

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PUBLIC
SECRETARY'S BUREAU

Todd Blymire

v.

Columbia Gas of Pa., Inc.

C-2005232

PREHEARING ORDER

An Initial Telephone Hearing in this case is scheduled for Wednesday, December 21, 2005 at 10:30 a.m. Your case is one of several that have been scheduled for this day. **You must be available when contacted by the presiding officer or your case will be dismissed. If you will be at a telephone number that is different than the number listed on the Complaint, you must notify me of that telephone number at least five (5) business days before the hearing.**

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is:

*P.O. Box 3265
Harrisburg Pa. 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481*

Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will contact the customer at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve

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many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three (3) copies to me at least five (5) business days before the hearing. Proposed exhibits should be properly pre-marked for identification purposes.

4. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedures.

5. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code §1.24(b).

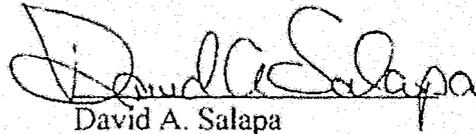
6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days'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

7. The Complainant is responsible for payment of current bills pending the resolution of this complaint. Failure to make payments may result in the termination of utility service.

8. THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

9. The Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that he is entitled to the relief requested in the Complaint.

Date: November 16, 2005

A handwritten signature in black ink, appearing to read "David A. Salapa". The signature is written in a cursive style with a large initial "D".

David A. Salapa
Administrative Law Judge

LARRY R. CRAYNE
Attorney at Law

238 Johnston Road
Pittsburgh, PA 15241

lcrayne@adelphia.net

(412) 425-4029 (m)
(412) 831-5462 (h)

December 13, 2005

Hon. David A. Salapa
Office of Administrative Law Judge
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Todd Blymire v. Columbia Gas of Pennsylvania, Inc.
Complaint Docket No. C-20055232**

Dear Judge Salapa:

Enclosed please find three copies of Exhibits 1 and 2, which Columbia Gas of Pennsylvania, Inc, (Columbia Gas) intends to present into evidence during the hearing scheduled to take place in this case on December 21, 2005 at 10:30 a.m.

Columbia Gas will be offering the testimony of Ms. Valerie Sexton, Compliance Specialist, at the hearing of this matter. The telephone contact number for Ms. Sexton is 717-849-0140. My telephone contact number is 412-831-5462.

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Sincerely,



Larry R. Crayne

cc: Todd Blymire
911 Old Commons Road
Windsor, PA 17366

SECRETARY'S BUREAU
2005 DEC 15 11:11:45

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PA-100



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

IN REPLY PLEASE
REFER TO OUR FILE

December 22, 2005

Mr. Todd Blymire
911 Old Commons Road
Windsor, Pa. 17366

Re: Todd Blymire v. Columbia Gas of Pa., Inc.
C-20055232

Dear Mr. Blymire:

I conducted a telephonic hearing on the above-referenced matter on December 21, 2005 at 10:30 a.m., the time set forth in the Commission's November 15, 2005 telephone hearing notice. I attempted to contact you but received a busy signal. The hearing went forward in your absence and counsel for Columbia Gas of Pa., Inc. made a motion to dismiss your complaint for failure to appear and prosecute. I took that motion under advisement.

At approximately 2:00 p.m. on December 21, I received a voice mail message from you asking what procedure you should follow to request that the hearing be rescheduled. I telephoned you shortly thereafter and left a message on your voice mail outlining the procedure you would have to follow in order to request that the hearing be rescheduled.

I stated that you would have to make your request in writing. Your written request to reschedule the hearing should set forth the reasons for your request and the reasons you were unavailable for the December 21 hearing. The original written request and three copies must be filed with the Secretary of the Commission, James J. McNulty, P.O. Box 3265, Harrisburg, Pa. 17105-3265. You must serve copies of the written request on counsel for Columbia Gas of Pa., Inc., Larry R. Crayne, Esquire, 238 Johnston Road, Pittsburgh, Pa. 15241 and me at the address above. You must file your written request within twenty (20) days of the hearing. If you do not file your written request on or before January 10, 2006, I will issue a ruling on the basis of the existing record.

I will cause a copy of this letter to be filed in the Secretary's Bureau and served on counsel for Columbia Gas of Pa., Inc.

Sincerely,

David A. Salapa
Administrative Law judge

Cc: Larry R. Crayne, Esquire
New Filing

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20055232		YES	NO
Case Name:	Todd Blymire v. Columbia Gas of PA, Inc.	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	HBG	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	December 21, 2005	Estimated Add'l Days:	N/A	
ALJ:	David Salapa	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:	1/11/06	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">JAN - 8 2006</p> <p style="text-align: center;">PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.</p>		REMARKS:	Telephoned complainant + time - got busy signal MOTION TO DISMISS	

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Name and Telephone Number	Address			Who are you representing?
Larry R. CRAYNE	23 S Johnston Rd			COLUMBIA GAS OF Pa, INC
	City	State	Zip	
	Pittsburgh	PA	15241	
Telephone: (412) 631-5462	E-mail Address: lcrayne@adelphia.net			Fax Number:
	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

Justin A. Valencik
Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

Name and Telephone Number	Address			Who are you representing?
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

Come Alive In Jesus Ministries

Evangelist Todd Blymire
911 Old Commons Road
Windsor, PA 17366
Phone: (717) 246-3825

ORIGINAL
C-20055282

Dear Sir,

I knew that December 21 was a bad time to have my telephone hearing. Anytime during December, my phone is extra busy. Our fundraiser sold 70 batches of fudge and 110 candles. It was difficult for me to hang up people making donations to help families at Christmas. This was when you called my residence twice. I am so sorry.

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A Friend In Christ

Evangelist Todd Blymire
Evangelist Todd Blymire

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

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IN REPLY PLEASE
REFER TO OUR FILE

January 10, 2006

Larry R. Crayne, Esquire
238 Johnston Road
Pittsburgh, Pa. 15241

Re: Todd Blymire v. Columbia Gas of Pa., Inc.
C-20055232

Dear Mr. Crayne:

Enclosed, please find a copy of an undated letter from Todd Blymire received by me on January 9, 2006 regarding the above-referenced case. There is no indication that Mr. Blymire has provided a copy of the letter to you or filed a copy with the Secretary's Bureau. I am providing a copy to you since the letter could be construed as an *ex parte* communication prohibited by 66 Pa. C.S. §334(c). I will cause the original of this letter and a copy of Mr. Blymire's letter to be filed in the Secretary's Bureau and a copy of this letter to be served on Mr. Blymire.

If you have any questions about this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "David A. Salapa". The signature is written in a cursive style with a large, sweeping initial "D".

David A. Salapa
Administrative Law Judge

Cc: Todd Blymire
New Filing

BTL

LARRY R. CRAYNE
Attorney at Law

238 Johnston Road
Pittsburgh, PA 15241

lcrayne@adelphia.net

(412) 425-4029 (m)
(412) 831-5462 (h)

January 11, 2006

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

ORIGINAL

DOCUMENT
FOLDER

Re: **Todd Blymire v. Columbia Gas of Pennsylvania, Inc.**
Complaint Docket No. C-20055232

Dear Mr. McNulty:

I received the enclosed letter from Mr. Blymire yesterday. Apparently Mr. Blymire's intent is to request the scheduling of another hearing on the basis that he had a good excuse for not appearing at the hearing previously scheduled for December 21, 2005 at 10:30 a.m.

A Resolution Conference was held between Mr. Blymire and Columbia Gas at 9:00 a.m. on November 10, 2005. Mr. Blymire is disputing the charges for his now terminated account. He maintains he kept his thermostat very low. Before the Columbia Gas representative could complete an explanation of the charges, Mr. Blymire indicated he "...was not going to listen to any more of this..." and disconnected from the Conference.

Considering that Mr. Blymire did not exhibit good faith in the Resolution Conference, does not specifically ask for a hearing to be rescheduled in his letter and does not present a legally sufficient excuse for not being available at the previously scheduled hearing, I am inclined to believe that another hearing should not be rescheduled. However, if you believe another rescheduled hearing is appropriate, I will again provide for the Columbia Gas representative to be available.

Sincerely,



Larry R. Crayne

Original, w/three copies

cc: Todd Blymire
911 Old Commons Road
Windsor, PA 17366

Hon. David A. Salapa
P. O. Box 3265
Harrisburg, PA 17105-3265