

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: 01/30/06
8. DOCKET NO: C-20065819	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: FINELLO, JAMES L

RESPONDENT/APPLICANT: PEOPLES NATURAL GAS CO., THE

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 122250

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WOULD LIKE THE PUC TO THOROUGHLY INVESTIGATE HIS CLAIM AND THEN INSTRUCT DOMINION PEOPLES TO HAVE THAT SECTION OF HIS DRIVEWAY OPENED UP TO RE-EXPOSE THE WATER SHUT OFF LOCATION AND THEN MAKE THE NECESSARY REPAIRS TO THE DRIVEWAY AT THEIR EXPENSE.

**DOCKETED**

JAN 31 2006

DOCKETED  
FOLDED

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

ORIGINAL

Please print or type.

C-20065819

1. CUSTOMER NAME (COMPLAINANT)

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

Name James L. Finello

Street/P.O. Box 1919 WOODSIDE ROAD Apt #

City GLENSHAW State PA Zip 15116

County ALLEGHENY

Area Code/HOME Phone 412 487-1503

Area Code/WORK Phone 412 977-1470

Utility Account Number 3 4604 0207 3696 (from your bill)

REC'D 2006 Jan 30 11:09:35

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: DOMINION PEOPLES

3. TYPE OF UTILITY (check one)

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

DOCKETED

JAN 31 2006 4

DOCUMENT FOLDER

36

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.

Approximately 10 years ago, Dominion Peoples cracked a section of my driveway while working in front of my home & subsequently had it replaced. The contractor that did the work covered up the curbside shut-off location for my water (see attached letter & photo sent to Dominion Peoples in Oct., 2005) which previously had been exposed. Therefore, I feel it is Dominion Peoples' responsibility to now fix it properly for me - a service they are refusing to do.

5. RELIEF

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

I would like the PUC to thoroughly investigate my claim & then, hopefully, instruct Dominion Peoples to have that section of my driveway opened up to expose the water shut off location and then make the necessary repairs to the driveway at their expense.

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)

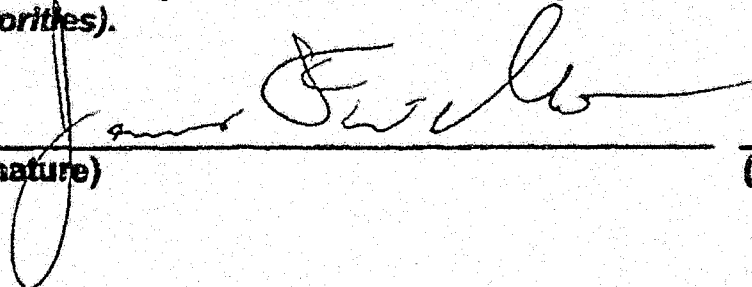
NO

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 JAMES L. FINELLO, 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)

JANUARY 25, 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 <sup>nd</sup> 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.**

October 31, 2005

Dominion Peoples  
625 Liberty Avenue  
Pittsburgh, PA 15222  
ATTN: Claims Department

RE: Account # 3 4604 0207 3696

To Whom It May Concern.

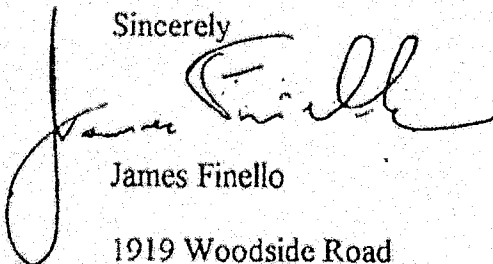
Approximately ten years ago, Dominion Peoples damaged a section of my driveway while working on our street and as a result had the damaged section replaced.

I live in Shaler Township wherein a mandatory water meter replacement program has been underway since early Spring 2005. We have discovered that my meter cannot be replaced at this point, as the "curbside" shutoff location was covered over when the driveway was repaired (see enclosed photo) and therefore the township is unable to turn my water off to replace the meter.

This is not only causing somewhat of a problem between the township and myself (I have received a notice saying that my water service can be interrupted until I get this issue resolved and the meter installed) but also could cause extensive property damage if a situation should arise wherein my water needs to be turned off completely and I am unable to do so.

I recently contacted your office concerning the above problem and was advised by the representative that I spoke with to get an estimate on what needs to be done (having the section of the driveway cut to expose the water cap) and submit it to Dominion Peoples. I have not done that as of this date, as I wanted to make sure that this is the proper procedure to follow and if it isn't, I would appreciate your prompt response as to how we might work together to remedy this situation as soon as possible.

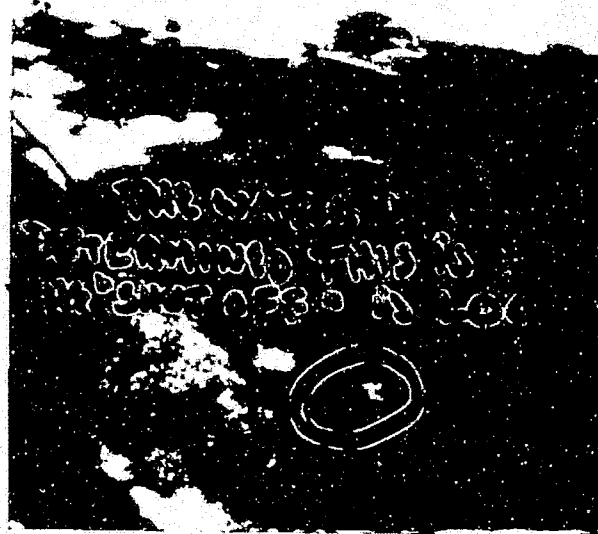
Sincerely



James Finello

1919 Woodside Road  
Glenshaw Pa 15116

(412) 487-1503 Home  
(412) 431-8500 Office



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TERMINAL THIS IS  
MIGHT OF SO



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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: January 31, 2006

JAMES L FINELLO  
Complainant

v.

PEOPLES NATURAL GAS COMPANY  
Respondent

Complaint Docket  
No: C-20065819

DOCKETED

JAN 31 2006

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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TO: PEOPLES NATURAL GAS 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



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: January 31, 2006

C-20065819

PEOPLES NATURAL GAS COMPANY  
SUSAN G GEORGE ESQ  
625 LIBERTY AVE  
PITTSBURGH PA 15222-3197

Dear Ms. George:

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

DOCKET #  
FO...R

January 31, 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

ddi

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: February 6, 2006

**JAMES L FINELLO**

Complainant

v.

**PEOPLES NATURAL GAS COMPANY**

Respondent

Complaint Docket

No: C-20065819

---

**FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY**

---

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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 RESERVED: February 6, 2006

C-20065819

PEOPLES NATURAL GAS COMPANY  
SUSAN G GEORGE ESQ  
625 LIBERTY AVE  
PITTSBURGH PA 15222-3197

Dear Ms. George:

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February 6, 2006

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Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,

James J. McNulty  
Secretary

ddi

Horace P. Payne, Jr.  
Senior Counsel

Dominion Resources Services, Inc.  
625 Liberty Avenue, Pittsburgh, PA 15222  
Phone 412-497-6889 Fax: 412-497-6838  
E-mail: Horace\_P\_Payne@dom.com  
Web Address: www.dom.com



**Dominion**<sup>®</sup>

**ORIGINAL**  
February 22, 2006

**CERTIFIED MAIL**

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

**RECEIVED**

FEB 23 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Re: James L. Finello v. The Peoples Natural Gas Company  
at Docket No. C-20065819

Dear Secretary McNulty:

**DOCUMENT  
FOLDER**

On behalf of The Peoples Natural Gas Company, enclosed please find an original and three (3) copies of its Answer and Motion to Dismiss, filed in the above-referenced matter.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Very truly yours,

*Horace P. Payne*

Enclosures

cc: James L. Finello, 1919 Woodside Drive, Glenshaw, PA 15116  
Edward Booker - Dominion Tower

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COMMONWEALTH OF PENNSYLVANIA  
BEFORE  
THE PUBLIC UTILITY COMMISSION

ORIGINAL

James L. Finello  
v.  
The Peoples Natural Gas Company

) Complaint Docket  
) No. C-20065819  
) 2006

ANSWER OF  
THE PEOPLES NATURAL GAS COMPANY  
d/b/a DOMINION PEOPLES

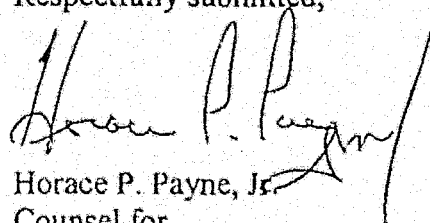
12:51:2006  
RECEIVED

1. Admitted.
2. The Peoples Natural Gas Company d/b/a Dominion Peoples  
625 Liberty Avenue  
Pittsburgh, PA 15222-3197  
Horace P. Payne, Jr., Counsel for The Peoples Natural Gas Company
3. Admitted.
4. The subject matter of the above-docketed Complaint is a dispute over alleged property damage between Complainant and Dominion Peoples and is beyond the jurisdiction of this Commission. The Complaint contains no allegations of violations of any applicable regulations, policies, or procedures of the Commission by Dominion Peoples. Furthermore, the Complainant seeks monetary damages, which this Commission is unable to grant. Complainant's concerns are more appropriately addressed in a Civil Court of Law. Finally, to the extent that Complainant may have a claim against Dominion Peoples, as the alleged action occurred nearly eleven years ago, Complainant is barred by the Pennsylvania Statue of Limitations at 42 Pa. C.S.A. § 5524.
5. Wherefore, Dominion Peoples requests that this Complaint be dismissed.
6. Unknown to Dominion Peoples.
7. Admitted.

DOCUMENT  
FOLDER

**DOCKETED**  
MAR 07 2006

Respectfully submitted,



Horace P. Payne, Jr.  
Counsel for  
The Peoples Natural Gas Company

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA  
BEFORE  
THE PUBLIC UTILITY COMMISSION

James L. Finello  
v.  
The Peoples Natural Gas Company

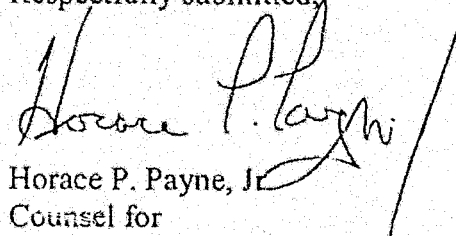
) Complaint Docket  
) No. C-20065819  
) 2006

MOTION TO DISMISS OF  
THE PEOPLES NATURAL GAS COMPANY  
d/b/a DOMINION PEOPLES

1. The subject matter of the above-docketed Complaint is a dispute over alleged property damage between Complainant and Dominion Peoples.
2. Complainant is seeking monetary damages, which this Commission is unable to grant.
3. The Complaint contains no allegations of any violations of any applicable regulations, policies, or procedures of the Commission by Dominion Peoples.
4. The subject matter of this Complaint should be addressed in a Civil Court of Law and is beyond the jurisdiction of the Commission.
5. Wherefore, Dominion Peoples respectfully requests approval of the attached Order dismissing Dominion Peoples from this matter.

**DOCKETED**  
MAR 07 2006  
**DOCUMENT  
FOLDER**

Respectfully submitted,



Horace P. Payne, Jr.  
Counsel for  
The Peoples Natural Gas Company

COMMONWEALTH OF PENNSYLVANIA  
BEFORE  
THE PUBLIC UTILITY COMMISSION

James L. Finello  
v.  
The Peoples Natural Gas Company

) Complaint Docket  
) No. C-20065819  
) 2006

ORDER

Respondent, The Peoples Natural Gas Company d/b/a Dominion Peoples is hereby dismissed from this matter, as the subject matter of the Complaint is not applicable to the jurisdiction of the Pennsylvania Public Utility Commission. Respondent has not violated any of the Commission's regulations, policies, or procedures.

BY THE COURT:

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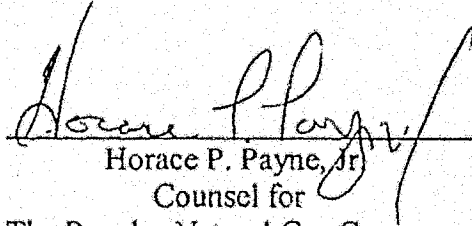
J.



CERTIFICATION OF SERVICE

I hereby certify that I have served a copy of the foregoing upon each party to this proceeding.

Done at Pittsburgh, Pennsylvania, this 22<sup>nd</sup> day of February, 2006.

  
Horace P. Payne, Jr.  
Counsel for  
The Peoples Natural Gas Company

FEB 25 2006  
PITTSBURGH, PA