

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Richard A. & Maureen J. Becker

v.

Timberlee Valley Sanitation Company, Inc.

:
:
:
:
:

C-20077809

DOCUMENT
FOLDER

PREHEARING ORDER

DOCKETED
AUG 22 2007

An initial telephonic hearing in this case is scheduled for Wednesday, October 10, 2007 at 10:00 a.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. If you intend to present any documents or exhibits for my consideration, you must send one (1) copy to the other party and three (3) copies to me one week before the hearing. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of filing. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

2. If you or any proposed witness will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one (1) week before the hearing.

RJP

3. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. Only the undersigned Administrative Law Judge or OALJ Scheduling Staff may grant a request for a

change of an initial hearing. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent hearings, if any, should also be served directly on me.

4. YOU MAY LOSE THIS CASE, IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

5. ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS STILL A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

6. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, limited liability company, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

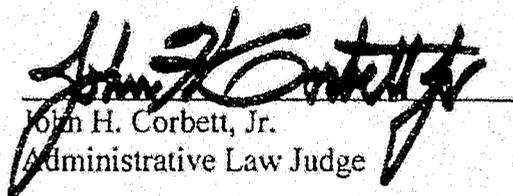
7. The Complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the Respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the Complainant is entitled to the relief requested in the complaint.

8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so the other parties will have the required ten (10) days' notice to answer or object, and so you will have enough time to receive the subpoena and serve it.

9. Any party may conduct discovery to learn the factual basis of another party's position in this case. However, 52 Pa. Code §5.331(b) provides, in relevant part, that "[a] party shall initiate discovery as early in the proceedings as reasonably possible." Additionally, 52 Pa. Code §5.322 provides, in relevant part, that "parties are encouraged to exchange information on an informal basis." All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa. Code §5.361) and sanctions for abuse of the discovery process (52 Pa. Code §§5.371 & 5.372).

10. Commission policy is to encourage settlements. 52 Pa. Code §5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.

Date: August 15, 2007


John H. Corbett, Jr.
Administrative Law Judge

ORIGIN_A

September 18, 2007

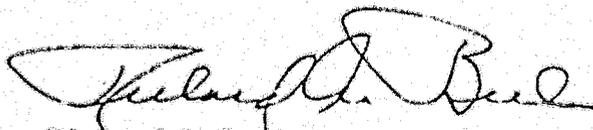
James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120

Re: Richard A and Maureen J. Becker v. Timberlee Valley Sanitation
Company, Inc. Docket No. C-20077809

Dear Secretary McNulty.

On May 14, 2007, we filed a formal complaint with the PUC disputing a billing practice employed by Timberlee Valley Sanitation Company which charges customers a monthly service fee long before a service connection is made to the system. In review of the approved PUC Tariff, it is very clear that service charges apply for connected service only. Unfortunately the PUC process for settling such complaints is long and involved resulting in this case being referred to an Administrative Law Judge for a hearing to resolve. A complaint that should be resolved by an immediate ruling by the PUC. When there is a document specifying the service charge is to be applied for units connected to the system, it should be followed by the utility and the PUC should support it, immediately ruling on it without a long involved process.

Not wishing to incur any additional costs in this matter, we reluctantly withdraw the complaint on the above captioned matter.



Richard A. Becker
112 Timberlee Drive
Evans City, PA 16033

DOCKETED
SEP 24 2007

DOCUMENT
FOLDER

RECEIVED
2007 SEP 24 AM 9:52
SECRETARY'S OFFICE

BTL 20



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
September 25, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20077809

(SEE LETTER OF 8-8-07)

Richard A. & Maureen J. Becker v. Timberlee Valley Sanitation Company, Inc.

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial Telephonic Hearing
Date: Wednesday, October 10, 2007
Time: 10:00 a.m.
Presiding: Administrative Law Judge John H. Corbett, Jr.

Please mark your records accordingly.

pc: Judge Corbett
Ona Lester
Beth Plantz
Docket Section
Calendar File

DOCUMENT
FOLDER

DOCKETED
SEP 28 2007

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: September 25, 2007
SUBJECT: C-20077809
Richard A. & Maureen J. Becker v. Timberlee Valley Sanitation
Company, Inc.
TO: Wanda Zeiders
Docket Management
FROM: Ona Lester, ALJ Support Staff
Office of Administrative Law Judge

DOCUMENT
FOLDER

On September 24, 2007, a Petition for leave to Withdraw was filed in the above-captioned proceeding. If no objection is filed to this petition within 20 days of the filing, this proceeding will be closed.

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

Attachment

pc: ALJ John H. Corbett, Jr.
Beth Plantz
Case File

DOCKETED
SEP 26 2007

BTL



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

IN REPLY PLEASE
REFER TO OUR FILE

November 1, 2007

C-20077809

RICHARD A. & MAUREEN J. BECKER
112 TIMBERLEE DRIVE
EVANS CITY PA 16033

DOCUMENT
FOLDER

RICHARD A. & MAUREEN J. BECKER
v.
TIMBERLEE VALLEY SANITATION COMPANY

DOCKETED
NOV - 1 2007

TO WHOM IT MAY CONCERN:

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

Very truly yours,

James J. McNulty
Secretary

cc: All parties of Record

nvl

511