

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 07/15/03
8. DOCKET NO: C-20030728	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: MALEWSKI, BARBARA

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: SCHUYLKILL

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE WANTS THE PUC TO REQUIRE PPL TO FOLLOW PROPER PROTOCOL TO INFORM CUSTOMERS OF LATE BILL.

DOCUMENT  
FOLDER

JUL 21 2003

RECEIVED

copy - original  
was sent upon  
receipt.

2003 JUL 15 AM 9:07

C-20030728

ORIGINAL

SECRETARY'S BUREAU  
Formal Complaint Form  
Pennsylvania Public Utility Commission

Please Print: (you may also type your answers directly onto the form as it appears on your screen)

1 Your name, mailing address and telephone number:

Name Barbara Malewski

Street/P.O. Box 141 MAIN ST Apt #

City Ashland State PA zip 17918

County Schuyler Area Code/Home Phone 570-875-1951  
Area Code Work Phone

2 Name of company your complaint concerns PL

3 What is your complaint? (Use additional paper if need more space)

see attached letters

4 What do you want the Public Utility Commission to do about your complaint?  
(Use additional paper if need more space)

I want PUC to require PL to  
follow proper protocol (as law) to inform customers  
of rate plan. Also, due to not following protocol  
to tell company to remove account by rate fee  
when paid timely charge for cost will.

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

Barbara M. Malewski 5/31/03

Signature Barbara M. Malewski Date

Continued on next page

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10

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

DATE SERVED: JULY 25, 2003

C-20030728

PPL ELECTRIC UTILITIES CORPORATION  
PAUL E RUSSELL GEN COUNSEL  
TWO N 9TH ST  
ALLENTOWN PA 18101-1179

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by BARBARA MALEWSKI. 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.

DOCUMENT  
FOLDER

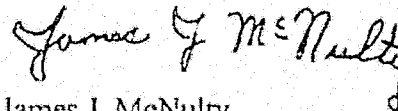
JULY 25, 2003

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

JH

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JULY 25, 2003

BARBARA MALEWSKI  
Complainant

VS.

PPL ELECTRIC UTILITIES  
CORPORATION  
Respondent

Complaint Docket  
No. C-20030728

DOCUMENT  
FOLDER

JUL 24 2003

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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TO: PPL ELECTRIC UTILITIES CORPORATION

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,

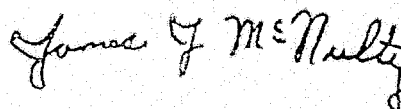
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as 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

LAW OFFICES  
**MITCHELL, MITCHELL, GRAY & GALLAGHER**  
A PROFESSIONAL CORPORATION  
10 West Third Street  
Williamsport, Pennsylvania 17701-6513

**ORIGINAL**

Jacob Neafie Mitchell  
1919-1996

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

Telephone: (570) 323-8404  
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Web Page: [MMUGLaw.com](http://MMUGLaw.com)

Direct Email: [giw@mmgglaw.com](mailto:giw@mmgglaw.com)

August 14, 2003

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

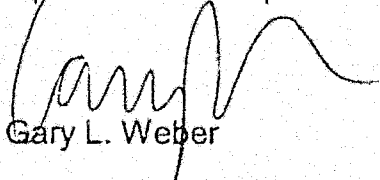
**RE: Barbara Malewski v. v. PPL Electric Utilities  
Corporation  
Docket No. C-20030728**

Dear Secretary McNulty:

Enclosed please find an original and two photocopies of the Answer of PPL Electric Utilities to Formal Complaint of Barbara Malewski for filing in the above-captioned case.

Very truly yours,

**MITCHELL, MITCHELL, GRAY & GALLAGHER**  
a professional corporation



Gary L. Weber

GLW:bgh

Enclosures

pc w/enc: Barbara Malewski  
Deidre Bilger

DOCUMENT  
FOLDER

Submitted to PPL

August 14, 2003

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

DOCUMENT  
: FOLDER

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION TO FORMAL  
COMPLAINT OF BARBARA MALEWSKI

1. Admitted.
2. Denied as stated; the correct name of the Respondent is PPL Electric Utilities Corporation.
3. Admitted that a security deposit was imposed because Complainant was late in payment of electric bills. Said deposit was imposed under the procedures set forth in 52 Pa. Code Section 5641 and pursuant to Rule 2B of PPL's tariff. Pursuant to the regulation and the tariff, PPL is permitted to collect a security deposit or other guarantee of payment where the customer is late in paying two consecutive bills or has paid late on any three out of twelve consecutive bills. On the date that the security deposit was first imposed, November 20, 2002, Complainant had not paid bills rendered on September 20, 2002 and October 22, 2002, and Complainant's electric bill had an unpaid balance of \$210.10. In the 12 months prior to the security deposit being imposed, electric bills were paid late or not at all on 8 separate occasions. Denied that Complainant did not know that she was late with her payments as each bill sent to Complainant's home indicated whether there was an unpaid balance and contained a

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AUG 19 2003

late payment fee, if there was an unpaid balance. By way of further answer, Complainant was notified by letter dated September 16, 2002 that a security deposit would be imposed if electric bills were not paid in a timely manner.

Denied that Complainant is being charged a security deposit for no reason. To the contrary, the security deposit proposed by PPL is intended to insure payment of future electric bills by customers, like Complainant, who have repeatedly made late payment or no payment of electric bills, and it is further intended to protect PPL from losses resulting from a customer's failure to pay bills.

Denied that PPL's policy of imposing a security deposit for chronic late payers is illegal; to the contrary, said policy is expressly allowed by the regulations of the Pennsylvania Public Utility Commission and in PPL's tariff which is approved by the Pennsylvania Public Utility Commission.

Denied that Complainant was not given a chance to correct the situation that gave rise to the assessment of the security deposit. To the contrary, Complainant was warned by letter of the possibility that a security deposit would be assessed if payments were not made in a timely manner, and Complainant, nevertheless, failed to make payment on the balance due and failed to make timely payments of PPL bills.

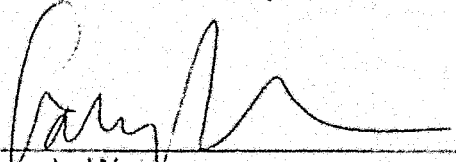
Admitted that Complainant was put on a payment plan. The payment plan was pursuant to a decision by the Pennsylvania Public Utility Commission, Bureau of Consumer Services.

4. This is a request for relief to which no response is required. To the extent any response is required, it is denied that Complainant is entitled to the relief requested.

WHEREFORE, PPL Electric Utilities Corporation requests the Commission to deny the relief requested by Complainant and to dismiss the Complaint.

Respectfully submitted,

PPL Electric Utilities Corporation

BY:   
\_\_\_\_\_  
Gary L. Weber  
Attorney for PPL Electric Utilities

10 West Third Street  
Williamsport, PA 17701

(570) 323-8404

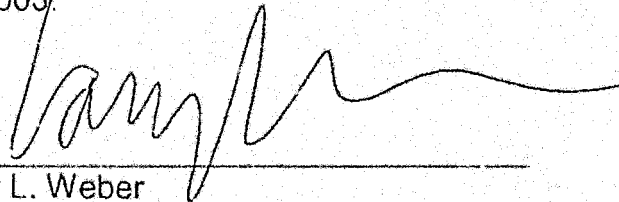


CERTIFICATE OF SERVICE

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 August, 2003/



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Gary L. Weber  
Counsel for PPL Electric Utilities Corporation