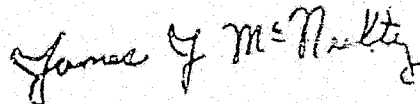


prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

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



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

IN REPLY PLEASE  
REFER TO OUR FILE

July 18, 2003

C-20026777

BERNARD V LECCE  
1314 PITTSBURGH STREET  
PMB 298  
CHESWICK PA 15024-1447

BTL

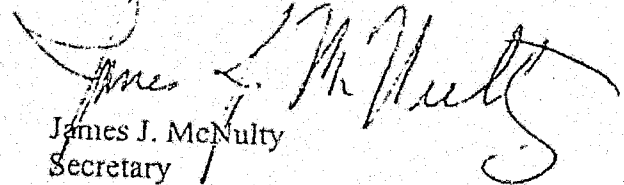
Dear Mr. Lecce:

On June 21, 2002, an Initial Decision was issued by Administrative Law Judge Nene dismissing with prejudice a complaint that you had filed against West Penn Power at the above captioned docket number.

Dismissal with prejudice means that the Commission will not accept another complaint pertaining to the same issues.

On June 19, 2003, you filed a Formal Complaint against West Penn Power Company alleging an essentially identical complaint. This Formal Complaint at Docket Number C-20030608, was accepted in error and is hereby being returned to you. Accordingly, we are marking this case "closed".

Sincerely,

  
James J. McNulty  
Secretary

cc: Chief Administrative Law Judge  
Dan Dunlap, West Penn Power Company

DOCUMENT  
FOLDER

DOCKETED  
JUL 28 2003



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

August 29, 2003

In Re: C-20030608

(See attached list)

DOCUMENT  
FOLDER

Bernard Lecce v. West Penn Power Company

Billing dispute.

Hearing Notice

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

Type: Initial Hearing  
Date: Friday, October 24, 2003  
Time: 10:00 a.m.  
Location: 11th floor hearing room  
Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, Pennsylvania  
Presiding: Administrative Law Judge Robert P. Meehan  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
Telephone: (412) 565-3550  
Fax: (412) 565-5692

DOCKETED  
SEP 04 2003

*Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.*

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

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 Meehan  
Bruce Bigelow, Mediator  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

PLEASE DOOR

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCUMENT  
FOLDER

Bernard Lecce

v.

West Penn Power Company

:  
:  
:  
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C-20030608

DOCUMENTED

SEP 11 2003  
03 SEP -8 AM 10:25  
SECRETARY'S BUREAU

PREHEARING ORDER

An initial hearing in this case is scheduled for Friday, October 24, 2003 at 10:00 a.m., in an 11th Floor Hearing Room, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. 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 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.**

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

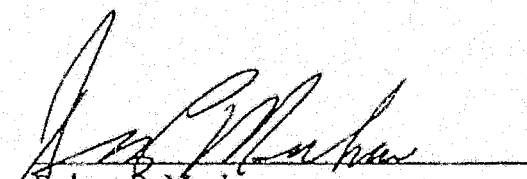
8. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty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

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

10. THIS HEARING IS A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

11. 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: September 3, 2003

  
Robert P. Meehan  
Administrative Law Judge



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

September 9, 2003

In Re: C-20030608

(See letter dated 08/29/03)

**Bernard Lecce v. West Penn Power Company**

Billing dispute.

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial hearing  
Date: Friday, October 24, 2003  
Time: 10:00 a.m.  
Location: Pittsburgh, Pennsylvania  
Presiding: Administrative Law Judge Robert P. Meehan

Please mark your records accordingly.

pc: Judge Meehan  
Judy W. Springer  
Beth Plantz  
Docket Section  
Calendar File

DOCUMENT  
FOLDER

DOCKETED  
SEP 10 2003



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

February 17, 2004

In Re: C-20030608

(See letter of 9-9-03)

Bernard Lecce v. West Penn Power Company

Billing dispute.

Hearing Notice

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

Type: Initial Hearing  
Date: Wednesday, March 24, 2003  
Time: 10:00 a.m.  
Location: 11th floor hearing room  
Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, Pennsylvania  
Presiding: Administrative Law Judge Robert P. Meehan  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
Telephone: (412) 565-3550  
Fax: (412) 565-5692

*Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.*

DOCKETED

FEB 27 2004

DOCUMENT  
FOLDER

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

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 Meehan  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File



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

February 17, 2004

In Re: C-20030608

JAMES T BOGGS ESQUIRE  
WEST PENN POWER COMPANY  
T/D/B/A ALLEGHENY ENERGY SUPPLY  
MONROEVILLE PA 15146-2841

Bernard Lecce v. West Penn Power Company

Billing dispute.

Hearing Notice

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

Type: Initial Hearing  
Date: Wednesday, March 24, 2003  
Time: 10:00 a.m.  
Location: 11th floor hearing room  
Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, Pennsylvania  
Presiding: Administrative Law Judge Robert P. Meehan  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
Telephone: (412) 565-3550  
Fax: (412) 565-5692

Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.

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



Allegheny Power  
an Allegheny Energy company

800 Cabin Hill Drive  
Greensburg, PA 15601-1689  
FAX: (724) 830-5592  
Writer's Direct Dial No. (724) 838-6080

E-mail: [jboggs@alleghenyenergy.com](mailto:jboggs@alleghenyenergy.com)

February 24, 2004

LEGAL SERVICES

**DOCKETED**  
APR 14 2004

**RECEIVED**

MAR - 2 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

Office of the Scheduler  
Pennsylvania Public Utility Commission  
P O. Box 3265  
Harrisburg, PA 17105-3265

RE: Bernard Lecce v. West Penn Power Company  
Docket No. C-20030608

**DOCUMENT  
FOLDER**

Dear Scheduler:

The purpose of this letter is to inquire as to whether the Scheduler's Office intended to schedule a hearing in the above referenced matter.

West Penn's records indicate that the above-named Complainant has filed two separate Formal Complaints against West Penn Power Company, making substantially the same allegations in both Complaints. The first of the two Formal Complaints was Docketed as C-20026777. In an Initial Decision dated June 3, 2002 and issued by the Commission on June 21, 2002, Administrative Law Judge Fred R. Nene dismissed the case *with prejudice*. The Complainant did not file timely exceptions, and on July 25, 2002, the Commission entered a Final Order pursuant to Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), affirming Judge Nene's Order.

The second of two Formal Complaints was docketed as C-20030608 and was received by the PUC on June 19, 2003. My colleague, Daniel M. Dunlap, Esq. was counsel of record in that case. On July 24, 2003, however, Mr. Dunlap received notification from the Public Utility Commission dated July 18, 2003 stating that Docket No. C-20030608 had been accepted by the PUC in error, and it was therefore marked "closed." That notification was also mailed to the Complainant, Mr. Lecce.

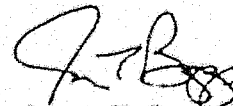
In consideration of the above, we believe that the recently-mailed Hearing Notice dated February 17, 2004 in Docket No. C-20030608 was also sent in error, as it sets a hearing for a proceeding that has already appropriately been marked "closed." Furthermore, it sets the hearing for March 24, 2003.

**PLEASE DOCKET**

Office of the Scheduler  
Pennsylvania Public Utility Commission  
February 24, 2004  
Page 2

For your convenience, I have attached copies of all Orders and Notices referred to above. Please advise as to whether the Scheduler's Office intended to schedule a hearing, and if so, the correct date thereof. Thank you.

Sincerely,



James T. Boggs  
Manager, Claims/  
Senior Attorney

cc: Honorable Robert P. Meehan  
Pennsylvania Public Utility Commission  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

Bernard V. Leece  
1314 Pittsburgh Street  
PMB 298  
Cheswick, PA 15024-1447



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
ISSUED: JUNE 21, 2002

IN REPLY PLEASE  
REFER TO OUR FILE

C-20026777

JAMES T BOGGS ESQUIRE  
ALLEGHENY ENERGY  
800 CABIN HILL DRIVE  
GREENSBURG PA 15601-1689

JUN 25 2002

Bernard V. Lecce  
V.  
Allegheny Power System, Inc.

TO WHOM IT MAY CONCERN:

Enclosed is a copy of the Initial Decision of Administrative Law Judge Fred R. Nene. This decision is being issued and mailed to all parties on the above specified date.

If you do not agree with any part of this decision, you may send written comments (called Exceptions) to the Commission. Specifically, an original and nine (9) copies of your signed exceptions MUST BE FILED WITH THE SECRETARY OF THE COMMISSION 2<sup>ND</sup> FLOOR, KEYSTONE BUILDING, 400 NORTH STREET, HARRISBURG, PA OR MAILED TO P.O. BOX 3265, HARRISBURG, PA 17105-3265, within twenty (20) days of the issuance date of this letter. The signed exceptions will be deemed filed on the date actually received by the Secretary of the Commission or on the date deposited in the mail as shown on U.S. Postal Service Form 3817 certificate of mailing attached to the cover of the original document (52 Pa. Code §1.11(a)) or on the date deposited with an overnight express package delivery service (52 Pa. Code 1.11(a)(2), (b)). If your exceptions are sent by mail, please use the address shown at the top of this letter. A copy of your exceptions must also be served on each party of record. 52 Pa. Code §1.56(b) cannot be used to extend the prescribed period for the filing of exceptions/reply exceptions. A certificate of service shall be attached to the filed exceptions.

If you receive exceptions from other parties, you may submit written replies to those exceptions in the manner described above within ten (10) days of the date that the exceptions are due.

Exceptions and reply exceptions shall obey 52 Pa. Code 5.533 and 5.535 particularly the 40-page limit for exceptions and the 25-page limit for replies to exceptions. Exceptions should clearly be labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)".

If no exceptions are received within twenty (20) days, the decision of the Administrative Law Judge may become final without further Commission action. You will receive written notification if this occurs.

Very truly yours,

*James J. McNulty*  
James J. McNulty  
Secretary

Encls.  
Certified Mail  
Receipt Requested

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Bernard V. Lecce

v.

Allegheny Power System, Inc.

:  
:  
: Docket C-20026777  
:  
:

INITIAL DECISION

Before  
Fred R. Nene  
Administrative Law Judge

This complaint was filed by Bernard V. Lecce on January 16, 2002. It is a seven-page complaint peppered with vindictive and obscene language. Mr. Lecce appears to be dissatisfied with the results of his applications for certain energy assistance grants.

West Penn Power Company, trading and doing business as Allegheny Power, filed a timely answer and the Commission scheduled the matter for hearing in Pittsburgh at 10:00 a.m. on June 3, 2002.

The Complainant failed to appear for the scheduled hearing. Neither did he telephone the undersigned to indicate a reason for his absence. On May 8, 2002, Mr. Lecce had contacted this Administrative Law Judge by telephone regarding the scheduled matter. Accordingly, there is no doubt that Mr. Lecce

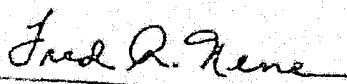
knew of the time and place for the scheduled hearing. He was also aware of how to contact the Commission if he wished to request that the matter be rescheduled.

At 10:15 a.m. on the scheduled hearing date, the record was opened and counsel for the Respondent made a motion for dismissal of the complaint. Under Commission precedent, West Penn Power Company is entitled to a dismissal of the complaint with prejudice. This means that Mr. Lecce may not return to the Commission with a complaint based on the same facts alleged in this case. See: Jefferson v. UGI Utilities, Inc., Z-00269892 (entered December 26, 1995).

ORDER

THEREFORE, IT IS ORDERED that the complaint of *Bernard V. Lecce v. Allegheny Power System, Inc.*, at Docket No. C-20026777 is hereby dismissed with prejudice for failure to prosecute.

Dated: June 3, 2002

  
\_\_\_\_\_  
FRED R. NENE  
Administrative Law Judge



COMMONWEALTH OF PENNSYLVANIA  
 PENNSYLVANIA PUBLIC UTILITY COMMISSION  
 P.O. BOX 3265, HARRISBURG, PA 17105-3265  
 JULY 25, 2002

IN REPLY PLEASE  
 REFER TO OUR FILE#

C-20026777

JAMES T BOGGS ESQUIRE  
 ALLEGHENY ENERGY  
 800 CABIN HILL DRIVE  
 GREENSBURG PA 15601-1689

JUL 30 2002

Bernard V. Lecce  
 V.  
 Allegheny Power System, Inc.

TO WHOM IT MAY CONCERN:

This is to advise you that no timely filed exceptions and no requests for review from the Commissioners have been received within the specified time period to the decision issued in the subject case.

Therefore the decision of the Administrative Law Judge is final without further Commission action.

A copy of the final order has been enclosed for your records.

Very truly yours,

*James J. McNulty*

James J. McNulty  
 Secretary

Enclosure  
 Certified Mail  
 Receipt Requested  
 FG

7/31/02 Copies to: W. J. Friloux - Greensburg Security Bldg.  
 W. E. Komoroski - Greensburg Security Bldg.  
 T. J. Taylor - Greensburg CC  
 R. R. Winter - Greensburg CC

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3263

Bernard V. Lecce

v.

C-20026777

Allegheny Power System, Inc.

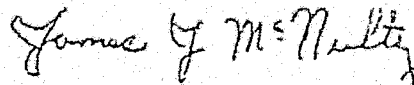
F I N A L   O R D E R

In accordance with the provisions of Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), the decision of Administrative Law Fred R. Nene dated June 3, 2002, has become final without further Commission action; THEREFORE,

IT IS ORDERED:

That the complaint of Bernard V. Lecce v. Allegheny Power System, Inc., at Docket No. C-20026777 is hereby dismissed with prejudice for failure to prosecute.

BY THE COMMISSION,



James J. McNulty  
Secretary

(SEAL)

ORDER ENTERED:      JUL 25 2002



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

IN REPLY PLEASE  
REFER TO OUR FILE

July 18, 2003

C-20026777

BERNARD V LECCE  
1314 PITTSBURGH STREET  
PMB 298  
CHESWICK PA 15024-1447

JUL 24 . 03

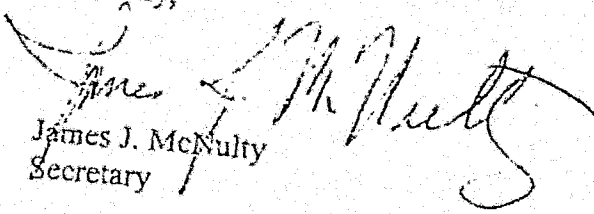
Dear Mr. Lecce:

On June 21, 2002, an Initial Decision was issued by Administrative Law Judge Nene dismissing with prejudice a complaint that you had filed against West Penn Power at the above captioned docket number.

Dismissal with prejudice means that the Commission will not accept another complaint pertaining to the same issues.

On June 19, 2003, you filed a Formal Complaint against West Penn Power Company alleging an essentially identical complaint. This Formal Complaint at Docket Number C-20030608, was accepted in error and is hereby being returned to you. Accordingly, we are marking this case "closed".

Sincerely,

  
James J. McNulty  
Secretary

cc: Chief Administrative Law Judge  
Dan Dunlap, West Penn Power Company

7/24/03 - 7/25/03