

DOCKET NO.: C-20016617  
RESPONDENT OR APPLICANT: EQUITABLE GAS CO.  
PARTY OR COMPLAINANT: DAVIS CORTRELL

ENTRY	TYPE	DATE	BUREAU	PERSONNEL
1	N	12/04/01	SEC	IMES
FORMAL COMPLAINT OF CORTRELL DAVIS V. EQUITABLE GAS				
2	N	01/08/02	SEC	IMES
NOTICE OF COMPLAINT SERVED ON RESPONDENT TO ANSWER IN 20 DAYS				
3	N	01/28/02	SEC	BENJAMIN
RESPONDENT FILED ANSWER TO COMPLAINT W/CERTIFICATE OF SERVICE				
4	N	05/30/02	ALJ	NENE
INITIAL TEL HEARING SCHEDULED FOR 5/15/02 CANCELLED PER ALJ APPEARANCE SHEET				
5	N	03/18/02	SEC	BENJAMIN
ALJ NENE WILL BE PRESIDING AS AUTHORIZED BY CHAPTER 56.174				
6	N	03/28/02	SEC	FRISCIA
ALJ NENE PREHRG ORDER ISSUED-COMPLY W/CERTAIN RQMTS BEFORE 5/15/02 TEL HEARING				
7	N	06/03/02	SEC	BENJAMIN
ALJ NENE'S INITIAL DECISION SERVED TO PARTIES				
8	N	06/24/02	COR	BENJAMIN
EXCEPTIONS TO BE FILED				
9	N	07/05/02	COR	BENJAMIN
REPLY EXCEPTIONS TO BE FILED				
10	N	06/18/02	SEC	FRISCIA
COMMISSIONERS FILED REVIEW FORMS-NO REVIEW REQUESTED				
11	N	07/02/02	SEC	BENJAMIN
SEC MEMO TO ALJ-NEITHER EXCEPTIONS NOR REQUESTS FOR REVIEW HAVE BEEN RECEIVED				
12	N	07/03/02	SEC	FRISCIA
ORDER ADOPTED 7/3/02 ISSUED (SEE DOCS 339417 FOR CONTENTS OF ORDER)				

1. REPORT DATE: 00/00/00 :  
2. BUREAU: ALJ :  
3. SECTION(S): : 4. PUBLIC MEETING DATE:  
5. APPROVED BY: : 00/00/00  
DIRECTOR: :  
SUPERVISOR: :  
6. PERSON IN CHARGE: : 7. DATE FILED: 12/04/01  
8. DOCKET NO: C-20016617 : 9. EFFECTIVE DATE: 00/00/00

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PARTY/COMPLAINANT: DAVIS CORTRELL

RESPONDENT/APPLICANT: EQUITABLE GAS CO.

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 121100

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ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT THE BUDGET THAT WAS SET UP IS ONLY \$3.00 LESS THEN ORGINALLY PAID. HE WOULD LIKE A BUDGET TO BE SET WITHIN HIS BUDGET.

DOCUMENT  
FOLDER

**DOCKETED**  
JAN 08 2002

C-20016617

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

Please Print:

1. Your Name, Mailing Address and Telephone Number.

Name CORTRELL DAVIS  
Street/P.O. Box 1023 MELLON ST. Apt.# 1  
City PITTSBURGH State PA. Zip 15206  
County ALLEGANY Home Telephone-Area Code 412-922-9267  
Work Telephone-Area Code ( )

RECEIVED  
2001 DEC -4 AM 9:01  
PA. PUB. UTILITY  
SECRETARY'S BUREAU

2. Name of Company your complaint concerns: EQUITABLE GAS

3. What is your complaint?

My Complaint is that, I've waited a  
long time to get a budget that I could  
manage with the income that I get of  
\$300 monthly & my budget is only \$3 less  
than my original budget of \$140 a month.  
This arrangement is still too high for me.

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

(-over-)

3

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

I WANT PUC To help me get A Budget

THAT IS MUCH LESS THAN \$137 A MONTH.

PLEASE help me get AT LEAST HALF OF THE \$137

Knocked off so THAT I wont HAVE ANY PROBLEMS

handling my account.

THANK YOU.

(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.

Correll Davis

Original Signature of complaining person

11/18/01

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 ( ) \_\_\_\_\_

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

DATE SERVED: JANUARY 8, 2002

C-20016617

EQUITABLE GAS COMPANY  
ATTN LAW DEPARTMENT  
200 ALLEGHENY CENTER  
PITTSBURGH PA 15212-5352

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by CORTRELL DAVIS. 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.

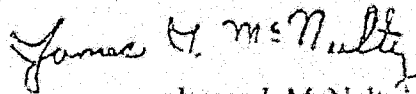
JANUARY 8, 2002

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

ddi

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 8, 2002

CORTRELL DAVIS  
Complainant

DOCUMENT  
FOLDER

VS.

EQUITABLE GAS COMPANY  
Respondent

Complaint Docket  
No. C-20016617

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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TO: EQUITABLE GAS COMPANY

**DOCKETED**

JAN 08 2002

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 17120**, an answer (original and two 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).

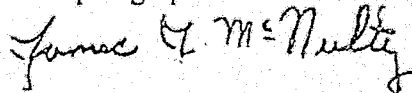
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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



**EQUITABLE**  
GAS

200 Allegheny Center Mall  
Pittsburgh, PA 15212 5352  
www.equitablegas.com

ORIGINAL  
RECEIVED  
JAN 24 2002  
SECRETARY'S BUREAU  
11:09:28

January 24, 2002

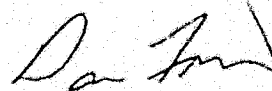
James J. McNulty  
Secretary  
Pennsylvania Public Utility Commission  
Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Cortrell Davis v. Equitable Gas Co.  
Docket No. C-20016617

Dear Mr. McNulty:

Enclosed please find one (1) original and three (3) copies of Equitable Gas Company's Answer to the above-captioned Complaint. Kindly time-stamp and return the enclosed coversheet to the undersigned for proof of filing. Thank you.

Yours very truly,  
EQUITABLE GAS COMPANY



Daniel L. Frutchey  
Senior Vice President and General Counsel

enc/  
cc: Cortrell Davis  
1023 Mellon Street  
Floor 1  
Pittsburgh, PA 15206

DOCUMENT  
FOLDER

34



BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL  
2002 JAN 30 10 23 AM  
FEB 01 2002

CORTRELL DAVIS,  
Complainant,  
vs.  
EQUITABLE GAS COMPANY,  
Respondent.

Complaint Docket  
No. C-20016617

ANSWER

DOCKETED  
FEB 01 2002

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, comes the Respondent, Equitable Gas Company ("Equitable"), by and through its attorney, Daniel L. Frutchey, Esquire, and sets forth the following Answer to the formal Complaint filed by Complainant in the above-captioned case:

1. The averments of Paragraph 1 of the Complaint are admitted.
2. The averments of Paragraph 2 of the Complaint are admitted.
3. The averments of Paragraph 3 of the Complaint are denied and strict proof is demanded at the hearing to be held on this matter.

DOCUMENT  
FOLDER

By way of further response, Complainant has been a ratepayer of record at 1023 Mellon Street, Floor 1, Pittsburgh, PA 15206 since November 19, 1999. Complainant filed an informal complaint on June 18, 2001 regarding payment arrangements. The BCS issued a decision on October 16, 2001 ordering the customer to pay \$137.00 (budget \$122.00 plus \$15.00 = \$137.00) beginning November 8, 2001. The account balance is \$2,239.32. On October 1, 2001, Respondent

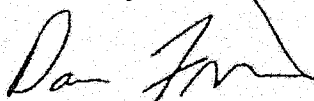
reduced its rates so the new budget amount is now \$90.00. The new special budget amount would be \$105.00 (\$90.00 budget + \$15.00 = \$105.00). At this special budget amount, Complainant would need nearly twelve years to become current.

4. The averments of Paragraph 4 of the Complaint contain a prayer for relief to which no response is required. To the extent that a response is deemed necessary, it is denied that Complainant is entitled to pay less than the budget amount unless she is enrolled in the EAP program. Equitable Gas discussed with the Complainant enrolling in the EAP program. Complainant stated that he will schedule an appointment and we advised he must apply in person. He appears to be eligible but is self-employed and will have to provide income verification. He is not willing to cancel his complaint unless he is enrolled. His last payment was \$140.00 on September 16, 2000.

WHEREFORE, the Respondent, Equitable Gas Company, respectfully requests that the subject Complaint be set for mediation.

Respectfully submitted,

EQUITABLE GAS COMPANY,  
a division of Equitable Resources, Inc.

BY: 

DANIEL L. FRUTCHEY, ESQUIRE  
200 Allegheny Center Mall  
Pittsburgh, PA 15212  
(412) 395-3202

Date: January 24, 2002

VERIFICATION

I, BEN CERRONE, hereby state that I am authorized to make this verification on behalf of Equitable Gas Company, a division of Equitable Resources, Inc., being the holder of the office of Manager – Compliance, and that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C. S. §4904 (relating to unsworn falsifications to authorities).

Date: January 24, 2002

  
\_\_\_\_\_  
BEN CERRONE

CERTIFICATE OF SERVICE

I, Daniel L. Frutchey, Esquire, hereby certify that on January 24, 2002, a correct copy of the foregoing Answer was served on the Complainant at the address listed below, by first-class U.S. Mail, postage prepaid, in accordance with the requirements of Section 1.54 (relating to service by a participant):

Cortrell Davis  
1023 Mellon Street  
Floor 1  
Pittsburgh, PA 15206



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Daniel L. Frutchey, Esquire  
200 Allegheny Center Mall  
Pittsburgh, PA 15212  
(412) 395-3202

Counsel for Equitable Gas Company,  
a division of Equitable Resources, Inc.

SECRET  
PROCEDURE

JAN 24 2002  
9:28



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

March 18, 2002

In Re: C-20016617

(See attached list)

Cortrell Davis v. Equitable Gas Company

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 telephone hearing  
Date: Wednesday, May 15, 2002  
Time: 10:00 a.m.  
Presiding: Administrative Law Judge Fred R. Nene  
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 Chapter §56.174 of the Pennsylvania Code.

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.

DOCUMENT  
FOLDER

DOCKETED  
MAR 18 2002

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

Cortrell Davis	(412) 922-9267
Daniel L. Frutchey, Esquire	(412) 395-3173

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 Nene  
Judy Weaver, Scheduling  
Beth Plantz  
Docket Section  
Calendar File