



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

IN REPLY PLEASE  
REFER TO OUR FILE

February 16, 2006

Larry R. Crayne Esquire  
238 Johnston Road  
Pittsburgh Pa 15241

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

DOCUMENT  
FOLDER

Dear Mr. Crayne :

On February 06, 2006, Todd Blymire filed Exceptions to the Initial Decision of Administrative Law Judge David A. Salapa in the above captioned matter. Our review of the Exceptions revealed that no certificate of service or other indications of service accompanied that filing. Accordingly, we have enclosed a copy of the Exceptions for your use. This shall constitute service of the Exceptions for purposes of 52 Pa. Code §5.533.

Pursuant to 52 Pa. Code §5.535, you shall have ten (10) days from the date of service of the enclosed Exceptions to reply. The Exceptions were filed February 06, 2006. Although the Exceptions were timely filed, due to the failure of Todd Blymire to note service on Columbia Gas of Pennsylvania Inc, and in order to avoid prejudice to either party, we shall deem the filing date to be the date of this letter for purposes of Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), relating to the time for Commission consideration of Exceptions.

DOCKETED  
MAR 01 2006

Sincerely,

James J. McNulty  
Secretary

Enclosure

nvl

cc: Todd Blymire  
911 Old Commons Road  
Windsor Pa 17366  
Office of Special Assistants  
Document Folder

LARRY R. CRAYNE  
Attorney at Law

238 Johnston Road  
Pittsburgh, PA 15241

[lcrayne@adelphia.net](mailto:lcrayne@adelphia.net)

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

February 22, 2006

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

ORIGINAL

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

DOCUMENT  
FOLDER

Dear Mr. McNulty:

Enclosed are an original and ten copies of Columbia Gas of Pennsylvania, Inc.'s Reply to Exceptions to Initial Decision in the referenced Formal Complaint. Please file the original and nine copies of the Reply to Exceptions and return a date-stamped copy to me in the envelope provided for your convenience. A copy of the document has been served on the Complainant.

Sincerely,



Larry R. Crayne

enclosure

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

RECEIVED  
FEB 23 2006  
SECRETARY  
PUBLIC UTILITY COMMISSION  
HARRISBURG, PA

59

ORIGINAL

Commonwealth of Pennsylvania

Before the Pennsylvania Public Utility Commission

In the Matter of:

Todd Blymire  
Complainant,

Complaint Docket  
No. C-20055232

VS.

Columbia Gas of Pa., Inc.  
Respondent.

DOCUMENT  
FOLDER

DOCKETED  
MAR 01 2006

Reply to Exceptions to Initial Decision

AND NOW comes Respondent, Columbia Gas of Pa., Inc., (Columbia Gas), and replies to Exceptions filed by Complainant in the above proceeding. Complainant has filed general exceptions to the Initial Decision Granting Motion to Dismiss by Administrative Law Judge David A. Salapa dated January 17, 2006.

The Exceptions are dated February 6, 2005, but the envelope was not postmarked until February 13, 2006. Consequently, the Exceptions were not received until February 15, 2006. Further, the Exceptions by Complainant are unnumbered, do not identify the findings of fact or conclusions of law to which the exceptions are taken and fail to cite relevant pages of the decision. Therefore, Columbia Gas cannot reply *seriatim* to the Exceptions, but instead will reply generally to the Exceptions.

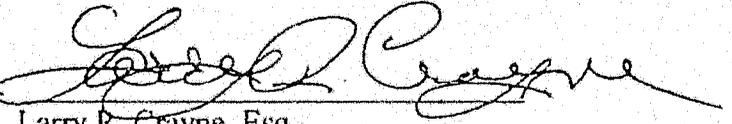
Complainant raises no new issues in the Exceptions to the Initial Decision. As an excuse for not answering the telephone on the time and date for the hearing, he states that he did not initiate the telephone calls for the candle and fudge orders. Complainant does not put forth an unavoidable excuse for ignoring the time and date for the scheduled hearing. As stated by Judge Salapa in his Initial Order, "The Complainant should have terminated any telephone call when it was time for the hearing" *Initial Decision*, p.4.

Further, Complainant maintains there were incorrect statements by Larry Crayne in a letter by "James McNulty". Presumably, Complainant is referring to the January 27, 2006 cover letter by James J. McNulty transmitting the Initial Decision to Complainant. There are no incorrect statements by Larry Crayne in the cover letter or Initial Decision. Apparently Complainant is confusing the opposition of Columbia Gas to a further hearing being scheduled when Complainant did not present a legally sufficient reason for being unavailable at the time of the December 21, 2005 telephonic hearing.

**Wherefore**, Columbia Gas requests that Complainant's Exceptions be denied and that the Commission affirm the Initial Decision of Administrative Law Judge David A. Salapa granting the Columbia Gas Motion to Dismiss.

Respectfully submitted,

Columbia Gas of Pa., Inc.

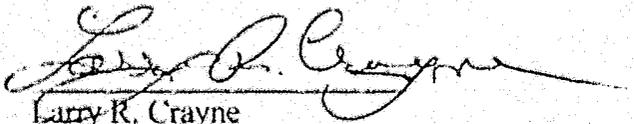
By:   
Larry R. Crayne, Esq.

## Certificate of Service

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

Todd Blymire  
911 Old Commons Road  
Windsor, PA 17366

Dated this 29th day of Feb, 2006



Larry R. Crayne  
238 Johnston Road  
Pittsburgh, PA 15241

Counsel for  
Columbia Gas of Pennsylvania, Inc.

FILED  
FEB 29 2006  
PITTSBURGH, PA  
CLERK OF COURT

DATE: March 2, 2006

SUBJECT: C-20055232

TO: Cheryl W. Davis, Director  
Office of Special Assistants

FROM: James J. McNulty  
Secretary  
nvl

**DOCKETED**  
MAR 03 2006

TODD BLYMIRE  
VS  
COLUMBIA GAS OF PENNSYLVANIA INC

DOCUMENT  
FILED

Copies of the Initial Decision have been served upon all parties of interest.

Exceptions have been filed by:

**TODD BLYMIRE**

Reply Exceptions have been received from:

**COLUMBIA GAS OF PENNSYLVANIA INC**

cc: Susan Hoffner