

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: 12/10/03
8. DOCKET NO: F-01340787	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: CARDONI, EUGENE AND SHIRLEY

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: LUZERNE

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE DOES NOT AGREE WITH DECISION. SHE WANTS FURTHER INVESTIGATION.

DOCUMENT  
FOLDER

**DOCKETED**  
DEC 15 2003



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

12/22/03

IN REPLY PLEASE  
REFER TO OUR FILE

December 2, 2003

BCS1340787

EUGENE CARDONI  
30 PITTSTON AVE  
YATESVILLE PA 18640

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 December 22, 2003 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:

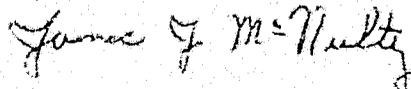
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**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

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 twenty days of this date 11/17/03. 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.

03 NOV 2003 AM 8:55  
SECRETARY'S BUREAU

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 )

EUGENE CARDONI  
~~PO BOX 624~~ 30 PITTSTON Ave  
BLAKESLEE PA 18610 YATASVILLE, Pa  
18640

570-654-2955  
(Area Code) Telephone Number

Eugene Cardoni  
Signature

Mail this completed form to

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

FOR OFFICE USE ONLY	
BCS Number	1340787
Company	PPL
Date of mailing	11/17/03

24  
Your office has been notified 3 times of the change of address & telephone number since 6-1-04. To date we are still receiving mail that is forwarded. PLEASE MAKE CORRECT CHANGES

ORIGINAL

F-01340787

BCS 1340787

12/22/03

FORMAL COMPLAINT FORM

Pennsylvania Public Utility Commission

Please Print:

110500

RECEIVED

DEC 10 2003

1. Your Name, Mailing Address and Telephone Number.

Name EUGENE & Shirley CARDONI

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Street/P.O. Box 30 PITTSBURGH AVE Apt.# \_\_\_\_\_

City YATESVILLE State PA Zip 18640

County LUZERNE Home Telephone-Area Code (570) 454-2955

Work Telephone-Area Code (U/A) RETIRED

COMPLAINT ADDRESS: 3 ELM DR.  
GREENWOOD ACRES  
BLAKESLEE, PA 18610

2. Name of Company your complaint concerns: PPL ELECTRIC UTILITIES

3. What is your complaint?

See Attached

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

(-over-)

IN THE DECISION ON INFORMAL COMPLAINT FOR CASE#1340787 ACCT # 1472122009

My complaint was incorrectly stated in that bills issued for January, February and March 2003 were all high. This is totally inaccurate. In my complaint there was only one bill I complained about and that was the bill issued January 20, 2003 in the amount of \$154.53. There was never a complaint issued about February and March of 2003. As we leave for Florida in December (as we have done for the past 9 or 10 years) and return in April, it was impossible for that amount of electricity to be consumed. We do not use the electric as a source of heat. Every other appliance is unused, including refrigerators, dryers, washers etc. We have a natural gas heater that is used during the 3 month period that we are away. Our bills issued for January in the past years have been \$50.72 for January 18, 2002, \$49.44 for January 18, 2001. Hopefully you can understand why we would question a bill of \$154.53 for that period. We have NEVER questioned any bills for February and March, as stated in your letter, as they have all been consistent and never over \$20.00.

RE: INVESTIGATION BY STAFF

#1 FINDING

When I spoke with the P.P. & L. representative on 2/21/03, he questioned me as to all the appliances, etc in the household. I explained to him that this was not in keeping with my complaint as none of these electric units were in use. The only electric used was a 20 watt night light that was on a timer (as in years past). Everything else was turned off including the heat, until April when we returned home. Therefore colder temperatures in January had no effect on the amount of electricity billed.

#2 FINDING

This bill for 1/20/03 - 2/18/03 was NEVER entered as a part of my complaint. The amount of \$19.84 was consistent with the past years.

#3 FINDING

This bill for 2/18/03-3/19/03 was NEVER entered as a part of my complaint. The amount was consistent with the past years.

#4 FINDING

This bill also was NEVER entered in my complaint.

RE: BASED ON THESE FINDINGS

#1. My consumption history was not based on weather conditions as all electric was off the same as it was off in February and March 2003 when we were away and the bills were all \$20.00 and under. If you were to read the letter I received from P.P. & L. (dated February 28, 2003-after they had investigated this bill via of a phone call from a P.P. & L. representative), you will note that the information regarding the appliances and electric units in the home, was fed into a computer program and this computer program determined that the home had the ability to consume the amount of electricity it did. Was this computer fed information that all electric producing elements had been turned off with the exception of a 20 watt night light on a timer? I think not.

PLEASE NOTE

On 11/10/03, I received a letter dated 11/3/03, from a JE Gorenc (utility Complaint investigator). She asked that I call to discuss my complaint. I called the given number 5 different times in 2 days and left messages each time. I was told she was out to lunch, she was on another phone and also that she was not available and would return my call. I never got a call back from her, nor did I ever speak to her personally as she requested. Her letter stated "If I do not hear from you, it will be necessary for me to issue a decision based on the information presently available to me." Apparently she did not have all the facts, plus some misinformation about the bill in question (as the only bill questioned was the one issued on January 20, 2003 and not the others mentioned).

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

DATE SERVED: December 15, 2003

F-01340787

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

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Eugene and Shirley Cardoni. 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.

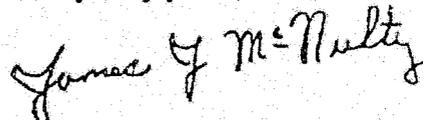
December 15, 2003

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

ksb

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: December 15, 2003

Eugene and Shirley Cardoni  
Complainant

VS.

PPL ELECTRIC UTILITIES  
CORPORATION  
Respondent

Complaint Docket  
No: F-01340787

DOCUMENT  
FOLDER

**DOCKETED**  
DEC 15 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,

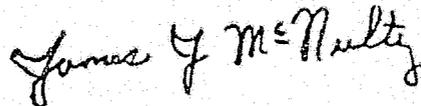
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as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

**ORIGINAL**

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

Williamsport, Pennsylvania 17701-6513

Jacob Neafie Mitchell  
1919-1996

Telephone (570) 323-8404  
Facsimile (570) 323-8585  
Email: mmggps@mmgglaw.com  
Web Page: MMGGLaw.com

Direct Email: glw@mmgglaw.com

January 5, 2004

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

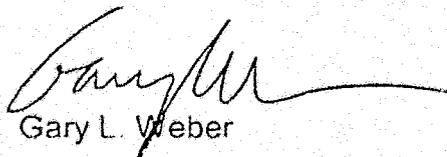
**RE: Eugene and Shirley Cardoni v. PPL Electric Utilities  
Corporation  
Docket No. F-01340787**

Dear Secretary McNulty:

Enclosed please find an original and three photocopies of the Answer of PPL Electric Utilities to Formal Complaint of Eugene and Shirley Cardoni for filing in the above-captioned case.

Very truly yours,

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

  
Gary L. Weber

**RECEIVED**  
2004 JAN - 6 AM 9:45  
PA P.U.C.  
SECRETARY'S BUREAU

Enclosures  
w/enc.

Eugene and Shirley Cardoni  
Deidre Bilger

**DOCUMENT  
FOLDER**

**RECEIVED**  
2004 JAN - 6 AM 9:45  
PA P.U.C.  
SECRETARY'S BUREAU

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ORIGINAL

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: December 15, 2003 <sup>2004 JAN - 6</sup> AM 9:45

EUGENE and SHIRLEY CARDONI,	:	SECRETARY'S BUREAU
Complainants	:	Complaint Docket
	:	No. F-01340787
	:	
vs.	:	
	:	
PPL ELECTRIC UTILITIES	:	
CORPORATION,	:	
Respondent	:	

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION TO FORMAL COMPLAINT OF EUGENE AND SHIRLEY CARDONI

1. Admitted.
2. Admitted.
3. Admitted that the complaint concerns an electric bill rendered in January 2003 in the amount of \$154.53. Admitted that Complainants never complained about bills rendered in February and March of 2003, to PPL.

After reasonable investigation, PPL is without knowledge or information sufficient to form a belief as to whether Complainants left for Florida in December, 2002, or whether they have done so for the past nine or ten years, and PPL is without knowledge or information sufficient to form a belief as to the duration of any visit to Florida. Denied that it is impossible for Complainants to use the amount of electricity for which they were billed on January 20, 2003. To the contrary, PPL conducted a high bill investigation and determined that Complainants have the potential to use well in excess of the amount of electricity for which Complainants were billed. In addition, the meter was tested at 100.3 percent accurate.

After reasonable investigation, PPL is without knowledge or information sufficient

DOCUMENT FOLDER

DOCKETEY  
JAN 14 2004

to form a belief as to whether Complainants were using electricity to heat their home during the time in question. By way of further answer, Complainants have electric baseboard heat in the home which is able to be used to heat the home.

After reasonable investigation, PPL is without knowledge or information sufficient to form a belief as to whether other appliances were unused during the period covered by the January 20, 2003 bill.

After reasonable investigation, PPL is without knowledge or information sufficient to form a belief as to whether Complainants use a natural gas heater to heat the home during the three month period that they have alleged that they were in Florida.

Admitted that Complainants' bill for January 2002 was in the amount of \$50.72 and that Complainants' bill for January 2001 was in the amount of \$49.44.

Admitted that, during a telephone conversation on February 21, 2003, a PPL representative questioned Complainants concerning the appliances and heat in the home. By way of further answer, PPL is without knowledge or information sufficient to form a belief as to what appliances or other devices powered by electricity were in use for the January 2003 billing period.

In addition, PPL believes that the meter reading of January 20, 2003 accurately showed electricity used by Complainants, although said electricity may not have all been in that billing period. By way of further answer, PPL believes that the meter reading of December 17, 2002, may have been inaccurate and that Complainants may have been under-billed by 1,000 kWh for the billing period of November 15, 2002 through December 17, 2002. Thus, the bill of January 21, 2003 most likely included 1,000 kWh of electricity that was actually used in the previous billing period.

After reasonable investigation, PPL is without knowledge or information sufficient

to form a belief as to the number of times that Complainant attempted to contact J. E. Gorenc or whether J. E. Gorenc replied to the attempted contacts.

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 dismiss the Complaint.

MITCHELL, MITCHELL, GRAY & GALLAGHER  
A Professional Corporation

BY: \_\_\_\_\_

Gary L. Weber

ID #37648

Attorneys for Respondent

10 West Third Street  
Williamsport, PA 17701

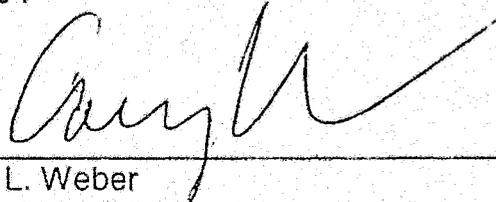
(570) 323-8404  
(570) 323-8585 - FAX  
glw@mmgglaw.com

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).

Eugene and Shirley Cardoni  
30 Pittston Avenue  
Yatesville, PA 18640

Dated this 5<sup>th</sup> day of January 2004



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Gary L. Weber  
Counsel for PPL Electric Utilities Corporation