

P.L. 130.001

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Barbara Malewski

v.

PPL Electric Utilities Corporation

Docket No. C-20030728

DOCUMENT  
FOLDER

PREHEARING ORDER

DOCKETED  
DEC 19 2003

An initial telephonic hearing in this case is scheduled for Wednesday, January 21, 2004, 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. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of filing. If you send me any correspondence or documents, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

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. 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 must be sent to me and all parties of record. Requests for continuances will only be granted for good cause. My correct address is: Louis G. Cocheres, Administrative Law Judge, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

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

5. 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.

6. Pursuant to 52 Pa.Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

7. The complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the complainant is entitled to the relief requested in the Complaint.

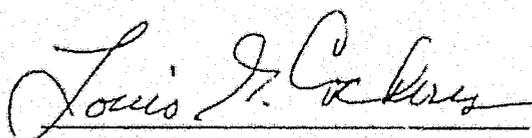
8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

9. Any party may conduct discovery to learn the factual basis of another party's position in this case. However, 52 Pa.Code §5.331(b) provides, in relevant part, that "[a] participant shall endeavor to initiate discovery as early in the proceedings as reasonably

possible” Additionally, 52 Pa Code §5.322 provides, in relevant part, that “participants are encouraged to exchange information on an informal basis.” All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa.Code §5.361) and sanctions for abuse of the discovery process (52 Pa.Code §§5.371 & 5.372).

10. 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 (1) 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.

Dated: December 10, 2003

  
Louis G. Cocheres  
Administrative Law Judge

# OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20030728		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Barbara Malewski v. PPL Electric Utilities Corp	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	HBG	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	January 21, 2004			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Louis G. Cocheres	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<i>ms Malewski was granted a continuance. The hearing will be rescheduled.</i>	

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

Name and Telephone Number	Address	Who are you representing?
	City      State      Zip	<b>DOCUMENT FOLDER</b> Fax Number:
Telephone:	E-mail Address:	
	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.

\_\_\_\_\_  
Reporter's Signature

Mitchell  
Gallagher

Attorneys at Law W. Mitchell (1919-1996)

RECEIVED

2004 MAY 28 AM 10:39

C. Edward S. Mitchell  
Robert A. Gallagher  
Gary L. Weber  
Bret J. Southard  
Daryl R. Wishard

Email: glw@mimgwsw.com

May 27, 2004

ALJ Louis G. Cocheres  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

DOCUMENT

RE: Barbara Malewski v. v. PPL Electric Utilities  
Corporation  
Docket No. C-20030728

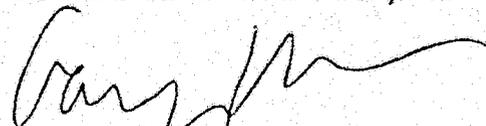
Dear Judge Cocheres:

This matter was originally scheduled for an initial telephone hearing on January 21, 2004. The hearing was continued at the request of Ms. Malewski.

Recently, I had a spate of hearings scheduled in various cases, and in looking at some files, noted that this one had never been rescheduled. It occurred to me that the file might have been lost in the shuffle and that the rescheduling was overlooked.

Very truly yours,

MITCHELL MITCHELL GALLAGHER WEBER  
SOUTHARD & WISHARD, P.C.

  
Gary L. Weber

DOCKETED  
JUL 02 2004

GLW:bgh

pc. Barbara Malewski

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

JUN - 1 2004

RECEIVED

PA PUC

Mitchell Mitchell Gallagher Weber Southard & Wishard P.C.

www.mimgwsw.com

10 West Third Street, Williamsport, Pa. 17701-6513  
(570) 323-8404 Fax (570) 323-8585



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

June 30, 2004

In Re: C-20030728

(See letter of 12-9-03)

**DOCKETED**  
JUL 09 2004

**DOCUMENT  
FOLDER**

Barbara Malewski v. PPL Electric Utilities Corporation

Billing dispute.

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: Monday, August 23, 2004  
Time: 10:00 a.m.  
Presiding: Administrative Law Judge Louis G. Cocheres  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
Telephone: (717) 783-5452  
Fax: (717) 787-0481

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:

Barbara Malewski	570.875.1956
Gary L. Weber, Esquire	570.327.5507

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 Cocheres  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

**ORIGINAL**  
*Mitchell  
Gallagher*

*Attorneys at Law* CRE... S J. Neff Mitchell (1919-1996)

C Edward S. Mitchell  
Robert A. Gallagher  
Gary L. Weber  
Bret J. Southard  
David R. Wishard

Email: glw@mngsw.com

July 14, 2004

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

**RE: Barbara Malewski v. v. PPL Electric Utilities  
Corporation  
Docket No. C-20030728**

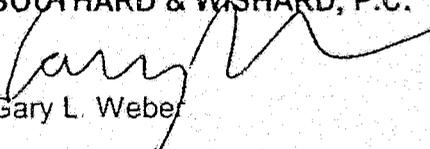
Dear Secretary McNulty:

Enclosed please find for filing in the above-referenced matter an original and three (3) copies of a Certificate of Satisfaction of Complaint under 52 Pa. Code § 5.24(b).

Because all legal and factual issues in this proceeding have been resolved, PPL Electric Utilities Corporation respectfully requests that this docket be terminated.

Very truly yours,

**MITCHELL MITCHELL GALLAGHER WEBER  
SOUTHARD & WISHARD, P.C.**

  
Gary L. Weber

GLW.bgh

Enclosures

pc w/enc: Barbara Malewski  
Administrative Law Judge Louis Cocheres  
Deidre Bilger  
Michelle Lawall  
Bruce Bigelow, Mediator

**DOCUMENT  
FOLDER**

Mitchell Mitchell Gallagher Weber Southard & Wishard P.C.

www.mngsw.com

10 West Third Street, Williamsport, Pa 17701-6513  
(570) 323-8404 Fax (570) 323-8585

29

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: July 25, 2003

ORIGINAL

BARBARA MALEWSKI,  
Complainant

:  
: Complaint Docket  
: No. C-20030728

vs.

PPL ELECTRIC UTILITIES  
CORPORATION,  
Respondent

DOCUMENT  
FOLDER

CERTIFICATE OF SATISFACTION  
OF COMPLAINT

**DOCKETED**  
JUL 16 2004

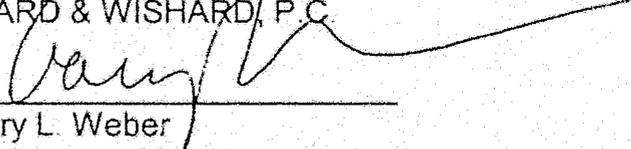
1. Complainant is Barbara Malewski.
2. Respondent is PPL Electric Utilities Corporation (hereafter referred to as "PPL").
3. This Certificate of Satisfaction of Complaint is submitted pursuant to 52 Pa. Code § 5.24(b).
4. PPL hereby certifies that the parties to the above-referenced Formal Complaint, now pending before the Pennsylvania Public Utility Commission, have mutually and voluntarily agreed upon the following terms as full satisfaction of all outstanding legal and factual disputes in this proceeding, and Complainant has acknowledged satisfaction to PPL:
  - (a) PPL Electric agrees to credit Complainant's PPL Electric account number 99750-37005 for the amount of the deposit first imposed in November 2002, the sum of \$357.00. This credit is based upon Complainant having paid her bills in a timely manner since the addition of the deposit to her account.

(b) Complainant agrees to withdraw her complaint with prejudice.

WHEREFORE, PPL respectfully requests that the docket be marked closed in this matter.

Respectfully submitted,

MITCHELL MITCHELL GALLAGHER WEBER  
SOUTHARD & WISHARD, P.C.

By: 

\_\_\_\_\_  
Gary L. Weber  
Attorney for PPL Electric Utilities  
Corporation

Dated: July 14, 2004

CERTIFICATE OF SERVICE

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

Barbara Malewski  
141 Main Street  
Ashland, PA 17921

Dated this 14<sup>th</sup> day of July, 2003.



---

Gary L. Weber  
Counsel for PPL Electric Utilities Corporation

SECRET  
BUREAU

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: July 19, 2004

SUBJECT: C-20030728 Barbara Malewski v. PPL Electric Utilities Corp.

TO: Wanda Zeiders  
Docket Management

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

On July 15, 2004, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate 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 Louis G. Cocheres  
Beth Plantz  
Case File

**DOCKETED**  
JUL 22 2004

DOCUMENT  
FOLDER

*Mitchell  
Gallagher*  
*Attorneys at Law*

*J. Neofie Mitchell (1919-1996)*

C. Edward S. Mitchell  
Robert A. Gallagher  
Gary L. Weber  
Bret J. Southard  
Darryl R. Wishard

Email: glw@mimgsw.com

July 14, 2004

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

**RE: Barbara Malewski v. v. PPL Electric Utilities  
Corporation  
Docket No. C-20030728**

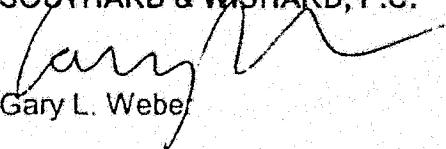
Dear Secretary McNulty:

Enclosed please find for filing in the above-referenced matter an original and three (3) copies of a Certificate of Satisfaction of Complaint under 52 Pa. Code § 5.24(b).

Because all legal and factual issues in this proceeding have been resolved, PPL Electric Utilities Corporation respectfully requests that this docket be terminated.

Very truly yours,

**MITCHELL MITCHELL GALLAGHER WEBER  
SOUTHARD & WISHARD, P.C.**

  
Gary L. Weber

GLW:bgh

Enclosures

pc w/enc: Barbara Malewski  
Administrative Law Judge Louis Cocheres  
Deidre Bilger  
Michelle Lawall  
Bruce Bigelow, Mediator

PA PUC

Mitchell Mitchell Gallagher Weber Southard & Wishard P.C.

[www.mimgsw.com](http://www.mimgsw.com)

10 West Third Street, Williamsport, Pa 17701-6513  
(570) 323-8404 Fax (570) 323-8585

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: July 25, 2003

BARBARA MALEWSKI,  
Complainant

:  
: Complaint Docket  
: No. C-20030728

vs.

PPL ELECTRIC UTILITIES  
CORPORATION,  
Respondent

:  
:  
:  
:  
:  
:

PA PUC

07/25/03  
5 11 25  
PUC

CERTIFICATE OF SATISFACTION  
OF COMPLAINT

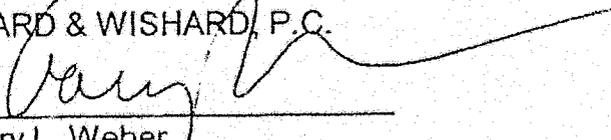
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2. Respondent is PPL Electric Utilities Corporation (hereafter referred to as "PPL").
3. This Certificate of Satisfaction of Complaint is submitted pursuant to 52 Pa. Code § 5.24(b).
4. PPL hereby certifies that the parties to the above-referenced Formal Complaint, now pending before the Pennsylvania Public Utility Commission, have mutually and voluntarily agreed upon the following terms as full satisfaction of all outstanding legal and factual disputes in this proceeding, and Complainant has acknowledged satisfaction to PPL:
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(b) Complainant agrees to withdraw her complaint with prejudice.

WHEREFORE, PPL respectfully requests that the docket be marked closed in this matter.

Respectfully submitted,

MITCHELL MITCHELL GALLAGHER WEBER  
SOUTHARD & WISHARD, P.C.

By: 

Gary L. Weber  
Attorney for PPL Electric Utilities  
Corporation

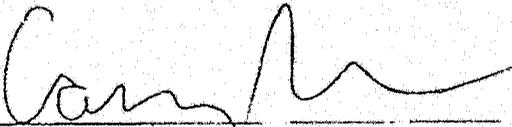
Dated: July 14, 2004

CERTIFICATE OF SERVICE

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

Barbara Malewski  
141 Main Street  
Ashland, PA 17921

Dated this 14<sup>th</sup> day of July, 2003.

  
\_\_\_\_\_  
Gary L. Weber  
Counsel for PPL Electric Utilities Corporation



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
July 20, 2004

IN REPLY PLEASE  
REFER TO OUR FILE

In Re. C-20030728

(See letter of 6-30-04)

DOCUMENT  
FOLDER

Barbara Malewski v. PPL Electric Utilities Corp.

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial telephone hearing  
Date: Monday, August 23, 2004  
Time: 10:00 a.m.  
Presiding: Administrative Law Judge Louis G. Cocheres

Please mark your records accordingly.

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

**DOCKETED**  
AUG 17 2004



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

IN REPLY PLEASE  
REFER TO OUR FILE

August 20, 2004

C-20030728

BARBARA MALEWSKI  
141 MAIN STREET  
ASHLAND PA 17921

BARBARA MALEWSKI  
v.  
PPL ELECTRIC UTILITIES CORPORATION

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty  
Secretary

nvl  
cc: All parties of Record  
Office of ALJ

RJP