ANSWER

To the Pennsylvania Public Utility Commission:

AND NOW, comes PG Energy, a Division of Southern Union Company ("PG Energy"), Respondent herein, and answers seriatim the above-captioned complaint as follows:

1. Admitted.
2. The correct corporate name of Respondent is PG Energy, a Division of Southern Union Company.
3. Complainant filed an informal complaint with the Bureau of Consumer Services, BCS Case Number 1682858 and it was decided that complainant must pay the sum of \$2,916.00 immediately to maintain gas service, and thereafter pay a special budget amount of \$829, which includes a regular budget amount of \$729.00 plus \$100.00 toward the gas account balance.

Complainant has due and owing on his gas bill as of August 11, 2004, the sum of \$6,177.04.

Answering further, complainant has had numerous previous payment agreements with regard to his gas account, but has not kept the payment schedule as agreed for any of these.

After reasonable investigation, PG Energy is unable to respond to the remaining averments contained in this paragraph and accordingly, same are hereby denied.

RECEIVED  
SEP 23 2004

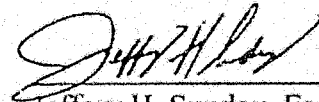
DOCUMENT

4. Based upon the representation set forth in paragraph 3, above, complainant's request for relief is not warranted and it is PG Energy's position that complainant must make a payment in the amount of \$2,916.00 to maintain gas service, and thereafter make monthly payments in the amount \$829.00, which includes a regular budget amount of \$729.00 plus \$100.00 toward the gas account balance, pursuant to the decision in the aforementioned BCS case.

WHEREFORE, PG Energy prays that the Complaint in this matter be dismissed.

PG Energy, a Division of Southern  
Union Company

BY:

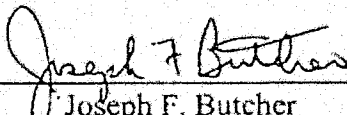


Jeffery H. Sunday, Esquire  
PG Energy, a Division of Southern  
Union Company  
One PEI Center  
Wilkes-Barre, PA 18711  
(570) 829-8824

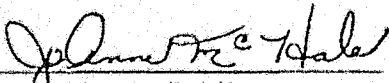
COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF LUZERNE : ss:

Joseph F. Butcher, being duly sworn according to law, deposes and says that he is Vice President of PG Energy, a Division of Southern Union Company; that he is authorized to and does make this affidavit for it; and that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.

  
Joseph F. Butcher

Sworn to and subscribed  
before me this 20<sup>TH</sup> day  
of August, 2004.

  
Notary Public

Notarial Seal  
JoAnne McHale, Notary Public  
City Of Wilkes-Barre, Luzerne County  
My Commission Expires Sept. 6, 2006  
Member, Pennsylvania Association Of Notaries

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon parties or record in this proceeding in accordance with the requirements of §1.54 (relating to service by a participant).

Dated this 20<sup>th</sup> day of August, 2004.

PG Energy, a Division of Southern  
Union Company

BY:



Jeffery H. Sunday, Esquire  
PG Energy, a Division of Southern  
Union Company  
One PEI Center  
Wilkes-Barre, PA 18711  
(570) 829-8824

RECORDED

SEP 15

Commonwealth of Pennsylvania  
Before the Pennsylvania Public Utility Commission

Frank Linsinbigler

Complaint Docket No.

v.

PG Energy, a Division of Southern  
Union Company

C-20043528

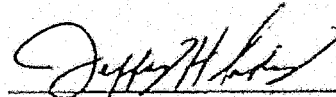
NOTICE OF APPEARANCE

Please enter my appearance in the above-captioned matter on behalf of PG Energy, a Division of Southern Union Company. I am authorized to accept service on behalf of said participant in this matter.

I am already receiving or have access to a copy of each document issued by the Commission in this matter and do not, on the basis of this Notice, require an additional copy.

PG Energy, a Division of Southern  
Union Company

BY:



Jeffery H. Sunday, Esquire  
PG Energy, a Division of Southern  
Union Company  
One PEI Center  
Wilkes-Barre, PA 18711  
(570) 829-8824

RECORDED

SEP 23 2004

DOCUMENT

RECORDED  
SEP 16 2004

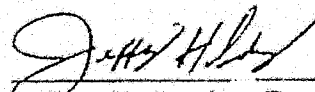
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon parties or record in this proceeding in accordance with the requirements of §1.54 (relating to service by a participant).

Dated this 20<sup>th</sup> day of August, 2004.

PG Energy, a Division of Southern  
Union Company

BY:



Jeffery H. Sunday, Esquire  
PG Energy, a Division of Southern  
Union Company  
One PEI Center  
Wilkes-Barre, PA 18711  
(570) 829-8824

RECORDS BUREAU

515



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

IN REPLY PLEASE  
REFER TO OUR FILE

January 14, 2005

In Re: C-20043528

(SEE ATTACHED LIST)

Frank Linsinbigler v. Southern Union 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 telephonic hearing.  
Date: Monday, March 7, 2005  
Time: 10:00 a.m.  
Presiding: Special Agent Bradley A. Bingaman  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
Telephone: (717) 783-5452  
Fax: (717) 787-0481

The special agent 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**  
FEB 01 2005

**DOCUMENT  
FOLDER**

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

Frank Linsinbigler	570-383-4997
Jeffery H. Sunday, Esquire	570-829-8824

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Special Agent 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: SA Bingaman  
Cherie Pyle  
Beth Plantz  
Docket Section  
Calendar File