

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JEFFREY & ANNETTE CLINTON

v.

HERMAN OIL & GAS COMPANY, INC.

C-20044142

DOCUMENT

INTERIM ORDER  
SETTING RESOLUTION CONFERENCE

DOCKETED  
MAR 23 2005

On or about December 1, 2004, Jeffrey & Annette Clinton ("Complainant") filed a complaint against Herman Oil & Gas Company, Inc. ("Respondent"), at the above-captioned Docket Number. On or about February 9, 2005, Respondent filed an answer to the complaint.

Based upon a review of the information contained in this material, I direct the parties to attempt to resolve this matter themselves. Respondent shall contact Complainant no later than March 21, 2005, to set a mutually convenient time, date and place for Respondent and Complainant to hold a conference about resolving the case. The conference must take place no later than April 4, 2005, unless this is not possible.

Within ten (10) days following the conference, Respondent shall file a short report with Bruce Bigelow ("Mediator"), setting forth:

- (a) The time, date and place of the conference;
- (b) Who participated for each party;
- (c) A statement whether a full resolution, including withdrawal of complaint, was achieved, and, if not, whether the parties consent to have this case set for mediation by the mediation staff of the Commission; and
- (d) A statement of any issues which have been resolved, if a full resolution was not achieved.

The Commission encourages mediation if the parties cannot reach an agreement through the resolution conference. Mediation is an informal process in which the parties attempt to resolve the case with the help of a mediator. The mediator is a neutral staff member of the Commission who does not give advice, make a decision, or represent any party. Instead, the mediator assists the parties in their efforts to come to an agreement.

If the parties do not reach an agreement on their own, and do not consent to mediate, they are entitled to the hearing process. The hearing process usually includes the presentation of oral testimony and other evidence before a Commission administrative law judge, who will then consider the case and make a written decision to resolve it.


If it is not possible to have the conference by the date set for that purpose, Respondent shall file a report with the Mediator, on or before ten (10) days following the conference due date, giving the reason(s) why the due date could not be met.

In either situation, a report must be filed with the Mediator by the applicable due date set forth above.

If you have any questions, you should contact the Mediator. His address and phone number are:

Mediator Bruce Bigelow  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 783-5413  
Email: bbigelow@state.pa.us

Date: March 7, 2005

  
VERONICA A. SMITH  
Chief Administrative Law Judge

LAW OFFICES OF  
**DICKIE, MCCAMEY & CHILCOTE**  
A PROFESSIONAL CORPORATION

TWO PPG PLACE, SUITE 400  
PITTSBURGH, PENNSYLVANIA  
15222-5402

TEL. 412-281-7272  
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Bridget Langer Smith  
Attorney-at-Law

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PA P.U.C.  
SECRETARY'S BUREAU

412-392-5624  
smithb@dmclaw.com

December 13, 2005

DOCUMENT  
FOLDER

The Honorable Fred Nene  
Pennsylvania Public Utility Commission  
1103 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

RE: Jeffrey and Annette Clinton v. Herman Oil and Gas Company, Inc.  
C-20044142

Dear Judge Nene:

Please allow the following to serve as a status with respect to the above-captioned matter.

As you are aware, Mr. and Mrs. Clinton filed a complaint against my client, Herman Oil/Mark Smith alleging that Mr. Smith had failed to make certain driveway repairs subsequent to the placement of a pipe in the Clinton's driveway area. The parties have agreed that those repairs have been completed and, as such, that portion of the complaint has been satisfied.

Further, in order to resolve the remaining issues in the case, the parties agreed that Mr. Clinton would dig up certain portions of his yard in order for Mr. Smith to place a meter in the yard. Mr. Clinton has not done this as of this time and Mr. Smith will be unable to complete the work complained of in the complaint until such Mr. Clinton completes the project. However, Mr. and Mrs. Clinton have informed me that they do not want to withdraw the complaint in full until such time this is complete.

The above summarizes the significant developments in this case. Should you have any questions concerning the above, please do not hesitate to contact me.

Very truly yours,

  
Bridget Langer Smith

BLS/rbk

cc: Mr. Mark Smith  
Jeffrey and Annette Clinton  
James McNulty, Secretary, Pennsylvania Public Utility Commission

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: June 26, 2006

SUBJECT: C-20044142  
Jeffrey & Annette Clinton v. Herman Oil & Gas Company

TO: Wanda Zeiders  
Docket Management

FROM: Cherie Pyle, ALJ Support Staff  
Office of Administrative Law Judge

DOCUMENT  
FOLDER

On June 23, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Fred R. Nene  
Beth Plantz  
Case File

**DOCKETED**  
AUG 7 2006

LAW OFFICES OF  
**DICKIE, MCCAMEY & CHILCOTE**  
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Bridget Langer Smith  
Attorney at Law  
Admitted in PA

Direct Dial: 412-392-5480  
Direct Fax: 412-392-5372  
bsmith@dmclaw.com

June 20, 2006

Bruce Bigelow, Mediator  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17106-3265

**DOCUMENT  
FOLDER**

RE: Jeffrey & Annette Clinton v. Herman Oil and Gas Company, Inc.  
PUC No.: C-20044142  
Our File No.: 52060.287251

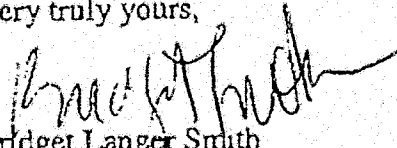
Dear Mr. Bigelow:

Please be advised that complainants, Jeffrey and Annette Clinton, indicated to Judge Nene on June 16, 2006, that the complaint filed against Herman Oil & Gas Company has been satisfied. As such, please accept this letter as certification of this satisfaction and I would ask that an Order be issued evidencing the same at your earliest convenience.

Thank you for your kind attention to this matter and should you have any questions concerning the above, please do not hesitate to contact me.

**DOCKETED**  
AUG 7 2006

Very truly yours,

  
Bridget Langer Smith

BLS/rbk

cc: The Honorable Fred R. Nene  
Jeffrey & Annette Clinton  
Mark Smith  
James McNulty, Secretary

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PITTSBURGH 412-281-7272 \* HARRISBURG 717-731-4800 \* PHILADELPHIA 215-925-2289 \* WASHINGTON, D.C. 838-434-2566 \* NEW JERSEY 856-354-0192 \* NORTH CAROLINA 704-334-1163 \* OHIO 760-284-1682 \* WEST VIRGINIA 304-233-1022



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

IN REPLY PLEASE  
REFER TO OUR FILE

August 14, 2006

C-20044142

JEFFREY & ANNETTE CLINTON  
1221 HERMAN ROAD  
CABOT PA 16023

JEFFREY & ANNETTE CLINTON  
v.  
HERMAN OIL & GAS COMPANY INC

**UNDOCKETED**  
AUG 10 2006

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty  
Secretary

cc: All parties of Record  
Office of ALJ  
nvl

**DOCUMENT  
FOLDER**