

## 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: 10/05/06  
8. DOCKET NO: C-20066938 : 9. EFFECTIVE DATE: 00/00/00

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PARTY/COMPLAINANT: SMITH, RICHARD

RESPONDENT/APPLICANT: DUQUESNE LIGHT COMPANY

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 110150

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ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT HE WANTS THE CHARGE FOR THE ELECTRIC SURGE TO BE DROPPED AND HE WANTS THE MONEY REFUNDED.

DOCUMENTED

OCT 1, 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

Formal Complaint Form

OCT 05 2006

Please print or type.

C-20066938

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name RICHARD SMITH (RETIRED)

Street/P.O. Box 702 MARIE ST Apt # \_\_\_\_\_

City GLASSPORT State PA Zip 15045

County ALLEGHENY

Area Code/HOME Phone 412-673-6936

Area Code/WORK Phone NONE

OCT 10 2006

Utility Account Number 7000-446-126-001  
(from your bill)

if your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: DUQUESNE LIGHT CO.

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER  
(taxi, moving company, limousine)

TELEPHONE  
(local, long distance)

24

4: COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

Other. I AM BEING CHARGED FOR AN ELECTRICAL SURGE, WHILE IT WENT THRU MY METER, I DIDN'T CAUSE THE SURGE!

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

SEE ATTACHMENTS.

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

HAVE DUQUESNE LIGHT RETURN MY PAYMENT FOR CHRISTMAS WEEK ELECTRICAL SURGE SINCE I (WE, MY WIFE & I) DIDN'T CAUSE IT. I BELIEVE DUQUESNE LIGHT HAD EXTRA CURRENT IN LINES IN ANTICIPATION OF PUBLIC HEAVY ELECTRIC USAGE FOR CHRISTMAS WEEK, WHICH CAUSED A SURGE.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES

(includes appeals of BCS determinations) —?

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

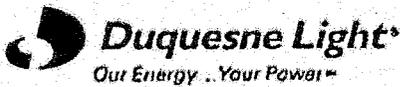
You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I RICHARD SMITH, hereby state 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 falsification to authorities).

Richard Smith  
(Signature)

09-29-06  
(Date)



Our Energy... Your Power™

www.duquesnelight.com  
1-888-393-7100

Customer Name and Service Address:

RICH SMITH  
702 MARIE ST  
GLASSPORT, PA 15045-1131

Account Number 7000-446-126-001

Rate: RS-Residential Service

Date Prepared: 07/31/06

**FORMAL COMPLAINT FORM  
ATTACHMENT**

**Meter Reading Usage Information**

Next Scheduled Meter Reading Date: August 29, 2006

**Meter Read Information for Meter Number: G69234443**

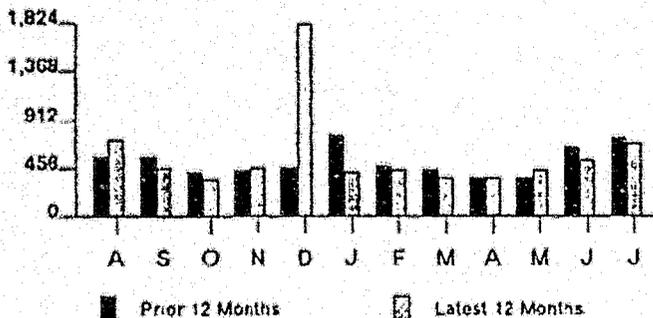
Present, Jul 28, 2006 - Actual	5320
Prior, Jun 28, 2006 - Actual	5260
Difference	60
Your Meter Multiplier	x 12
Total kWh Used	720

**Electric Usage:**

**Comparing Your Usage**

	<u>Jul 05</u>	<u>Jul 06</u>
Avg. kWh Per Day	26	24
Avg. Temperature (F)	75	73
YTD Usage (kWh)	3,984	3,444

**kWh**



- Average Monthly Usage for the past 12 months is 614 kWh.
- Total Annual Usage for the past 12 months is 7,368 kWh
- For comparison to other electric suppliers--your generation and transmission Price to Compare is 6.67 cents/kWh.

**Summary**

**Prior Billing Information**

Total Amount of Last Bill \$245.49  
Total Payment Received: 07/18/06 -61.29

Total Amount Owed From Your Last Bill **\$184.20**

**DLC Current Basic Charges**

Total DLC Basic Service Charges 76.47

**TOTAL ACCOUNT BALANCE \$260.67**

Total DLC Basic Service Balance \$260.67

**TOTAL BUDGET PAYMENT PLAN AMOUNT \$237.40**

**ACTUAL METER READING BILL**

See following pages for more detailed information.

Please contact us at 1-888-393-7100 with any billing questions before the due date on your bill.

Help Our Neighbors. Give to the Dollar Energy Fund to help people without heat or light. Please add \$1.00 to your payment or make a monthly pledge at www.duquesnelight.com. Your gift is tax deductible.

Estimated Gross Receipts Tax \$4.51	Estimated PA State Taxes \$5.20	Late Charge after Aug 21, 2006 \$3.26	Payment Due Aug 21, 2006	To Join the Budget Payment Plan see the message on page 3	Amount Due \$260.67
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9. LEGAL REPRESENTATION (IF ANY)

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

Lawyer's Name N/A

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 <sup>nd</sup> Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

**Keep a copy of your complaint for your records.**

**FORMAL COMPLAINT Form**  
**ATTACHMENT**  
**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RICHARD SMITH                      DUQUESNE LIGHT COMPANY  
702 MARIE ST                      v.  
GLASSPORT PA 15045

BCS No: 2027300

Acct. No: 7000446126001

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**Decision On Informal Complaint By The Bureau Of Consumer Services:**

**Statement Of Complaint:**

A summary of the customer's complaint is as follows:

Customer is disputing \$184.00 that company charged for month of December 2005, especially 12/22/05-12/29/05 when he used 1824 kWh per company's computer. Bills are usually around \$45.00-\$50.00/month. There is nothing wrong with his appliances. January 's bill is back to normal.

**After Investigation By The Bureau of Consumer Services It Is Decided:**

- (1) That the informal complaint of Richard Smith is DISMISSED.
- (2) That the customer's readings are actual readings provided by an Automatic Meter Reader. Usage increased substantially between 12/22/05-12/29/05 when his daily usage ranged between 210.24-100.20 kWh. Usage decreased on 12/30/05 to average usage of 15.96 kWh. The customer declined the company's offer for a free meter inspection and test.
- (3) The customer is responsible for usage passing through the meter. The bills are correct as rendered.
- (4) The customer is responsible for the account balance of \$266.49 with a due date of 9/20/06.
- (5) The customer has refused a payment arrangement with the Public Utility Commission.

SEPTEMBER 20, 2006

Date

\_\_\_\_\_  
Signature

GLORIA A. COOK  
Utility Complaint Investigator  
Bureau of Consumer Services  
PA Public Utility Commission

FORMAL COMPLAINT FORM  
ATTACHMENT

4.B. STATE THE FACTS OF YOUR COMPLAINT.

1. DUE TO THE FOLLOWING MEDICAL PROBLEMS, WE, MY WIFE & I, DID NOT DECORATE OUTSIDE HOUSE. OUR 3-DAUGHTERS ARE MARRIED & LIVING OUT OF TOWN.
  - a. LATE SEPTEMBER '05, EMERGENCY HOSPITALIZATION AT UPMC MCKEESPORT. BREATHING PROBLEM.
  - b. LATE SEPTEMBER '05 THRU 3-WEEKS AT CLEVELAND CLINIC IN OCTOBER '05. SIX PROCEDURES RELATED TO OPEN HEART SURGERY
  - c. NOVEMBER '05. INSERTION OF PACEMAKER AT UPMC MCKEESPORT.
2. SURGE OCCURED BETWEEN WEEK OF 12/22/05-12/29/05, CHRISTMAS WEEK. AVERAGE USAGE ON 12/30/05 WAS 1596 kWh. DAILY USAGE BETWEEN 12/22/05-12/29/05 WAS OVER 1376 TIMES (210.24-100.20 kWh) DAILY USAGE. SEE YELLOW LINED ATTACHMENT.
  - a. BECAUSE OF MY MUSCLE-MASS / WEIGHT LOSS & RECOVERY WE SPENT NO GUEST & NO LARGE MEAL SPENDING ENTERTAINMENT.
3. SEE ATTACHMENT WITH 2-YEAR GRAPH. WE HAVE FULL HOUSE AIR CONDITIONING. DURING AIR CONDITIONING MONTHS OF JUNE, JULY, AUGUST WE USED ~ TWO AND 1/2 TIMES LESS THAN THE WEEK IN QUESTION.
4. QUESTION: WHAT WOULD HAVE CAUSED THE SURGE? I BELIEVE THAT DUQUESNE LIGHT IN ANTICIPATION OF HEAVY PUBLIC ELECTRIC USAGE DURING CHRISTMAS WEEK, HAD EXTRA CURRENT IN LINES WHICH, IN TURN, CAUSED A SURGE.
5. IN THE 50-PLUS YEARS WE HAVE BEEN DUQUESNE LIGHT CUSTOMERS, INCLUDING RAISING THREE NOW COLLEGE EDUCATED DAUGHTERS, WE HAVE NOT HAD THIS TYPE PROBLEM.
  - a. MANY YEARS BACK, WE DID HAVE A DOWNED TREE BRANCH ACROSS SOME TELEPHONE WIRES THAT SURGED THRU OUR METER & DESTROYED A LIVING ROOM LAMP.



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: October 13, 2006

C-20066938

MORGAN O'BRIEN PRESIDENT  
DUQUESNE LIGHT COMPANY  
411 7<sup>TH</sup> AVENUE 16-1  
PITTSBURGH PA 15219-1905

Dear Mr. O'Brien:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by RICHARD SMITH. 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.

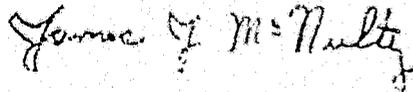
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

October 13, 2006

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".

James J. McNulty  
Secretary

ddi

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: October 13, 2006

RICHARD SMITH  
Complainant

v.

DUQUESNE LIGHT COMPANY  
Respondent

Complaint Docket  
No: C-20066938

2006

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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TO: DUQUESNE LIGHT COMPANY

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).

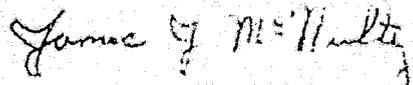
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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



**Duquesne Light**  
Our Energy. Your Power

**ORIGINAL**

Legal Department  
411 Seventh Avenue 8-2  
Pittsburgh, PA 15219

Tei 412-393-1546  
Fax 412-393-1418  
rsestak@duquesnelight.com

Regina M. Sestak  
Assistant General Counsel

November 7, 2006

Certificate of Mailing

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

RE: Richard Smith v. Duquesne Light Company  
Docket No. C-20066938

Dear Secretary McNulty:

An original and three copies of Duquesne Light Company's Answer are enclosed. A Copy of this document has been served upon Complainant in accordance with Commission regulations.

Sincerely,

Regina M. Sestak  
Assistant General Counsel  
Duquesne Light Company

encs

c Richard Smith (w/enclosures)

DOCUMENT  
FOLDER

**DOCKETED**

NOV - 9 2006

BTL

27

RECEIVED - 9 21 11:23

SEP 21 11 23 AM '06

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RICHARD SMITH,	)	
	)	
Complainant,	)	
	)	
v.	)	Docket No. C-20066938
	)	
DUQUESNE LIGHT COMPANY,	)	
	)	
Respondent.	)	

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ANSWER

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TO THE HONORABLE COMMISSION

AND NOW comes the Respondent, Duquesne Light Company, by and through its attorney, Regina M. Sestak, and files the within Answer of which the following is a statement:

1. Admitted. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that he is retired and this averment is therefore denied.
2. Admitted.
3. Admitted.
4. A. Complainant's averments that he is being charged for an electrical surge that went through his meter is denied. On the contrary, Respondent has no record of an electrical surge having gone through the meter at the premises during the time period in question.

Complainant's averment, "I didn't cause the surge," is admitted to the extent that since Respondent has no record of said electrical surge, it has no reason to believe Complainant caused it.

B. Complainant's averment, "See Attachments," is an apparent attempt to incorporate the attached three documents, which are each labeled "Formal Complaint Form Attachment," into his complaint. Said documents will be addressed below under the heading Attachments.

5. To the extent this paragraph contains a request for relief, no response is required.

Complainant's averment, "I believe Duquesne Light had extra current in lines in anticipation of public heavy electric usage for Christmas week which caused a surge," is a statement of opinion to which no response is required. To the extent that this averment includes an averment of fact, it is denied. On the contrary, Respondent did not have "extra current" in its lines in anticipation of heavy usage that caused a power surge.

6. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that the court has not granted a "Protection from Abuse" order for his personal safety, and this averment is therefore denied.

7. Admitted.

8. No response is required to Complainant's verification and signature.

9. Complainant's averment, "N/A" is apparently intended to mean that he is not represented by an attorney in this matter. If so, this averment is

admitted to the extent that Respondent is not aware of any attorney having entered an appearance for Complainant in this matter.

Attachments

Copy of First Page of Electric bill due August 21, 2006:

Complainant has attached a copy of the first page of his electric bill due August 21, 2006, which is labeled "Formal Complaint Form Attachment." Said bill contains a machine-printed portion, a circling, and handwritten notations.

As it is unclear what Complainant intends to mean by the circling and his averment, "in dispute w/ PUC," after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of these averments and they are therefore denied.

The authenticity of the machine-printed portion of said bill copy is admitted.

Copy of Decision on BCS No. 2027300:

Complainant has attached a copy of the decision on his informal complaint at BCS No. 2027300, which is dated September 30, 2006, and labeled "Formal Complaint Form Attachment."

The authenticity of said this document is admitted.

One-Page Hand-printed Document:

Complainant has attached a one-page hand-printed document labeled "Formal Complaint Form Attachment" to which Respondent responds as follows:

No response is required to Complainant's averment, "4.B. State the facts of your complaint," as it restates a portion of the Formal Complaint form.

1. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that he did not decorate outside his house because he and his wife have medical problems and this averment is therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that his three daughters are married and living out of town, and this averment is therefore denied.

a.-c After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments regarding hospitalizations that occurred in September, October and November, 2005, and these averments are therefore denied.

2 Complainant's averment, "surge occurred between week of 12/22/05 - 12/29/05, Christmas Week," is denied. On the contrary, as noted above, Respondent has no record of a power surge at the premises the week of December 22 to December 29, 2005.

Complainant's averment that the average usage on December 30, 2005, was 15.96 kwh is denied as stated. By way of further response, the daily reading taken on December 30, 2005, showed consumption of 15.96 Kilowatt-hours (kwh).

If Complainant intends his averment, "daily usage between 12/22/05 - 12/29/05 was over 3 to 6 times (210.24 - 100.20 kwh) daily usage," to

compare the daily readings on those dates with the December 30, 2005, daily reading, this averment is admitted.

It is unclear what attachment Complainant is referring to in his averment, "see yellow lined attachment." Therefore, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment, and it is denied. By way of further response, the copy of the Complaint served upon Respondent by the PUC contains only black print on white paper.

a. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment, "[b]ecause of my muscle-mass/weight loss & recovery we spent no guest & no large meals & entertainment," and this averment is therefore denied.

3. Complainant's averment, "see attachment with 2-year graph," is an apparent reference to the copy of his electric bill due August 21, 2006, which was addressed above.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that he has full house air conditioning, and this averment is therefore denied.

It is not clear what Complainant intends to mean by his averment, "[d]uring air conditioning months of June, July, August we used ~ two and ½ times less than the week in question." Therefore, after reasonable investigation, Respondent is without sufficient knowledge or information to

form a belief as to the truth of this averment and it is denied. By way of further response, Complainant's total consumption based upon daily readings on December 22 through December 29, 2006, was 1313.76 kwh. The bill issued June 29, 2006, showed total consumption of 564 kwh; the bill issued July 31, 2006, showed total consumption of 720 kwh; and the bill issued August 30, 2006, showed total consumption of 780 kwh. By way of further response, Respondent tested the meter at Complainant's premises on November 6, 2006, and found it to be operating within the parameters set by Commission Regulation 57.20(c), 52 Pa. Code §57.20(c), with no evidence of foreign load or grounds.

4. Complainant's averment, "[w]hat would have caused the surge?" is a query to which no response is required. By way of further response, as noted above, Respondent has no record of the alleged surge.

Complainant's averment regarding his belief that Respondent had extra current in the lines that caused a surge is a statement of opinion to which no response is required. By way of further response, Respondent did not put extra current in the lines in anticipation of heavy electric usage that caused a surge.

5. Complainant's averment that he has been a customer of Respondent for over fifty years is admitted.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments that he has raised three college educated daughters and that he has not had this problem in fifty plus years, and these averments are therefore denied.

a. As it is unclear what time period Complainant is referring to in his averment "many years back," after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment, "[m]any years back we did have a downed tree branch across some telephone wires that surged thru our meter & destroyed a living room lamp," and this averment is therefore denied.

WHEREFORE, Respondent requests that after reasonable investigation and hearing the Complaint be dismissed.

Respectfully submitted:

DUQUESNE LIGHT COMPANY  
By Counsel:



Regina M. Sestak  
Pa. I.D. # 23632  
Duquesne Light Company  
411 Seventh Avenue, 8-2  
Pittsburgh, PA 15219  
Telephone: (412) 393-1546  
FAX (412) 393-1418

AFFIDAVIT

I, Joseph W. Smetanka, being duly sworn according to law depose and say that I am authorized to make this affidavit on behalf of Duquesne Light Company being the holder of the office of Operational Vice President - Customer Services with that corporation, and that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief and Duquesne Light Company expects to be able to prove the same at any hearing hereof.

Joseph W. Smetanka  
Joseph W. Smetanka

Sworn and subscribed before me this 6th day of November, 2006.

Mary Jane Hammer  
Notary Public

My Commission Expires Oct. 6, 2007

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Mary Jane Hammer, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Oct. 6, 2007  
Member, Pennsylvania Association of Notaries

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RICHARD SMITH, )  
 )  
 Complainant, )  
 )  
 v ) Docket No C-200066938  
 )  
 DUQUESNE LIGHT COMPANY, )  
 )  
 Respondent. )

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant).

Richard Smith  
702 Marie Street  
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Dated this 7th day of November, 2006.

  
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