

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: 09/11/06
8. DOCKET NO: C-20066855	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: ZEUS, ANTHONY III

RESPONDENT/APPLICANT: NATIONAL FUEL GAS DISTRIBUTION

COMP/APP COUNTY: ERIE

UTILITY CODE: 121850

ALLEGATION OR SUBJECT

COMPLAINANT STATES BEING CHARGED FOR ACCOUNT IN HIS FATHER'S NAME. HE WOULD LIKE THE PUC TO HAVE NEW ACCOUNT PUT IN HIS NAME AND HAVE FATHER'S SEPERATE.

**DOCUMENT  
FOLDER**

**DOCKETED**  
SEP 29 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED  
2006 SEP 11 AM 9:07  
SECRETARY'S OFFICE

Please print or type.

C-20066855

1. CUSTOMER NAME (COMPLAINANT)

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

Name Anthony P. Zeus III

Street/P.O. Box 4331 Aaron Rd Apt # \_\_\_\_\_

City Erie State PA Zip 16511

County Erie

Area Code/HOME Phone 814-897-7888

Area Code/WORK Phone \_\_\_\_\_

Utility Account Number 3661192-01  
(from your bill)

ORIGINAL

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

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER  
(taxi, moving company, limousine)

TELEPHONE  
(local, long distance)

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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. *This bill is my fathers bill NOT MINE*  
(explain) *However they are telling me I AM*  
*responsible because I lived here part of the time*  
B. State the facts of your complaint.  
*the service was provided, I would like gas service in my*  
*own name.*

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 have been fighting an uphill battle  
trying to pay a bill that is not mine.*

5. RELIEF

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

*I do not mind paying my fathers bill  
However I would like service to be placed  
in my name under a new account and a  
seperate arrangement for payment of my  
fathers old bill.*

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.

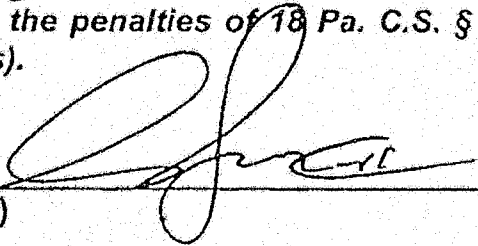
8. VERIFICATION AND SIGNATURE

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 Anthony P. Zeus III, 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).

(Signature)



(Date)

9-5-06



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: SEPTEMBER 29, 2006

C-20066855

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 ANTHONY ZEUS III. 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.

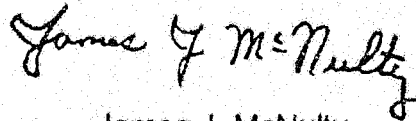
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

SEPTEMBER 29, 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 black ink and is positioned above the typed name and title.

James J. McNulty  
Secretary

SS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: SEPTEMBER 29, 2006

ANTHONY ZEUS III  
Complainant

v.

NATIONAL FUEL GAS DISTRIBUTION COMPANY  
Respondent

Complaint Docket  
No: C-20066855

**DOCKETED**

SEP 29 2006

**DOCUMENT  
FOLDER**

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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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).

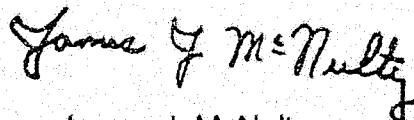
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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 17, 2006

**DOCUMENT  
FOLDER**

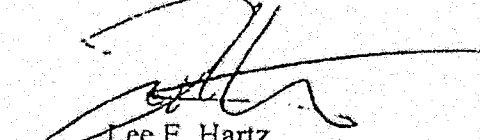
Mr. James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

RE: Anthony P. Zues, III v.  
National Fuel Gas  
Distribution Corporation  
Docket No. C-20066855

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

**DOCKETED**

OCT 20 2006

LEH/ejc

Enclosures

**RECEIVED**  
2006 OCT 20 AM 8:46  
PA P.U.C.  
SECRETARY'S BUREAU

**BTL**

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ANTHONY P. ZUES, III,

Complainant,

v.

NATIONAL FUEL GAS  
DISTRIBUTION CORPORATION,

Respondent.

ANSWER

DOCKET NO. C-20066855

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SECRETARY'S OFFICE

ANSWER

For its Answer to the Formal Complaint ("Complaint") filed against it by Anthony P. Zues, III ("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 have been fighting an uphill battle trying to pay a bill that is not mine."

Response: Admitted in part and denied in part. It is admitted that Complainant has failed to pay his bill in full and on time each month. It is denied that Complainant is paying a bill that is not his as Respondent's records indicate that Complainant has accepted responsibility for the amounts in question.

5) The allegations contained in Paragraph 5 of the Complaint Form constitute a demand for relief and do not call for a response.

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,



Lee E. Hartz

Pa. I.D. No. 87675

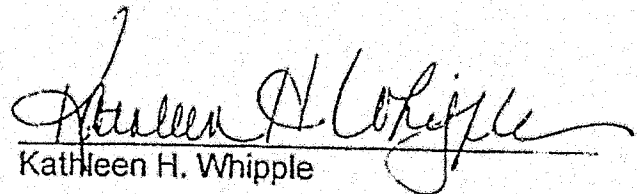
Attorney for National Fuel Gas  
Distribution Corporation

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  
17<sup>th</sup> day of October, 2008.

  
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**

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ANTHONY P. ZUES, III,

Complainant,

v.

NATIONAL FUEL GAS  
DISTRIBUTION CORPORATION,

Respondent.

**PROOF OF SERVICE**

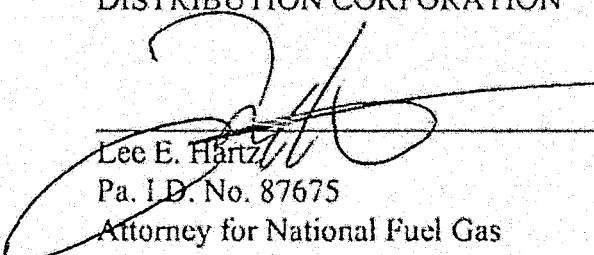
DOCKET NO. C-20066855

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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. Anthony P. Zues, III  
4331 Aaron Road  
Erie, PA 16511

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: 10/17/2006

PA PUBLIC  
UTILITY  
COMMISSION  
SECRETARY'S BUREAU

2006 OCT 20 AM 8:46

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