

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: 02/01/06
8. DOCKET NO: C-20065825	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: HORNEY, JAMES R.

RESPONDENT/APPLICANT: UGI UTILITIES, INC.

COMP/APP COUNTY:

UTILITY CODE: 123100

ALLEGATION OR SUBJECT

COMPLAINANT STATES THE COMPANY REFUSED TO HOOK UP SERVICE IN THE FIRST 17 DAYS OF NOVEMBER 2005 SAYING THEY NO LONGER ARE HOOKING UP NEW ACCOUNTS IN THE CITY OF HARRISBURG.

DOCUMENT
FOLDER

DOCKETED

FEB - 2 2006

untimely

Must be returned by January 31, 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

123100

Formal Complaint Form

ORIGINAL ORIGINAL

Please print or type.

C-20065825

1. CUSTOMER NAME (COMPLAINANT)

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

Name James R. Horney

Street/P.O. Box P.O. Box 3701 Apt # _____

City Harrisburg State Pa. Zip 17105-3701

County Dauphin

Area Code/HOME Phone None

Area Code/WORK Phone None

Utility Account Number 203 258 2862 13 - Now
(from your bill)

(I had no account when I complained to the PUC about UGI)

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: UGI

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

40

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

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. UGI refused to hook up service
(explain) in the first 17 days of Nov. 2005
saying → "We are no longer hooking
up new accounts in the
city of Harrisburg"

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 called the PUC and complained about UGI who told me, "We are no longer hooking up and starting new accounts in the City of Harrisburg". I called them Nov. 1, 2005 after my landlord at 201 Kelker St. switched over to gas. They refused to do anything until approx. the 16th or 17th of Nov. after I complained to the PUC. I then get a letter from the PUC telling me that it is OK for them to ask for a \$150.00 deposit before turning on your service. At the time I complained to the PUC - UGI never at

5. RELIEF

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

Stop lying and following whatever UGI tells you to do.

I had 3 reptiles die and froze my ass off because UGI did not want to start new accounts in the City at the time (beginning of Nov.)

The PUC should certainly have a hearing and do something other than lie and not give a damn.

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 Denise - told me to go to hell (includes appeals of BCS determinations) when I told her I will follow up my complaint she

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

laughed and said, "they won't do shit" - Speaking about the PUC.

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, James R. Horney, 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).

James R. Horney (Signature) January 30, 2006 (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 717-772-7777.

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

January 11, 2006

BCS2009740

JAMES HORNEY
PO BOX 3701
HARRISBURG PA 17105

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before January 31, 2006 to the address listed below:

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

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.

- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.
- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- **If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:**

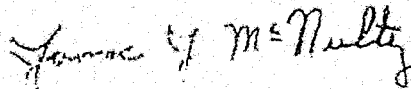
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,



James J. McNulty
Secretary

DDI

cc: ALLEGHENY POWER

**Request for Formal Complaint Forms
(Notification of Intent to Appeal)**

Notice to Customer:

If you sign and return this form, you are telling the Public Utility Commission that you want to appeal this decision. Do not return this form unless you want to appeal this decision.

If you want to appeal, you must return this form within 20 days of 12/23/2005. The Commission will send you formal complaint forms if you return this form.

You must comply with this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments or the utility company may shut off your service.

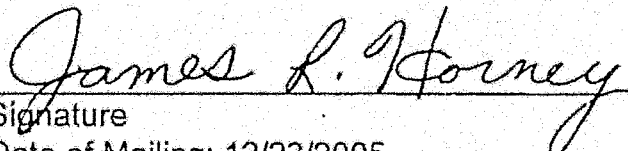
Sincerely,
Pennsylvania Public Utility Commission

Yes, I want to appeal this decision. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

JAMES HORNEY
P O BOX 3701
HARRISBURG PA 17105 -

(Area Code) Telephone Number
BCS: 2009740
Company: UGI CORP


Signature
Date of Mailing: 12/23/2005

Mail this completed form to:

Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2006 JAN 10 AM 9:13
PA P.U.C.
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: February 2, 2006

DOCUMENT
FOLDER

JAMES R. HORNEY
Complainant

v.

UGI CORPORATION
Respondent

Complaint Docket
No: C-20065825

DOCKETED

FEB - 2 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: UGI CORPORATION

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: February 2, 2006

C-20065825

UGI CORPORATION
PO BOX 13009
READING PA 19612-3009

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by JAMES R. HORNEY. 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.

February 2, 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

ane

LARRY R. CRAYNE
Attorney at Law

238 Johnston Road
Pittsburgh, PA 15241

lcrayne@adelphia.net

(412) 425-4029 (m)
(412) 831-5462 (h)

February 22, 2006

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

RECEIVED

FEB 20 2006

Re: James R. Horney v. UGI Utilities, Inc.
Complaint Docket No. C-20065825

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Mr. McNulty:

Enclosed are an original and four copies of UGI Utilities, Inc's Answer to the referenced Formal Complaint. Please file the original and three copies of the Answer and return a date-stamped copy to me in the envelope provided for your convenience. A copy of the document has been served on the complainant.

Sincerely,



Larry R. Crayne

enclosure

cc: James R Horney
P. O. Box 3701
Harrisburg, PA 17105-3701

DOCUMENT
FOLDER

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ORIGINAL

Commonwealth of Pennsylvania

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FEB 20 2006

Before the Pennsylvania Public Utility Commission

PA PUBLIC UTILITY COMMISSION
GENERAL COUNSEL

In the Matter of:

James R. Horning
Complainant,

Complaint Docket
No. 20065825

VS.

UGI Utilities, Inc.
Respondent.

Answer To Formal Complaint

And Now comes Respondent, UGI Utilities, Inc. (UGI), and states and avers as follows:

1. Admitted.
2. Admitted.
3. Admitted.

DOCKETED
FEB 23 2006

**DOCUMENT
FOLDER**

4.A. Denied that UGI refused to provide Complainant with service "in the first 17 days of November 2005. Complainant did not contact UGI until November 16, 2005, to request gas service. Consequently, UGI could not have refused to provide Complainant with gas service.

4.B. Denied that UGI advised Complainant that it was "...no longer hooking up and starting new accounts in the City of Harrisburg". Denied that complainant called UGI on November 1, 2005 concerning the establishment of a gas service account. Calls to UGI's Customer Service Center are recorded. After reasonable investigation, UGI is unable to locate any record of a call by Complainant on November 1, 2005. Admitted that UGI demanded that Complainant post a \$150.00 security deposit due to Complainant's low credit score. Security deposits are required of all customers who fail to establish creditworthiness.

5. Paragraph 5. is a prayer for relief; therefore, no answer is required. Nevertheless, UGI avers that it is neither able to admit nor deny the averments of Paragraph 5 since the information is within the exclusive knowledge and control of the Complainant. To the extent relevant, strict proof of the averments is demanded.

6. No answer required.

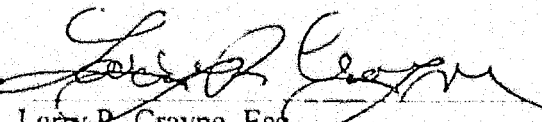
7. Complainant alleges no time and date for the conversation with "Denise". Therefore, UGI cannot reasonably respond to such an ambiguous allegation. Nevertheless, UGI has reviewed its records of calls to "Denise" on November 1, 2005 and has found no record of any such call by Complainant. Consequently, UGI denies that any such conversation ever occurred and demands strict proof thereof from Complainant to the extent relevant and material.

Request For Telephonic Hearing

UGI hereby requests that any hearings to be scheduled in this proceeding be conducted telephonically.

Respectfully submitted,

UGI, Utilities, Inc.

By 
Larry R. Crayne, Esq.

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FEB 2 6 2006

PA PUBLIC UTILITY COMMISSION
BUREAU OF UTILITIES

VERIFICATION

I, Peter G. Terranova, Vice President – Operations, UGI Utilities, Inc , hereby state that the facts set forth above 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).

P. G. Terranova

Peter G. Terranova

Feb 20, 2006

Date

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FEB 20 2006

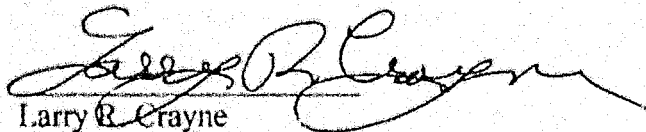
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Certificate of Service

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the participant, listed below, in accordance with the requirements of Sec. 1.54 (relating to service by a participant).

James R Horney
P. O. Box 3701
Harrisburg, PA 17105-3701

Dated this 20th day of Feb, 2006



Larry R Crayne
238 Johnston Road
Pittsburgh, PA 15241

Counsel for
UGI Utilities, Inc.

RECEIVED

FEB 20 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ORIGINAL



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 1, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20065825

(SEE ATTACHED LIST)

James R. Horney v. UGI Utilities, Inc.

Service Dispute

DOCUMENT
FOLDER

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial Telephonic Hearing
Date: Tuesday, April 4, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge Louis G. Cocheres
PO Box 3265
Harrisburg, PA 17105-3265
Phone: 717.783.5452
Fax: 717.787.0481

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

DOCKETED
MAR 7 - 2005

At the above date and time, the Presiding Officer will contact the parties as follows:

James R. Horney
Larry R. Crayne, Esquire

*To Be Supplied
412-425-4029

*At least 7 days before the hearing, please provide the presiding officer with the telephone number where you can be reached for the hearing.

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 5 days before the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

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 Cocheres
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 6, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20065825

(SEE LETTER DATED 3/1/06)

James R. Horney v. UGI Utilities, Inc.

Service Dispute

Judge Change Notice

DOCUMENT
FOLDER

This is to inform you that the Administrative Law Judge in the above captioned case has been changed from Administrative Law Judge Louis G. Cocheres to Administrative Law Judge David A. Salapa.

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial Telephonic Hearing
Date: Tuesday, April 4, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge David A. Salapa
PO Box 3265
Harrisburg, PA 17105-3265
Phone: 717.783.5452
Fax: 717.787.0481

DOCKETED
MAR 15 2006

Please change your records accordingly.

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 Salapa
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File