

AA.00089.00000 (40/40)

PLEASE DOCKET

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Donna Maines

v.

National Fuel Gas Distribution Corporation

DOCKETED
- NOV 29 2006

C-20066850

RECEIVED
NOV 29 2006
COMMUNICATIONS SECTION

**DOCUMENT
FOLDER**

PREHEARING ORDER

An Initial Telephonic Hearing in this case is scheduled for Tuesday, December 19, 2006 at 10:00 a.m. Your case is one of several cases scheduled for this day. **You must be available when contacted by the presiding officer or your case will be dismissed. If you 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 five (5) business days before the hearing.**

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is:

1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222-1210
Telephone: (412) 565-3550
Fax: (412) 565-5692

RJF

Changes are granted only in rare situations where good cause exists.

2. **Commission policy promotes settlements.** 52 Pa. Code §5.231(a). The utility will contact the customer at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. The Pennsylvania Legislature recently enacted the Responsible Utility Customer Protection Act. 66 Pa. C.S. §1401 *et seq.* This new law provides strict guidelines regarding how the Commission must handle consumer complaints. The application of this law may result in payment terms that are less favorable than the customer's current payment arrangement.

4. If the Commission's Bureau of Consumer Services (BCS) has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made.

5. The customer is required to pay her current bills for utility service while waiting for a hearing on the complaint. **FAILURE TO MAKE PAYMENTS FOR CURRENT SERVICE BY THE DUE DATE EACH MONTH MAY RESULT IN THE TERMINATION OF THE CUSTOMER'S SERVICE PRIOR TO THE HEARING. FAILURE TO MAKE THESE PAYMENTS WILL RESULT IN AN ORDER REQUIRING A LUMP SUM PAYMENT EQUAL TO THE AMOUNT OF ALL MISSED PAYMENTS FOR SERVICE.**

6. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three (3) copies to me. All copies must be received at least five days before the hearing. This includes a copy of a Protection from Abuse (PFA) Order if you marked the "yes" response on the Complaint form that asks if you are a victim under a PFA. Proposed exhibits should be properly pre-marked for identification purposes.

7. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following:

- (a) income from salaries, wages, tips or other compensation;
- (b) pension, retirement or social security benefits;
- (c) Supplemental Security Income (SSI);
- (d) unemployment compensation benefits;
- (e) workers' compensation benefits;
- (f) alimony;
- (g) child support;
- (h) public assistance; and
- (i) any other source(s) of income.

8. The utility must prepare and submit the following documents at least one week before the hearing:

- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a copy of the most recent BCS decision, if any;
- (c) a service usage comparison report for the same period as the account statement; and
- (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

9. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code §1.24(b).

10. 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 that the other parties will have the required ten (10) days notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

11. THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

12. Although the 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.

Date: ²⁰⁰⁶ ~~October 30, 2006~~ *WP*

Fred R. Nene

Fred R. Nene
Administrative Law Judge

Chapter 56 Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20066850		YES	NO
		Prehearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Case Name:	Donna Maines	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	v.	Testimony Taped:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	National Fuel Gas Distribution Corporation	Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Pittsburgh	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
Date:	December 19, 2006 - 10:00 a.m.	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Special Agent:	ALJ Fred R. Nene	DATE:	Dec 19, 2006	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	Complaint not no longer a customer - has alternative heat source - Complaint WITHDRAWN ON THE RECORD.	

DOCUMENT FOLDER

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address			Who are you representing?
Donna Maines	117 Edith Street			Self
	City	State	Zip	
	Skysville	PA	15865	
Telephone: 814-603-1302	E-mail Address:			Fax Number:
Lee E. Hartz, Esquire	P.O. Box 2081			National Fuel Gas Distribution Corporation
	City	State	Zip	
	Erie	PA	16512	
Telephone: 814-871-8060	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:

Check this box if additional parties or attendees appear on back of form.

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: December 21, 2006
SUBJECT: C-20066850
Donna Maines v. National Fuel Gas Corporation
TO: Wanda Zeiders
Docket Management
FROM: Dawn M. Reitenbach, ALJ Support Staff
Office of Administrative Law Judge

DOCUMENT
FOLDER

On December 19, 2006, a Petition 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 Fred R. Nene
Beth Plantz
Case File

DOCKETED
DEC 28 2006

Reitenbach, Dawn

From: Nene, Fred
Sent: Tuesday, December 19, 2006 10:46 AM
To: Reitenbach, Dawn
Cc: Williams, Christine
Subject: Donna Maines v. NFGD C-20066850

Dawn:

This case was heard this morning at 10:00 a.m. The Complainant is no longer a customer of NFG. After a brief discussion, Ms. Maines WITHDREW her complaint on the record. Please process the matter as a withdrawal pursuant to Section 5.94 of the Code. Thank you.

Fred Nene

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DOCKETED
DEC 28 2006



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

IN REPLY PLEASE
REFER TO OUR FILE

February 1, 2007

C-20066850

DONNA MAINES
117 EDITH STREET
SYKESVILLE PA 15865

DONNA MAINES
v.
NATIONAL FUEL GAS DISTRIBUTION

DOCKETED
JAN 31 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

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