

;;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: 07/06/04
8. DOCKET NO: Z-01643706	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: HURD, FAITH

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: POTTER

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT SHE CANNOT AFFORD HER MONTHLY PAYMENT OF \$219.00/MO. WOULD LIKE THEM TO ACCEPT \$123.00/MO.

DOCUMENT
FILED

DOCKETED
JUL 09 2004

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00) :
 2. BUREAU: SEC :
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 8. DOCKET NO: Z-01643706 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: HURD, FAITH

RESPONDENT/APPLICANT: NORTH PENN GAS COMPANY

COMP/APP COUNTY: POTTER

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT SHE CANNOT AFFORD HER MONTHLY PAYMENT OF \$219.00/MO.
WOULD LIKE THEM TO ACCEPT \$123.00/MO.

DOCUMENT

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DEC 06 2004

RECEIVED

ST1643706

JUL - 6 2004

FORMAL COMPLAINT FORM

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Pennsylvania Public Utility Commission

DUE BACK
July 6, 2004

Please Print:

Z-01643706

1. Your Name, Mailing Address and Telephone Number.

Name Faith Hurd

Street/P.O. Box 24AUCB Po Box 371 Apt.#

City Coudersport State Pa Zip 16915

County Potter Home Telephone-Area Code (814) 2749696
Work Telephone-Area Code ()

2. Name of Company your complaint concerns: PPL

3. What is your complaint?

They want us to pay 219.00 a month. And we can't afford it. Because we have a lot of other bills we have to pay. Plus Norman has no medical coverage at work and we have to pay for medicine out of our pocket. He needs his medicine or he will die.

(If you need more space, use additional paper and attach to this form).

I was told this ^(-over-) Faith Hurd could be handled over the phone.

4. What do you want the Public Utility Commission to do about your complaint?

just see if they will except
the payment of \$123. a month
until it all caught up and this
include the gas bill each month.
we can't pay any more then \$123.00,

(If you need more space, use additional paper and attach to this form.)

5. 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.

Faith Hud
Original Signature of complaining person

6-16-04
Date

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____
Street _____
City _____ State _____ Zip _____
Telephone Number-Area Code () _____

we don't have a lawyer
we can't afford one anyway

NOTIFICATION OF INTENT TO APPEAL
(Request For Formal Complaint Forms)

Notice to Customer:

If you sign and return this form, you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within 20 days of 5/20/2004. The Commission will send you formal complaint forms.

You must comply with the terms of this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments or the utility company may pursue the termination of your service.

Thank You
Pennsylvania Public Utility Commission

Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

NORMAN D HURD
PO BOX 371
COUDESPOURT PA 16915

814-274-9696
(Area Code) Telephone Number

Norman D Hurd
Signature

Mail this completed form to:

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

ST Number: <u>1643706</u>	1643706	Date of mailing:	5/20/2004
Company:	PPL UTILITIES		

SECRET
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MAY 21 2004
REVISED 12/97
BUREAU

24



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

DUE BACK
July 6, 2004

IN REPLY PLEASE
REFER TO OUR FILE

June 15, 2004

ST1643706

NORMAN D HURD
PO BOX 371
COUDERSPORT PA 16915

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before July 6, 2004 to the address listed below:

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

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.

- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:

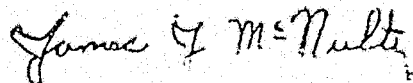
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,



James J. McNulty
Secretary

ddi

CC: PPL ELECTRIC COMPANY

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: 07/12/04

Faith Hurd
Complainant

VS.

PPL ELECTRIC UTILITIES
CORPORATION
Respondent

Complaint Docket
No: Z-01643706

DOCUMENT
FILED
JUL 09 2004

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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,

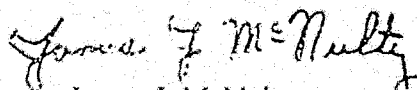
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as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

DATE SERVED: 07/12/04

Z-01643706

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 Faith Hurd. 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
FILED

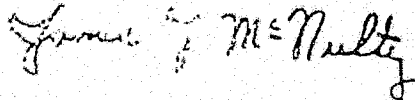
07/12/04

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,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in dark ink and is positioned above the typed name.

James J. McNulty
Secretary

es

Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Tel. 717.237.4000
Fax: 717.237.4001
www.morganlewis.com

Morgan Lewis
C O U N S E L O R S A T L A W

John H. Isom
717-237-4022
jisom@morganlewis.com

ORIGINAL

JULY 22, 2004

SECRET
JUL 22 11 21 15
BUREAU

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

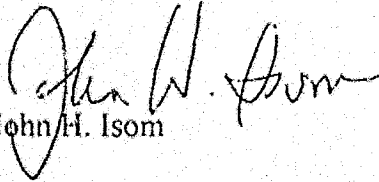
Re: **Faith Hurd v. PPL Electric Utilities Corporation (North Penn Gas Company)**
Docket No. Z-01643706

Dear Secretary McNulty:

Enclosed, for filing, are an original and three (3) copies of PPL Electric Utilities Corporation's and North Penn Gas Company's Answer to Complaint in the above-referenced proceeding. As indicated on the enclosed Certificate of Service, a copy of the Answer is being served upon the Complainant.

If you have any questions regarding the foregoing, please contact the undersigned at the addresses or telephone numbers provided above.

Respectfully submitted,


John H. Isom
JHI/jl
Enclosures

DOCUMENT
FOLDER

cc: Certificate of Service

120

3. In response to Paragraph No. 3 of the Complaint, it is admitted that PPL Electric has requested that Mr. and Mrs. Hurd pay \$219 per month for gas service. This amount includes a regular monthly budget amount of \$119 and \$100 per month toward their accumulated arrearage, which as of July 12, 2004, was \$988.10.

Information concerning the personal circumstances of Mr. and Mrs. Hurd is not reasonably available to North Penn or PPL Electric. Therefore, such averments are denied and proof thereof is demanded at hearing, if relevant.

4. The averments in Paragraph No. 4 of the Complaint are requests for relief to which no response is required. By way of further response, however, the proposed monthly payment of \$123 per month is unacceptable since it is less than the current monthly budget bill.

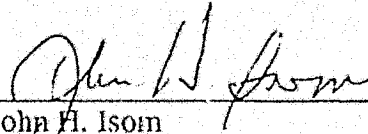
NEW MATTER

5. Attached as Exhibit A hereto is a copy of the Account Statement for Mr. Norman and Mrs. Faith Hurd. There, the history of their natural gas usage, amounts billed to them for natural gas usage and their payments for natural gas usage for the period commencing December 9, 1997, is provided. As shown there, as of July 12, 2004, they owed North Penn \$988.10.

6. This matter has been considered previously by the Commission's Bureau of Consumer Services. Provided as Exhibit B hereto is a copy of the Bureau's decision concerning the informal complaint of Mr. and Mrs. Hurd. The decision is dated June 3, 2004. The Bureau determined that Mr. and Mrs. Hurd should pay each month a budget bill of \$119 and \$100 toward retirement of the arrearage. North Penn believes that the Bureau's decision should be affirmed.

WHEREFORE, for all the foregoing reasons, North Penn Gas Company and PPL Electric Utilities Corporation respectfully request that the Complaint of Faith Hurd be denied.

Respectfully submitted,



John H. Isom
Morgan, Lewis & Bockius LLP
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
Voice: 717.237.4000
Fax: 717.237.4004
E-mail: jisom@morganlewis.com

Of Counsel:

Morgan, Lewis & Bockius LLP

Date: July 22, 2004

Paul E. Russell
Associate General Counsel
PPL Services Corporation
Office of General Counsel
Two North Ninth Street
Allentown, PA 18101-1179
Voice: 610.774.4254
Fax: 610.774.6726
E-mail: perussell@pplweb.com

Attorney for North Penn Gas Company &
PPL Electric Utilities Corporation

AFFIDAVIT

STATE OF PENNSYLVANIA :
 : SS.
COUNTY OF :

C. Earl Kinter, being duly sworn according to law, deposes and states that he is Director of Customer Service for North Penn Gas Company, and that he is authorized to make this affidavit on behalf of North Penn Gas Company and PPL Electric Utilities Corporation, that the facts set forth in the foregoing Answer are true and correct to the best of his knowledge, information and belief; and that he expects North Penn Gas Company and PPL Electric Utilities Corporation to be able to prove the same at any hearing hereof.

C. Earl Kinter
C. Earl Kinter

SWORN TO AND SUBSCRIBED
before me this 11th day of July, 2004

Nancy M. Shaikowski
Notary Public

My Commission Expires:

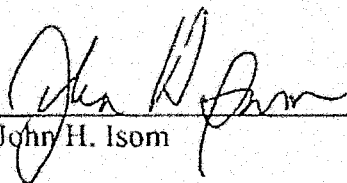
Notarial Seal
Nancy M. Shaikowski, Notary Public
City Of Lock Haven, Clinton County
My Commission Expires July 29, 2006
Member, Pennsylvania Association Of Notaries

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Answer to Complaint has been served upon the Complainant, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

FIRST CLASS MAIL

Faith Hurd
P.O. Box 371
Coudersport, PA 16915



John H. Isom

Dated: July 22, 2004

2004 JUL 22 PM 3:16
SECRETARY'S BUREAU



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

IN REPLY PLEASE
REFER TO OUR FILE

October 1, 2004

In Re: Z-01643706

(SEE ATTACHED LIST)

Faith Hurd v. PPL Electric Utilities Corporation

Requests payment arrangements.

Telephone Hearing Notice

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

Type: Initial Telephonic Hearing
Date: Monday, November 8, 2004
Time: 10:00 a.m.
Presiding: Administrative Law Judge Larry Gesoff
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (412) 565-5692

The judge will be presiding as authorized by 52 Pa. Code §56.174.

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

DOCKETED
OCT 18 2004

**DOCUMENT
FOLDER**

At the above date and time, the Presiding Officer will contact the parties as follows:

Faith Hurd	814-274-9696
John H. Isom, Esquire	717-237-4022

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

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

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

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 Gesoff
Cherie Pyle
Beth Plantz
Docket Section
Calendar File