

CAPTION SHEET

SE 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: 01/13/06
 8. DOCKET NO: C-20065779 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: ACE, AMANDA L.

RESPONDENT/APPLICANT: NATIONAL FUEL GAS DISTRIBUTION

COMP/APP COUNTY: VENANGO

UTILITY CODE: 121850

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE LIVES ON \$630.40 (SSI). SHE IS PAYING \$168 A MONTH ON THE BUDGET PLAN. SHE CAN'T PAY ANYMORE UNLESS SHE SHUTS OFF OTHER UTILITIES.

DOCUMENT
FOLDER

DOCKETED
JAN 20 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

C-20065779

SECRETARY'S BUREAU
P.A.P.U.C.

2006 JAN 13 AM 9:13

RECEIVED

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

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

Name AMANDA L ACE

Street/P.O. Box 24 KRAMER AVE Apt # _____

City Oil City State PA Zip 16301

County VENANGO

Area Code/HOME Phone 814-677 3704

Area Code/WORK Phone N/A

Utility Account Number 4782289-09
(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: NATIONAL FUEL (FOOL)

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER
(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

C

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.
(explain)

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.

I LIVE ON 650.40 (SSI) I'm paying 168.00 a month on the Budget plan, I cannot pay anymore unless I shut off other utilities. Being a diabetic this is impossible. NATIONAL FUEL'S ENERGY ASSISTANCE PROGRAMS AREN'T any help. 31 million is profit enough. IN THE LAST 2 OR 3 YEARS ITS GONE FROM \$89.00 TO \$139.00 TO \$168.00 ENOUGH IS ENOUGH!

5. **RELIEF**

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

DONT ALLOW ANOTHER RATE INCREASE. REREGULATE NATIONAL FUEL.

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. *ITS NO USE THEY STILL WANT MORE.*

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 AMANDA L ACE, 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).

Amanda L Ace
(Signature)

1/10/06
(Date)

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 _____

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 nd Floor Harrisburg, Pennsylvania 17120
--	--

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.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 23, 2006

AMANDA L. ACE
Complainant

v.

NATIONAL FUEL GAS DISTRIBUTION COMPANY
Respondent

Complaint Docket
No: C-20065779

DOCUMENT
FOLDER

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: NATIONAL FUEL GAS DISTRIBUTION COMPANY

DOCKETED
JAN 20 2006

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).

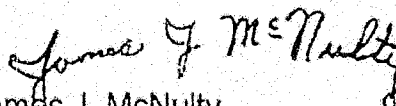
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: JANUARY 23, 2006

C-20065779

NATIONAL FUEL GAS
DISTRIBUTION COMPANY
CARL M CARLOTTI VICE PRESIDENT
PO BOX 2081
ERIE PA 16512

DOCUMENT
FOLDER

Dear Mr. Carlotti:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by AMANDA L. ACE. 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.

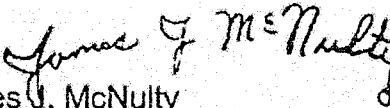
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

JANUARY 23, 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,


James J. McNulty
Secretary

JIH



National Fuel

ORIGINAL

Lee E. Hartz
Attorney

February 9, 2006

RECEIVED

FEB 9 2006

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Amanda L. Ace v.
National Fuel Gas
Distribution Corporation
Docket No. C-20065779

Dear Secretary McNulty:

Enclosed please find an original and three copies of National Fuel Gas
Distribution Corporation's Answer regarding the above-referenced Complaint.

Very truly yours,

Lee E. Hartz
(814) 871-8060

DOCUMENT
FOLDER

LEH/cjc

Enclosures

02

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

AMANDA L. ACE, :
:
Complainant, :
:
v. :
:
NATIONAL FUEL GAS :
DISTRIBUTION CORPORATION, :
:
Respondent. :

ANSWER

RECEIVED

FEB 9 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCKET NO. C-20065779

DOCUMENT
FOLDER

ANSWER

For its Answer to the Formal Complaint ("Complaint") filed against it by Amanda L. Ace ("Complainant"), National Fuel Gas Distribution Corporation ("Respondent") respectfully states as follows:

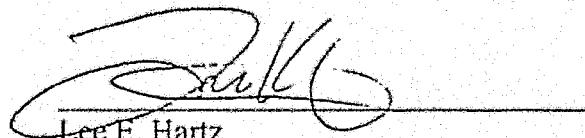
DOCKETED
FEB 15 2006

- 1) Paragraph one is admitted.
- 2) Paragraph two is denied. Correct name of Respondent is National Fuel Gas Distribution Corporation.
- 3) Paragraph three is admitted.
- 4) As to the allegations contained in paragraph four of the Complaint, Respondent states the following:
 - a) Respondent is without knowledge or information regarding Complainant's income and, therefore, the allegations regarding said income are denied with strict proof thereof demanded at time of hearing.
 - b) Respondent admits that Complainant's current monthly budget payment amount is \$168.00. See Exhibit A.

- c) Respondent is without information regarding Complainant's other utility bills or Complainant's health condition and, therefore the allegations in that regard are denied.
- d) Respondent denies that its energy assistance programs "aren't any help" as said programs provide benefits to thousands of customers in Pennsylvania.
- e) The allegation "31 million is profit enough" is unspecific and unclear and does not warrant a response.
- f) Respondent admits that the monthly budget amounts of its ratepayers will change over time based on several factors including, tariff rates, commodity costs, and usage.
- 5) The allegations contained in paragraph five of the Complaint constitute a demand for relief and do not call for a response.
- 6) The information contained in Paragraph 6 regarding Protection from Abuse orders does not pertain to Respondent and therefore, no response from Respondent is required.
- 7) The information contained in Paragraph 7 regarding whether or not Complainant attempted to speak with a utility company representative about their complaint involves actions by a party other than Respondent and, therefore, no response from Respondent is required.

WHEREFORE, National Fuel Gas Distribution Corporation requests that the Complaint be dismissed.

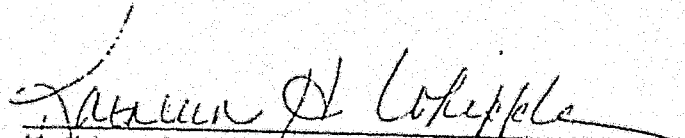
Respectfully submitted,



Lee E. Hartz
Pa. I.D. No. 87675
Attorney for National Fuel Gas
Distribution Corporation
P.O. Box 2081
Erie, PA 16512

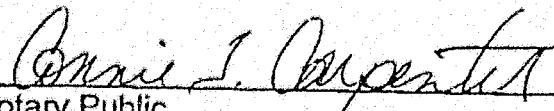
COMMONWEALTH OF PENNSYLVANIA)
) SS.
COUNTY OF ERIE)

Kathleen H. Whipple, being duly sworn according to law, deposes and says that she is a Supervisor for National Fuel Gas Distribution Corporation; that she is authorized to and does make this Affidavit on its behalf; that the facts set forth in the within Answer are true and correct to the best of her knowledge, information and belief, and that she expects National Fuel Gas Distribution Corporation to be able to prove the same at a hearing thereof


Kathleen H. Whipple

Sworn to and subscribed before me this

9th day of February, 2006.


Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Connie J. Carpenter, Notary Public
City Of Erie, Erie County
My Commission Expires Feb. 12, 2010
Member, Pennsylvania Association of Notaries

ACCOUNT STATEMENT

CUSTOMER: Amanda Ace
 ACCOUNT #: 4782289-09

INVESTIGATOR: Formal Complaint
 CASE NUMBER: C-20065779

SVC TO	DAYS	MTR RDG	*TYPE	CONS	DD	BILL AMT	DUE DATE	IPC	PYMTS	DATE	BALANCE	COMMENTS
2/17/2004	32	8147	A	342	1417	\$ 352.04	3/11/2004		\$ 59.75		\$ 59.75	
3/15/2004	27	8273	C	126	810	\$ 139.34	4/11/2004		\$ 59.75	3/8/2004	\$ 85.00	Budget \$85
4/16/2004	32	8407	A	134	815	\$ 149.15	5/11/2004		\$ 85.00	4/6/2004	\$ 85.00	
5/14/2004	28	8459	C	52	247	\$ 66.12	5/9/2004		\$ 85.00	5/4/2004	\$ 160.00	Budget \$160
6/16/2004	33	8506	A	47	97	\$ 64.52	7/11/2004		\$ 159.99	6/4/2004	\$ 160.01	
7/13/2004	27	8540	C	34	39	\$ 47.92	8/10/2004		\$ 100.00	7/7/2004	\$ 172.25	Budget adj.
8/16/2004	34	8584	A	44	22	\$ 61.92	9/8/2004		\$ (64.32)	7/7/2004	\$ 195.25	Budget \$123
9/15/2004	30	8625	E	41	19	\$ 58.24	10/12/2004		\$ 141.29	9/7/2004	\$ 176.96	
10/14/2004	29	8663	A	38	202	\$ 54.81	11/8/2004		\$ 100.96	10/5/2004	\$ (87.00)	LIHEAP
11/9/2004	26	8724	C	61	387	\$ 79.42	12/7/2004		\$ 286.00	10/13/2004	\$ (4.00)	
12/15/2004	36	8870	A	146	860	\$ 177.88	1/9/2005		\$ 40.00	11/1/2004	\$ 119.00	
1/17/2005	33	9048	C	178	1119	\$ 211.81	2/10/2005		\$ 119.00	1/4/2005	\$ 123.00	
2/17/2005	31	9252	A	204	1243	\$ 242.16	3/13/2005		\$ 123.00	2/4/2005	\$ 123.00	
3/14/2005	25	9414	C	162	1018	\$ 192.52	4/11/2005		\$ 123.00	3/4/2005	\$ 123.00	

RECEIVED

FEB 9 2006

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

Exhibit A

*TYPE CODES: A - Actual IA - Initial (Actual)
 E - Estimate FA - Final (Actual)
 C - Customer ADJ - Adjustment

CUSTOMER: Amanda Ace
 ACCOUNT #: 4782289-09

INVESTIGATOR: Formal Complaint
 CASE NUMBER: C-20065779

SVC TO	DAYS	MTR RDG	TYPE	CONS.	DD	BILL AMT	DUE DATE	LPC	PYNTS	DATE	BALANCE	COMMENTS
4/18/2005	35	9537	A	123	823	\$ 153.21	5/11/2005		\$ 123.00	4/8/2005	\$ 123.00	
5/16/2005	28	9604	C	67	447	\$ 93.51	6/9/2005		\$ 123.00	5/6/2005	\$ 123.00	
6/17/2005	32	9652	A	48	160	\$ 73.12	7/11/2005		\$ 123.00	6/9/2005	\$ 123.00	
7/18/2005	31	9693	E	41	10	\$ 63.17	8/10/2005		\$ 123.00	7/6/2005	\$ 108.77	Budget adj.
8/16/2005	29	9724	A	31	0	\$ 52.89	9/8/2005		\$ (45.60)	7/20/2005	\$ 139.00	Budget \$139
9/12/2005	27	9756	C	32	4	\$ 54.74	10/10/2005		\$ 108.77	8/8/2005	\$ 139.00	
10/14/2005	32	9793	A	37	102	\$ 63.93	11/8/2005		\$ 139.00	9/7/2005	\$ 139.00	
11/14/2005	31	9881	E	88	441	\$ 142.50	12/11/2005		\$ 139.00	10/6/2005	\$ (113.00)	Budget \$168 LIHEAP
12/15/2005	31	0002	A	121	1014	\$ 211.99	1/9/2006		\$ 281.00	11/4/2005	\$ 55.00	
1/15/2006	31	0133	C	131	906	\$ 226.70	2/12/2006		\$ 55.00	11/9/2005	\$ (32.00)	
									\$ 200.00	1/19/2006		

*TYPE CODES: A - Actual
 E - Estimate
 C - Customer
 IA - Initial (Actual)
 FA - Final (Actual)
 ADJ - Adjustment

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 9 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

AMANDA L. ACE,
:
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Complainant,
:
:
v.
:
:
NATIONAL FUEL GAS
DISTRIBUTION CORPORATION,
:
:
Respondent.
:

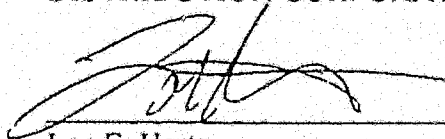
PROOF OF SERVICE

DOCKET NO. C-20065779

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 § 1.54 (relating to service by a participant).

Ms. Amanda L. Ace
24 Kramer Avenue
Oil City, PA 16301

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION



Lee E. Hartz
Pa. I.D. No. 87675
Attorney for National Fuel Gas
Distribution Corporation
P.O. Box 2081
Erie, PA 16512

Dated: 02/09/2006



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

PLEASE DOCKET

IN REPLY PLEASE
REFER TO OUR FILE

February 21, 2006

In Re: C-20065779

(SEE ATTACHED LIST)

Amanda L. Ace v. National Fuel Gas Distribution Corporation

Requests Payment Arrangements

Telephone Hearing Notice

This is to inform you that a hearing by telephone has been scheduled in this case on March 21, 2006. This is one of several hearings scheduled for this day. Your case will be dismissed if the presiding officer is not able to contact you at the time scheduled for the hearing. The hearing will be held as follows:

Type: Initial Telephonic Hearing
Date: Tuesday, March 21, 2006
Time: 1:00 p.m.
Presiding: Administrative Law Judge Mark A. Hoyer
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
412.565.3550

DOCUMENT
FOLDER

The hearing will be conducted as authorized by 52 Pa. Code §56.174.

DOCKETED
FEB 23 2006

You must provide the presiding officer with the telephone number where you can be reached to participate in the hearing. If your telephone number or area code has changed, you must contact the presiding officer at least 5 business days prior to the scheduled hearing and provide the necessary information.

On the hearing date, the Presiding Officer will contact the parties as follows:

Amanda L. Ace	814.677.3704
Lee E. Hartz, Esquire	814.871.8060

ATTENTION: YOU MUST BE AVAILABLE WHEN CONTACTED BY THE PRESIDING OFFICER. IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT YOUR CASE, YOUR CASE WILL BE DISMISSED.

If you have any exhibits that you will refer to during the hearing, you must send 3 copies to the presiding officer and 1 copy to every other party. All copies must be received at least 5 business days before the hearing.

Individuals may represent themselves or be represented by an attorney. Individuals representing themselves do not need to be represented by an attorney. If you have an attorney representing you, your attorney should file a Notice of Appearance at least 5 business days before the scheduled hearing date.

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 at least (2) two business days prior to your hearing:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Hoyer
Dawn Reitenbach
Beth Plantz
Docket Section
Calendar File

C-20065779 AMANDA L. ACE v. NATIONAL FUEL GAS DISTRIBUTION CORPORATION

AMANDA L ACE
24 KRAMER AVENUE
OIL CITY PA 16301
814.677.3704

LEE E HARTZ ESQUIRE
NATIONAL FUEL GAS DISTRIBUTION CORPORATION
PO BOX 2081
ERIE PA 16512
814-871-8060

SECRETARY'S BUREAU

2006 FEB 22 AM 8:19