

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-20066936	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: CARSON, EDWARD L.

RESPONDENT/APPLICANT: NATIONAL FUEL GAS DISTRIBUTION

COMP/APP COUNTY: ERIE

UTILITY CODE: 121850

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WOULD LIKE A FAIR PAYMENT AGREEMENT. HE STATES HE HAS RECEIVED A NOTICE THAT HIS UTILITY SERVICE IS BEING TERMINATED.

DOCKETED
OCT 13 2006

DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

2005 OCT -5 11 9:15
SECRETARY'S OFFICE

Please print or type.

C-20066936

1. CUSTOMER NAME (COMPLAINANT)

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

Name EDWARD L CARSON

Street/P.O. Box 544 E. 24 ST Apt # 1st Flr

City ERIE State PA Zip 16503

County ERIE

Area Code/HOME Phone 814 451 0163

Area Code/WORK Phone

Utility Account Number (from your bill) 62098744-08

If your complaint involves utility services 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

3. TYPE OF UTILITY (check one)

- ELECTRIC
- GAS
- WATER
- TELEPHONE (local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER (taxi, moving company, limousine)

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.

Lived at 142 E. 25 Ave PA
Moved out. My children & wife
stayed there. They were unable
to keep the bills up. We have since
lost the house. My wife and I
reconciled 11/1/05 we are willing to
pay the bill, but not if we don't
have service. We have a baby who

5. RELIEF

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

Allow me to make
fair payment arrangements
If my service is terminated
they'd more than likely
I receive nothing

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 Edward J. Causa, 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).

Edward J. Causa
(Signature)

10/1/06
(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
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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 717-712-7777.

Keep a copy of your complaint for your records.



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-20066936

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 EDWARD L. CARSON. 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.

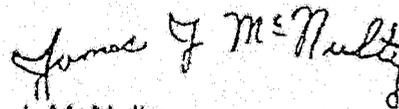
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

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". The signature is written in dark ink and is positioned above the typed name.

James J. McNulty
Secretary

jih

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 13, 2006

EDWARD L. CARSON
Complainant

v.

NATIONAL FUEL GAS DISTRIBUTION COMPANY
Respondent

Complaint Docket
No: C-2006092

DOCUMENT
FOLDER

DOCKETED
OCT 13 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: NATIONAL FUEL GAS DISTRIBUTION 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).

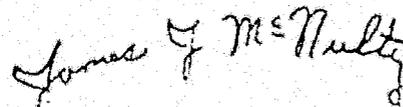
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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



National Fuel

ORIGINAL

Lee E. Hartz
Attorney

October 30, 2006

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

DOCUMENT
FOLDER

RE: Edward L. Carson v.
National Fuel Gas
Distribution Corporation
Docket No. C-20066936

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

LEH/ejc

Enclosures

RECEIVED
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PENNSYLVANIA
SECRETARY'S BUREAU

29

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

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2006 NOV -2 PM 1:10
SECRETARY'S OFFICE

EDWARD L. CARSON,

Complainant,

v.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION,

Respondent.

ANSWER

DOCKET NO. C-20066936

ANSWER

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

- 1) Paragraph 1 of the Formal Complaint Form (the "Complaint Form") is admitted.
- 2) Paragraph 2 of the Complaint Form is denied. Correct name of Respondent is National Fuel Gas Distribution Corporation.
- 3) Paragraph 3 of the Complaint Form is admitted.
- 4) As to the allegations contained in Paragraph 4 of the Complaint Form, Respondent states the following:

Allegation: "I lived at 1425 E. 25 Erie PA."

Response: Admitted

DOCUMENT
FOLDER

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Allegation: "I moved out."

Response: After reasonable investigation, Respondent is without knowledge or information sufficient to form a belief as to the truth of this allegation. Therefore, said allegation is denied with strict proof thereof demanded at time of hearing.

Allegation: "My wife and children lived there, they were unable to keep the bills up. We have since lost the house."

Response: After reasonable investigation, Respondent is without knowledge or information sufficient to form a belief as to the truth of this allegation. Therefore, said allegation is denied with strict proof thereof demanded at time of hearing.

Allegation: My wife and I reconciled 11/1/05. We are willing to pay the bill but not if we don't have service, we have a baby with us."

Response: After reasonable investigation, Respondent is without knowledge or information sufficient to form a belief as to the truth of this allegation. Therefore, said allegation is denied with strict proof thereof demanded at time of hearing.

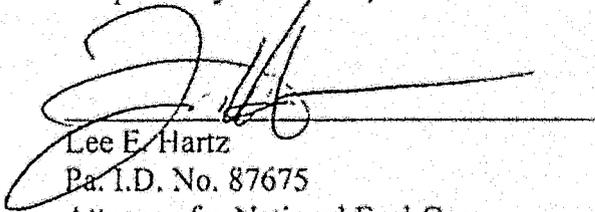
5) The allegations contained in Paragraph 5 of the Complaint Form constitute a demand for relief and do not call for a response. To the extent a response is deemed necessary, Respondent states that payment arrangements are determined as a matter of law dependent upon, among other things, Complainant's income. See 66 Pa. C.S. §§1405 & 1407.

6) The information contained in Paragraph 6 of the Complaint Form regarding Protection from Abuse orders pertains to parties other than 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.

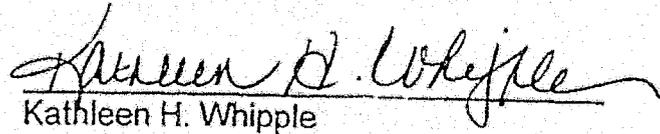
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lee E. Hartz', is written over a horizontal line. The signature is stylized and cursive.

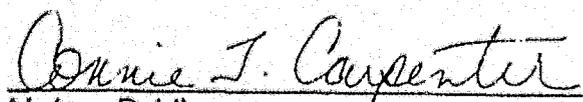
Lee E. Hartz
Pa. I.D. No. 87675
Attorney for National Fuel Gas
Distribution Corporation
P.O. Box 2081
Erie, PA 16512

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
30th day of October, 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

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

EDWARD L. CARSON,
Complainant,

v.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION,
Respondent.

PROOF OF SERVICE

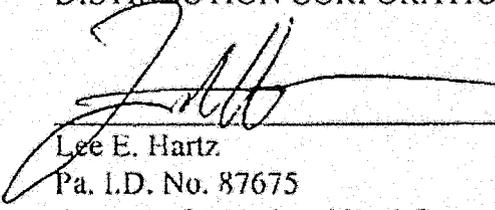
DOCKET NO. C-20066936

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SECRETARY'S OFFICE

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).

Mr. Edward L. Carson
544 East 24th Street, First Floor
Erie, PA 16503

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: 10/30/2006



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

IN REPLY PLEASE
REFER TO OUR FILE

November 7, 2006

In Re: C-20066936

(SEE ATTACHED LIST)

Edward L. Carson v. National Fuel Gas Distribution Corporation

Requests Payment Arrangements

DOCUMENT
FOLDER

Telephone Hearing Notice

This is to inform you that a hearing by telephone has been scheduled in this case on December 19, 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, December 19, 2006
Time: 11:00 a.m.
Presiding: Administrative Law Judge Fred R. Nene
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
412.565.3550

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

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:

Edward L. Carson	814.451.0163
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 Nene
Dawn Reitenbach
Beth Plantz
Docket Section
Calendar File