

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: 07/26/04
8. DOCKET NO: C-20043428	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: R & M INDUSTRIES, INC.

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: LEHIGH

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES THEIR COMPLAINT IS THE SECURITY DEPOSIT OF \$377. THEY WANT THE PUC TO TELL PPL ELECTRIC UTILITIES CORP. TO ELIMINATE THEIR REQUEST FOR THE SECURITY DEPOSIT AND SET UP A PAYMENT PLAN THEY CAN MEET.

DOCUMENT
FOLDER

DOCKETED
JUL 29 2004

ORIGINAL

C-20043428

Formal Complaint Form
Pennsylvania Public Utility Commission

04 JUL 06 11 9:01

SECRETARY'S BUREAU

Please Print: (you may also type your answers directly onto the form as it appears on your screen)

1. Your name, mailing address and telephone number:

Name R & M Industries, Inc.

Street/P.O.Box P.O. Box 98 Rt 100 Apt # _____

City Trexlertown State Pa. Zip 18087

County Lehigh Area Code/Home Phone 610-395-4388
Area Code/Work Phone _____

2. Name of company your complaint concerns: PPL Electric Utilities Corp.

3. What is your complaint? (Use additional paper if need more space).

Security Deposit of \$377.00

Economic conditions slowed and so did business. Our payments to our electric company were late - but were paid, either in full or partial. We explained the situation to PPL's Customer Service Dept. on numerous occasions. They still slapped a requirement on our account. If we are having trouble paying the bill what makes them think we can pay the security deposit.

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

(Use additional paper if need more space).

Suspend the agreement whereby the PUC gave them the power to institute a security deposit on those companies who show the willingness to work with them. Particularly companies who have been buying their electric power from them for over 30 years! It is nonsense and a ridiculous thought process to believe that you can pay a security deposit if you are already having trouble paying the bill. The penalty for not paying the security deposit is total power cut-off - end result - out of business.

5. ~~You must sign and date your complaint below.~~ I want the PUC to tell PPL to eliminate their request for the security deposit and set up a payment plan we can meet.

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.

Judith E. Fenz Pres. 7/15/04
Signature Date

Continued on next page

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

Lawyer's Name We can't afford one.

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

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

For more information, please contact the Secretary's Bureau at 717-772-7777.

We need to care about the small business's in the state of Pa. -
We need to help them where we can -
This is not my idea of conscious decision making or mutual
resolution.
This is burdensome regulation.
Find a better way.

Electric
Utilities



Account Number
46070-02008
Use when calling or writing

Electric Service

Total from Last Bill \$ 683.56
 Payments Received - Thank You! \$ 505.07

Billing Details

Amount You Still Owe as of Nov 10, 2003 \$ 178.49

Current Charges

Charges for - PPL ELECTRIC UTILITIES

General Service Rate: GSI for Oct 9 - Nov 10

Distribution Charge:

Customer Charge

6.5 KW at \$ 1.86000000 per KW

1,308 KWH at 1.91300000¢ per KWH

Transmission Charge:

1,308 KWH at 0.58000000¢ per KWH

Competitive Transition Charge:

1,308 KWH at 0.42200000¢ per KWH

Intangible Transition Charge:

1,308 KWH at 1.54900000¢ per KWH

Generation Charge:

Capacity and Energy

1,308 KWH at 5.86100000¢ per KWH

PA Tax Adjustment Surcharge at 1.26000000%

PA Sales Tax

Total PPL ELECTRIC UTILITIES Charges

Other Charges for PPL Electric Utilities

Security Deposit Amount

Late Payment Charge

Total of Other Charges

Pay This Amount No Later Than Nov 26, 2003

Account Balance

\$ 355.72 (circled)
 \$ 723.12
 \$ 723.12

*no bill with
 account
 deposit*

no

377.00 (circled)
 8.23 (circled)
 385.23 (circled)

PPL Electric Utilities
 Customer Service
 827 Hausman Rd.
 Allentown, PA
 18104-9392
 1-800-342-5775 or
 484-634-4900
 www.pplweb.com

#3 (circled)

General Information

Next meter
 reading
 on or about
 Dec 11

Reading Dates		KWH Use By Meter			Kilowatt Hours
Previous	Present	Meter Number	Meter Constant	Meter Reading Previous/Present	
Oct 9	Nov 10	65405988	1	27598	28906
					Total
					1308
					1308

Your account is overdue. If you do not pay in full or call our office to arrange payment in 10 days, your electricity may be shut off. Call us weekdays 8am to 5pm at 1-800-358-6623.

The \$178.49 balance includes \$10.80 in prior late payment charges.

Generation prices and charges are set by the electric generation supplier you have chosen. The Public Utility Commission regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.

PPL Electric Utilities uses about \$33.98 of this bill to pay state taxes. In addition, about \$15.10 of this bill pays the PA Gross Receipts Tax.

For your convenience, you can now pay your bill using your Visa, MasterCard, Discover, or ATM Card. Call BillMatrix at 1-800-672-2413. BillMatrix will charge your credit and ATM card a service fee for making this payment.

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

DATE SERVED: JULY 30, 2004

C-20043428

PPI. 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 R & M INDUSTRIES, INC.. 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.

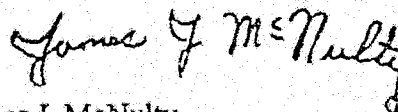
JULY 30, 2004

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

JHH

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JULY 30, 2004

R & M INDUSTRIES, INC.
Complainant

VS.

PPL ELECTRIC UTILITIES
CORPORATION
Respondent

Complaint Docket
No: C-20043428

DOCUMENT
FOLDER

DOCKETED
JUL 29 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,

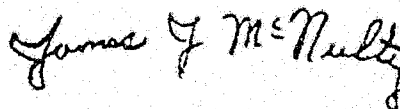
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as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

MALCOLM J. GROSS
PAUL A. MCGINLEY
DONALD LABARRE, JR.
J. JACKSON EATON, II
MICHAEL A. HENRY
PATRICK J. REILLY
WILLIAM J. FRIES
ANNE K. MANLEY
SUSAN ELLIS WILD
VICTOR F. CAVACINI
ELIZABETH R. GRAVER
ROBERT A. ALPERT
JOHN F. GROSS
KIMBERLY S. KRUPKA
K. A. SPOTTS KIMMEL
ERROL C. DEANS, JR. *
ANDREW H. RALSTON, JR.

GROSS, MCGINLEY, LABARRE & EATON, LLP

ATTORNEYS AT LAW
33 SOUTH SEVENTH STREET
P.O. BOX 4060
ALLENTOWN, PENNSYLVANIA 18105-4060

ORIGINAL

(610) 820-5450
TELEFAX (610) 820-6006
E-MAIL: jgross@gmle.com
Direct number: (610) 871-1324

*Also admitted in NY

August 19, 2004

RECEIVED

AUG 19 2004

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: R & M Industries, Inc. v. PPL Electric Utilities Corporation
Docket No. C-20043428

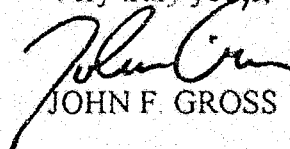
Dear Mr. McNulty:

Enclosed for filing in the above-captioned matter are an original and three (3) copies of the Answer and Preliminary Motions of PPL Electric Utilities Corporation.

Pursuant to 52 Pa. Code §1.11, the enclosed documents are to be deemed filed on August 19, 2004, which is the date they were deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

In addition, please date and time-stamp the enclosed extra copy of this letter and return it to me in the envelope provided. I would further request that a copy of the Preliminary Motion be sent to the Administrative Law Judge for disposition.

Very truly yours,


JOHN F. GROSS

DOCUMENT

JFG/sam

Enclosures

cc: Deidre L. Bilger (w/enc.)
R & M Industries, Inc. (w/enc.)

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SEP 07 2004

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

R & M INDUSTRIES, INC.

Complainant

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. C-20043428

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AUG 19 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utilities Corporation (hereafter "PPL"), by its attorney, hereby answers the Complaint in the above-captioned proceeding as follows:

1. Admitted.
2. Admitted.
3. Admitted in part and denied in part. PPL denies that it has been unreasonable in billing Complainant or in any way in this matter.

DOCUMENT

PPL admits that Complainant has been making late payments, but is without knowledge or information regarding any slow down in Complainant's business, and therefore that allegation is denied.

By way of further answer, since January of 2001, Complainant's account has been regularly delinquent because it failed to pay the amounts due by the due dates set forth on the bills. Between September, 2002 and October of 2003, Complainant's account was delinquent in ten (10) of twelve (12) months because it failed to pay the amounts due by the due dates set forth

on the bills. On September 25, 2003, PPL sent a non-residential security deposit warning letter to Complainant advising that if it did not pay its bill in full by the due date a security deposit would be assessed. On October 27, 2003, Complainant's account was again delinquent because it failed to pay the amount due by the due date set forth on its October bill. As a result, a non-residential late payer security deposit notification letter was sent to the Complainant and a security deposit of \$377.00 was assessed to Complainant's account on November 10, 2003. The security deposit was applied in accordance with PUC regulations.

PPL does not have sufficient information to either admit or deny all other allegations in Complainant's Complaint therefore all such other allegations are denied.

4. This paragraph constitutes a request for relief to which no answer is required.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Pennsylvania Public Utility Commission deny the above-captioned Complaint.

Respectfully submitted,

PPL Electric Utilities Corporation

By: 
JOHN F. GROSS

Dated: August 19, 2004
at Allentown, Pennsylvania

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

R & M INDUSTRIES, INC.

Complainant

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. C-20043428

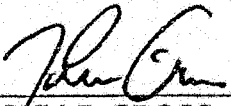
CERTIFICATION OF SERVICE

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

R & M Industries, Inc.
P.O. Box 98 Rt. 100
Trexlerstown, PA 18087

Dated this the 19th day of August, 2004.

GROSS, MCGINLEY, LABARRE & EATON, LLP

By: 
JOHN F. GROSS, ESQUIRE
Attorney for PPL Electric Utilities Corp.
33 South 7th Street, P.O. Box 4060
Allentown, PA 18105-4060
(610) 820-5450
I.D. #82079

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AUG 19 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RECEIVED

AUG 19 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

R & M INDUSTRIES, INC.

Complainant

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. C-20043428

NOTICE TO PLEAD

TO: R & M Industries, Inc.
P.O. Box 98 Rt. 100
Trexlerstown, PA 18087

Pursuant to 52 Pa. Code Section 5.101(d), you are hereby notified that you have ten (10) days from the date of service of the within Preliminary Motions within which to file a written answer with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120, and that if you fail to so file a written answer within ten (10) days from the date of service, Respondent's Preliminary Motions may be granted without further notice.

Respectfully submitted,

PPL Electric Utilities Corporation

BY: 
JOHN F. GROSS, ESQUIRE

Dated: August 19, 2004
at Allentown, Pennsylvania

ORIGINAL

DOCKETED

SEP 07 2004

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

R & M INDUSTRIES, INC.

Complainant

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. C-20043428

RECEIVED

AUG 19 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PRELIMINARY MOTIONS OF
PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utility Corporation ("PPL"), by and through its Attorneys, hereby makes the following Preliminary Motions pursuant to Section 5101 (a)(2) and (3), Title 52 of the Pennsylvania Code, 52 Pa.Code Section 5.101 (a)(2) and (3).

1. Complainant, R & M Industries, Inc., filed a Complaint against PPL Electric Utilities Corporation ("PPL") making allegations regarding a security deposit charged to Complainant's electric account with PPL.

2. PPL's records indicate that the account for this location is in the name "R & M Industries, Inc."

3. The Complaint on its face establishes that Complainant is a corporation and a search of the Pennsylvania Department of State, Corporation Bureau, records indicates that R & M Industries, Inc. is a registered Pennsylvania corporation. Therefore, pursuant to the requirements of 52 Pa. Code § 1.21-1.23, this Complainant must be represented in the within proceedings by a licensed attorney.

DOCKETED

4. Complainant is not represented by an attorney in the within proceeding and, as such, the Complaint is insufficient as to form.

5. The within Complaint is also insufficient as to substance in that the Complaint fails to allege or establish any violation of any regulation, statute or Order of this Commission.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Pennsylvania Public Utilities Commission grant PPL's Preliminary Motions and dismiss the Complaint for insufficiency as to form an insufficiency and as to substance.

Respectfully submitted,

PPL Electric Utilities Corporation

By: 

JOHN F. GROSS

Dated: August 19, 2004
at Allentown, Pennsylvania

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

R & M INDUSTRIES, INC.

Complainant

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET
NO. C-20043428

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATION OF SERVICE

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

R & M Industries, Inc.
P.O. Box 98 Rt. 100
Trexletown, PA 18087

Dated this the 19th day of August, 2004.

GROSS, MCGINLEY, LABARRE & EATON, LLP

By: 

JOHN F. GROSS, ESQUIRE
Attorney for PPL Electric Utilities Corp.
33 South 7th Street, P.O. Box 4060
Allentown, PA 18105-4060
(610) 820-5450 I
I.D. #82079



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

IN REPLY PLEASE
REFER TO OUR FILE

November 10, 2004

In Re: C-20043428

(SEE ATTACHED LIST)

R & M Industries, Inc. v. PPL Electric Utilities Corporation
Billing Dispute / 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: Tuesday, December 14, 2004
Time: 1:30 p.m.
Presiding: Administrative Law Judge Angela T. Jones
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

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
DEC 01 2004

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

R & M Industries, Inc.	610-395-4388
John F. Gross, Esquire	610-820-5450

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 Jones
Cherie Pyle
Beth Plantz
Docket Section
Calendar File