

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DENNIS G DOWNES

v.

WEST PENN POWER COMPANY

C-20030766

DOCUMENT
FOLDER

INTERIM ORDER
SETTING RESOLUTION CONFERENCE

RECEIVED
AUG 27 2003

On or about July 18, 2003, Dennis G Downes ("Complainant") filed a complaint against West Penn Power Company ("Respondent"), at the above-captioned Docket Number. On or about August 18, 2003, Respondent filed an answer to the complaint.

Based upon a review of the information contained in this material, I direct the parties to attempt to resolve this matter themselves. Respondent shall contact Complainant no later than September 8, 2003, to set a time, date and place for Respondent and Complainant to hold a conference about resolving the case. The conference must take place no later than September 22, 2003, unless this is not possible.

Within ten (10) days following the conference, Respondent shall file a short report with Bruce Bigelow ("Mediator"), setting forth:

- (a) The time, date and place of the conference;
- (b) Who participated for each party,
- (c) A statement whether a full resolution, including withdrawal of complaint, was achieved, and, if not, whether the parties consent to have this case set for mediation by the mediation staff of the Commission; and
- (d) A statement of any issues which have been resolved, if a full resolution was not achieved.

The Commission encourages mediation if the parties cannot reach an agreement through the resolution conference. Mediation is an informal process in which the parties attempt to resolve the case with the help of a mediator. The mediator is a neutral staff member of the Commission who does not give advice, make a decision, or represent any party. Instead, the mediator assists the parties in their efforts to come to an agreement.

If the parties do not reach an agreement on their own, and do not consent to mediate, they are entitled to have a hearing. A hearing is a formal process where a Commission administrative law judge will review the case and make a decision to resolve it.

If it is not possible to have the conference by the date set for that purpose, Respondent shall file a report with the Mediator, on or before ten (10) days following the conference due date, giving the reason(s) why the due date could not be met.

In either situation, a report must be filed with the Mediator by the applicable due date set forth above.

If you have any questions, you should contact the Mediator. His address and phone number are:

Mediator Bruce Bigelow
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 783-5413
Email: bbigelow@state.pa.us

Date: August 25, 2003

Robert A. Christianson
ROBERT A. CHRISTIANSON
Chief Administrative Law Judge

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DOCKETED
DEC 29 2003

DATE: December 10, 2003
SUBJECT: Dennis G. Downes v. West Penn Power Company; C-20030766
TO: Commission Document Folder
FROM: Bruce Bigelow
Mediator

DOCUMENT

The above-captioned case is still undergoing mediation-process review and progress reports are being made.

pc: OALJ file



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

IN REPLY PLEASE
REFER TO OUR FILE

February 13, 2004

DENNIS G DOWNES, OWNER
NEW ALEXANDRIA TRACTOR SUPPLY
RD #3, BOX 403
NEW ALEXANDRIA PA 15670

PLEASE DOCKET

Re: C-20030766 - Dennis G. Downes v. West Penn Power
Company

Dear Mr. Downes:

This is to request that you report the current status of
your complaint against West Penn Power Company (WPP).

By Interim Order dated August 25, 2003 and signed by Chief
Administrative Law Judge Robert A. Christianson, the parties were
directed to hold a resolution conference on the subject complaint.
Subsequently, I received a report from Daniel Dunlap, WPP counsel,
dated September 29, 2003 and an e-mail dated December 10, 2003 which
indicated that the matter was resolved and that you would send the PUC
a letter stating that you were satisfied. Then, on December 11, 2003,
we had a telephone conversation in which you indicated that the letter
had been sent. After I informed you that neither I nor WPP had
received the letter, you stated that you would send it again. Please
be advised that, to date, I still have not received the letter.

Since it is my responsibility to make sure that this case
moves forward, please notify me of your intentions, as soon as
possible. If you are satisfied with the outcome or you are no longer
interested in going forward, you may send me a letter of withdrawal at
the above address. If I do not hear from you on or before February
27, 2004, I will assume that the case is not resolved and that you
want a hearing. I will then send the case to our Scheduling Unit.

Thanks for your attention to this matter.

Very truly yours,

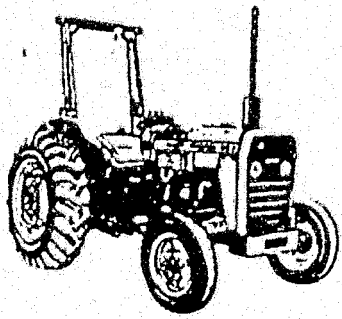
Bruce Bigelow
Bruce Bigelow
Mediator
717-783-5413

DOCKETED
MAR 11 2004

**DOCUMENT
FOLDER**

pc: Daniel M. Dunlop, Esquire
#455258

R.I.P



NEW ALEXANDRIA TRACTOR SUPPLY

RD #3 Box 403
New Alexandria, PA 15670
(412) 668-2000



MASSEY-FERGUSON
Where farmers ideas take root

February 19, 2004

Bruce Bigelow
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pa 15670

C-20030766

Dear Mr. Bigelow:

West Penn Power and I were in agreement of the terms of settlement.
See enclosed letters and copy of the settlement check stub.

I still feel that too much of the burden is on the customer.

If you have any further questions, please contact me.

Sincerely,

Dennis G. Downes
Owner

DGD/GJB

Enclosures

DOCUMENT

RECEIVED

2004 FEB 23 AM 11:00

SECRETARY'S BUREAU

DOCKETED

APR 14 2004



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

IN REPLY PLEASE
REFER TO OUR FILE

February 13, 2004

DENNIS G DOWNES, OWNER
NEW ALEXANDRIA TRACTOR SUPPLY
RD #3, BOX 403
NEW ALEXANDRIA PA 15670

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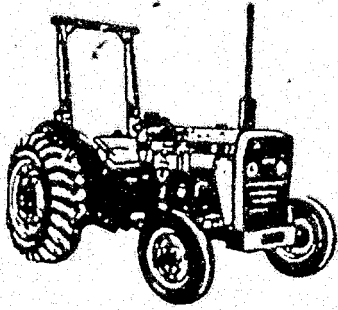
Bruce Bigelow
Bruce Bigelow
Mediator
717-783-5413

pc: Daniel M. Dunlop, Esquire
#455258

SECRETARY'S BUREAU

25 FEB 23 7:11:00

RECEIVED



NEW ALEXANDRIA TRACTOR SUPPLY
 RD #3 Box 403
 New Alexandria, PA 15670
 668-2000

October 28, 2003

Tammy J. Taylor
 Allegheny Power
 800 Cabin Hill Drive
 Greensburg, Pa. 15601

Dear Ms. Taylor:

I will agree to settlement of your account with me after you meet the following conditions:

- 1) The interest is to be calculated to the date of the payment made to me.
- 2) Data relating to this interest will be furnished per month to me.
- 3) Your payment will be made in the year 2003.
- 4) The latest (the fifth billing calculation) will be used in calculating your refund payment to me.

Sincerely,

Dennis G. Downes

Dennis G. Downes
 Owner

CC: Bruce Bigelow, Mediator, PJC

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to
 Tammy J. Taylor
 Customer Programs
 Allegheny Power
 800 Cabin Hill Drive
 Greensburg, PA. 15601

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)		B. Date of Delivery	
<i>Dennis Downes</i>		<i>10/28/03</i>	
C. Signature		<input type="checkbox"/> Agent	
<i>Tedra Jenkins</i>		<input type="checkbox"/> Addressee	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes		If YES, enter delivery address below: <input type="checkbox"/> No	
3 Service Type			
<input checked="" type="checkbox"/> Certified Mail		<input type="checkbox"/> Express Mail	
<input type="checkbox"/> Registered		<input type="checkbox"/> Return Receipt for Merchandise	
<input type="checkbox"/> Insured Mail		<input type="checkbox"/> C.O.D.	
4 Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes	

Average Provided

See Reverse for Instructions

PS Form 3811, May 2000

9220 2209 4004 0004 6072 023E

Postage \$ 3.75
 Certified Fee \$ 2.30
 Return Receipt Fee (Endorsement Required) \$ 1.75
 Restricted Delivery Fee (Endorsement Required) \$ 4.48
 Total Postage & Fees \$ 12.28

Postmark: NEW ALEXANDRIA PA 15670 OCT 28 2003

Allegheny Power
 800 Cabin Hill Drive
 Greensburg PA 15601

2 Article Number (Copy from service label)
 7000 1530 0004 6072 023E

ORIGINAL



Allegheny Energy

800 Cabin Hill Drive
Greensburg PA 15601-1689
Phone (724) 837-3000
FAX (724) 838-6177

Writer's Direct Dial No. (724) 838-6188

E-mail ddunlap@alleghenyenergy.com

LEGAL SERVICES

March 22, 2004

VIA FEDERAL EXPRESS

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RECEIVED

MAR 22 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Dennis G. Downes v. West Penn Power Company
Complaint Docket No. C-20030766

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), this will certify that Allegheny Power has satisfied the complaint and that the Complainant acknowledged satisfaction to a representative of Allegheny Power.

I am this day sending a copy of this letter to the Complainant by United States mail, first class, postage prepaid

Thank you for your attention to this matter. I remain

Very truly yours,

Daniel M. Dunlap
Senior Attorney

cc: Dennis G. Downes
R.D. #3 Box 403
New Alexandria, PA 15670

DOCKETED
MAR 25 2004

DOCUMENT
FOLDER

RJP

137

COMMONWEALTH OF
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: March 30, 2004

SUBJECT: Certification of Satisfaction Filed
C-20030766 Dennis G. Downes v. West Penn Power Company

TO: Wanda Zeiders,
Docket Management

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

On March 22, 2004, a Certificate of Satisfaction was filed in the above-captioned proceeding by Daniel M. Dunlap, Esquire. 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 (None Assigned)
Elzy Ditzler
Beth Plantz
Case File

DOCUMENT

DOCKETED
APR 07 2004

COPY

RECEIVED
OFFICE OF C.A.L.
04 MAR 24 AM 8:07
PA PUC



Allegheny Energy

800 Cabin Hill Drive
Greensburg PA 15601-1689
Phone: (724) 837-3000
FAX: (724) 838-6177

Writer's Direct Dial No. (724) 838-6188

E-mail: ddunlap@alleghenyenergy.com

March 22, 2004

LEGAL SERVICES

VIA FEDERAL EXPRESS

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RECEIVED

MAR 22 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Dennis G. Downes v. West Penn Power Company
Complaint Docket No. C-20030766

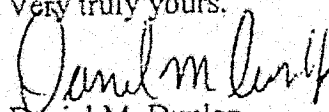
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I am this day sending a copy of this letter to the Complainant by United States mail, first class, postage prepaid.

Thank you for your attention to this matter. I remain

Very truly yours,


Daniel M. Dunlap
Senior Attorney

cc: Dennis G. Downes
R.D. #3 Box 403
New Alexandria, PA 15670

DOCUMENT

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: March 22, 2004
SUBJECT: Dennis G. Downes v. West Penn Power Company; C-20030766
TO: Commission Document Folder
FROM: Bruce Bigelow
Mediator

DOCUMENT
FOLDER

Pursuant to Chief Administrative Law Judge Christianson's Interim Order dated, August 25, 2003, a report has been submitted to the Mediation Unit.

Please include this memo in the official Commission document folder.

pc: OALJ File

DOCKETED
MAR 30 2004



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

IN REPLY PLEASE
REFER TO OUR FILE

June 3, 2004

C-20030766

DENNIS G. DOWNES
RD 3 BOX 403
NEW ALEXANDRIA PA 15670

DENNIS G. DOWNES
v.
WEST PENN POWER COMPANY

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

DOCKETED
JUN 4 2004

**DOCUMENT
FOLDER**