

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: 01/12/06
8. DOCKET NO: C-20065760 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: ROUNDS, BRAD

RESPONDENT/APPLICANT: PENNSYLVANIA ELECTRIC CO.

COMP/APP COUNTY: ERIE

UTILITY CODE: 110400

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON HIS BILL.

DOCUMENT
FOLDER

DOCKETED
JAN 12 2006

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED

2006 JAN 12 AM 9:20

P.P.U.C.
SECRETARY'S BUREAU

Please print or type.

C-20065760

1. CUSTOMER NAME (COMPLAINANT)

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

Name BRAO POUND

Street/P.O. Box PO BOX 6575 Apt # _____

City ERIE State Pa Zip 16507

County ERIE

Area Code/HOME Phone 414 265 9346

Area Code/WORK Phone 414 265 9346

Utility Account Number (from your bill) 100059262053

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name BRAO POUND

Street/P.O. Box 13 1/2 N Main St

City Union City State Pa Zip 16438

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Penelac

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER
(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

22

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.

My Actual Usage and Bill Amount
are incorrect because added the
old payment agreement to the actual
usage then sent me a bill for \$471.98

5. RELIEF ~~request~~ The bill doesn't reflect usage

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

I want at least \$250 knocked
off the bill.
Actual usage was \$213 on Nov 27th
meter reading and at that time I
was sent a bill for \$471.98 Due By
Dec 8th

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 [Signature], 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]

(Signature)

1/10/06

(Date)

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 13, 2006

BRAD ROUNDS

Complainant

v.

PENNSYLVANIA ELECTRIC COMPANY

Respondent

Complaint Docket

No: C-20065760

DOCUMENT
FOLDER

DOCKETED
JAN 12 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PENNSYLVANIA ELECTRIC 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).

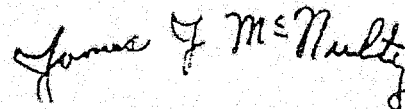
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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 13, 2006

C-20065760

PENNSYLVANIA ELECTRIC COMPANY
C/O LEILA L VESPOLI
SR VICE PRESIDENT AND GENERAL COUNSEL
FIRSTENERGY CORP
76 S MAIN ST
AKRON OH 44308-1890

DOCUMENT
FOLDER

Dear Ms. Vespoli:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by BRAD ROUNDS. 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.

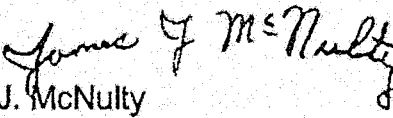
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

JANUARY 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,


James J. McNulty
Secretary

JIH

ORIGINAL

LAW OFFICES
RYAN, RUSSELL, OGDEN & SELTZER LLP

SUITE 101
800 NORTH THIRD STREET
HARRISBURG, PENNSYLVANIA 17102-2025
TELEPHONE: (717) 236-7714
FACSIMILE: (717) 236-7816
WWW.RYANRUSSELL.COM

WYOMISSING OFFICE
SUITE 210
1150 BERKSHIRE BOULEVARD
WYOMISSING, PENNSYLVANIA
19610-1208
TELEPHONE: (610) 372-4761
FACSIMILE: (610) 372-4177

February 6, 2006

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

DOCUMENT
FOLDER

SECRETARY'S BUREAU
2006 FEB -6 PM 2:30

Re: Brad Rounds v. Pennsylvania Electric Company
Docket No. C-20065760

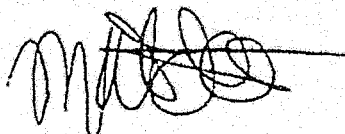
Dear Secretary McNulty:

Enclosed please find an original and three (3) copies of the Answer and New Matter on behalf of Pennsylvania Electric Company in the above-referenced matter. These documents have also been served on the parties of record as shown in the Certificate of Service.

If you have any questions, please contact me.

Very truly yours,

RYAN, RUSSELL, OGDEN & SELTZER LLP



Matthew A. Totino

Enclosures
MAT:flw

c: As per Certificate of Service

69

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BRAD ROUNDS

v.

PENNSYLVANIA ELECTRIC COMPANY

Docket No. C-20065760

SECRETARY'S BUREAU
2006 FEB -6 PM 2:30

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Answer and New Matter of Pennsylvania Electric Company upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

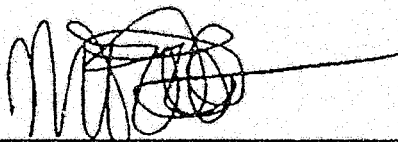
Service by Hand Delivery, addressed as follows:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Service by First Class Mail, postage prepaid, addressed as follows:

Brad Rounds
P.O. Box 6525
Eric, PA 16507

Dated: February 6, 2006



Matthew A. Totino
RYAN, RUSSELL, OGDEN & SELTZER LLP
800 North Third Street, Suite 101
Harrisburg, Pennsylvania 17102-2025
(717) 236-7714

Attorneys for
Pennsylvania Electric Company

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
2006 FEB -6 PM 2:30
SECRETARY'S BUREAU

BRAD ROUNDS :
: :
v. : Docket No. C-20065760
: :
PENNSYLVANIA ELECTRIC COMPANY: :
:

**ANSWER AND NEW MATTER OF PENNSYLVANIA ELECTRIC COMPANY
TO THE COMPLAINT OF BRAD ROUNDS**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, Pennsylvania Electric Company ("Penelec" or the "Company"), by and through its counsel, through its counsel, Matthew A. Totino, John F. Povilaitis and Ryan, Russell, Ogden & Seltzer LLP, answers the above Complaint pursuant to Section 5.61 of this Commission's regulations, 52 Pa. Code § 5.61, as follows:

1. Admitted. It is admitted that Penelec provides retail electric service to the Complainant's residence at 13 ½ N. Main Street, Union City, Pennsylvania 16438 ("Service Location") at Account No. 100059262053.

2. Admitted. It is admitted that the Complaint relates to Penelec.

3. Admitted. It is admitted the Complainant is a residential customer of Penelec.

4. Admitted.

4(A). Denied

4(B). For purposes of this Answer, the several sentences of this paragraph have been restated and answered as they appear as follows:

DOCUMENT
FOLDER

DOCKETED
FEB 9 2006

1) My actual usage and bill amount are incorrect

Denied. Penelec is without firsthand knowledge or information sufficient to form a belief as to what usage and bill amount Complainant is referencing and therefore, requests proof thereof, if relevant, at hearing.

2) Penelec added the old payment Agreement to the actual usage then sent me a bill for \$471.98

Admitted in part. Denied in part. Penelec is without firsthand knowledge or information sufficient to form a belief as to what Complainant means with the averment that "Penelec added the old payment Agreement to the actual usage" and requests proof thereof, if relevant, at hearing. It is admitted that Penelec issued a bill dated November 18, 2005 to Complainant in the amount of \$471.98 for electric services rendered at the Service Location. This amount included \$312.33 in past due charges and \$159.65 in current charges. The past due charges included two-months of unpaid monthly budget amounts totaling \$280.00, two-months worth of unpaid arrearages totaling \$30.00 and \$2.33 in unpaid late payment charges. The current charges included a monthly budget amount of \$140, late payment charges of \$4.65 and a \$15.00 charge towards Complainant's arrearages.

3) The bill doesnt[sic] reflect usage

Denied. Penelec asserts that the consumption portion of the bill reflects Complainant's usage for the relevant billing periods, as calculated pursuant to the Company's budget billing option and as registered on the meter.

5. The allegations in this paragraph constitute a prayer for relief to which no responsive pleading is required.

6. Denied. After reasonable investigation, Penelec is without information or knowledge sufficient to form a belief as to whether or not a Protection from Abuse order has been granted in favor of this Complainant and demands proof thereof, if relevant, at hearing.

7. Admitted.

8. The allegations in this paragraph do not contain any factual averments to which any responsive pleading is required.

9. Not Applicable

10. The allegations in this paragraph do not contain any factual averments to which any responsive pleading is required.

NEW MATTER REGARDING BILLING

11. Paragraphs 1 – 10 of this Answer are incorporated by reference as if set forth fully herein.

12. Complainant's Account No. 100059262053 at the Service Location was initiated on September 15, 2004, following termination of service for nonpayment.

13. On or about September 23, 2004, the Commission's Bureau of Consumer Services ("BCS") issued a decision directing Complainant to pay a \$175.00 security deposit to have his service restored and thereafter, to pay his monthly budget bill plus \$15.00 towards his arrearages.

14. On or about October 20, 2004, the Company entered into a payment agreement with Complainant to pay his monthly budget bill amount plus \$15.00 towards his arrearages. Complainant's outstanding balance subject to the agreement was \$135.49.

15. From on or about November 19, 2004 to on or about May 19, 2005, Complainant was enrolled in Penelec's Customer Assistance Program ("CAP"). CAP is an alternative collection method that provides payment assistance to eligible low-income, payment-troubled customers. However, Complainant was dismissed from the program in May of 2005 for non-payment.

16. On or about June 24, 2005, the Company entered into a payment agreement with Complainant to pay his current bill amount plus \$21.00 towards his arrearages. Complainant's outstanding balance subject to the agreement was \$654.53.

17. On or about August 22, 2005, the Commission's BCS issued another decision directing Complainant to pay his monthly budget bill plus \$15.00 towards his arrearages. Complainant's outstanding balance subject to the BCS decision was \$706.58.

18. Complainant's payment history at Account No. 100059262053 has been poor. Since the restoration of Complainant's account at the Service Location in September of 2004, Complainant has made only five payments to Penelec for electric services rendered.

19. As of the date of this pleading, Complainant's outstanding account balance is \$1,082.77.

20. In late 2005, the meter servicing Complainant's Service Location was tested and found to be accurate.

NEW MATTER REGARDING JURISDICTION

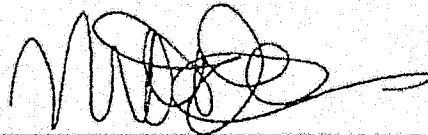
21. Paragraphs 1 – 20 of this Answer and New Matter are incorporated by reference as if set forth fully herein.

22. Since Complainant has been a Penelec customer at Account No. 100059262053, Complainant has been dismissed from Penelec's CAP for non-payment and has failed to comply with the payment terms of two Company payment agreements and two BCS decisions.

23. In accordance with Section 1405 (D) of the Public Utility Code, the Commission is prohibited from establishing further payment arrangements for the Complainant since he defaulted on prior payment arrangements, and has alleged no change in household income. 66 Pa. C.S. § 1405 (D). Thus, to the extent that Complainant is requesting another payment agreement, the request should be denied, and the complaint should be dismissed with prejudice.

WHEREFORE, Pennsylvania Electric Company hereby requests that the Complaint of Brad Rounds be dismissed with prejudice.

Respectfully submitted,



Dated: February 6, 2006

Matthew A. Totino
RYAN, RUSSELL, OGDEN & SELTZER LLP
800 North Third Street, Suite 101
Harrisburg, Pennsylvania 17102-2025
(717) 236-7714

Attorneys for
Pennsylvania Electric Company

LAW OFFICES
RYAN, RUSSELL, OGDEN & SELTZER LLP

SUITE 101
800 NORTH THIRD STREET
HARRISBURG, PENNSYLVANIA 17102-2025
TELEPHONE: (717) 236-7714
FACSIMILE: (717) 236-7816
WWW.RYANRUSSELL.COM

WYOMISSING OFFICE
SUITE 210
1150 BERKSHIRE BOULEVARD
WYOMISSING, PENNSYLVANIA
19610-1208
TELEPHONE: (610) 372-4761
FACSIMILE: (610) 372-4177

February 7, 2006

ORIGINAL

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Re: Brad Rounds v. Pennsylvania Electric Company
Docket No. C-20065760

SECRETARY'S BUREAU

2006 FEB - 7 PM 2:32

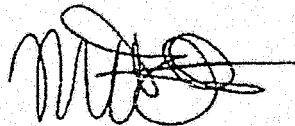
Dear Secretary McNulty:

Enclosed please find an original and three (3) copies of the Amended Answer and New Matter on behalf of Pennsylvania Electric Company in the above-referenced matter. The Amended Answer and New Matter reflects modifications made to paragraphs 12, 13 and 18 of the New Matter Regarding Billing. These documents have also been served on the parties of record as shown in the Certificate of Service.

If you have any questions, please contact me.

Very truly yours,

RYAN, RUSSELL, OGDEN & SELTZER LLP



Matthew A. Totino

DOCUMENT
FOLDER

Enclosures
MAT:flw

c: As per Certificate of Service

6

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BRAD ROUNDS

v.

PENNSYLVANIA ELECTRIC COMPANY:

Docket No. C-20065760

SECRETARY'S BUREAU

2006 FEB -7 PM 2:32

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FOLDER

AMENDED ANSWER AND NEW MATTER
OF PENNSYLVANIA ELECTRIC COMPANY
TO THE COMPLAINT OF BRAD ROUNDS

DOCKETED
FEB 9 2006

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, Pennsylvania Electric Company ("Penelec" or the "Company"), by and through its counsel, through its counsel, Matthew A. Totino, John F. Povilaitis and Ryan, Russell, Ogden & Seltzer LLP, answers the above Complaint pursuant to Section 5.61 of this Commission's regulations, 52 Pa. Code § 5.61, as follows:

1. Admitted. It is admitted that Penelec provides retail electric service to the Complainant's residence at 13 1/2 N. Main Street, Union City, Pennsylvania 16438 ("Service Location") at Account No. 100059262053.

2. Admitted. It is admitted that the Complaint relates to Penelec.

3. Admitted. It is admitted the Complainant is a residential customer of Penelec.

4. Admitted.

4(A). Denied

4(B). For purposes of this Answer, the several sentences of this paragraph have been restated and answered as they appear as follows:

1) My actual usage and bill amount are incorrect

Denied. Penelec is without firsthand knowledge or information sufficient to form a belief as to what usage and bill amount Complainant is referencing and therefore, requests proof thereof, if relevant, at hearing.

2) Penelec added the old payment Agreement to the actual usage then sent me a bill for \$471.98

Admitted in part. Denied in part. Penelec is without firsthand knowledge or information sufficient to form a belief as to what Complainant means with the averment that "Penelec added the old payment Agreement to the actual usage" and requests proof thereof, if relevant, at hearing. It is admitted that Penelec issued a bill dated November 18, 2005 to Complainant in the amount of \$471.98 for electric services rendered at the Service Location. This amount included \$312.33 in past due charges and \$159.65 in current charges. The past due charges included two-months of unpaid monthly budget amounts totaling \$280.00, two-months worth of unpaid arrearages totaling \$30.00 and \$2.33 in unpaid late payment charges. The current charges included a monthly budget amount of \$140, late payment charges of \$4.65 and a \$15.00 charge towards Complainant's arrearages.

3) The bill doesent[sic] reflect usage

Denied. Penelec asserts that the consumption portion of the bill reflects Complainant's usage for the relevant billing periods, as calculated pursuant to the Company's budget billing option and as registered on the meter.

5. The allegations in this paragraph constitute a prayer for relief to which no responsive pleading is required.

6. Denied. After reasonable investigation, Penelec is without information or knowledge sufficient to form a belief as to whether or not a Protection from Abuse order has been granted in favor of this Complainant and demands proof thereof, if relevant, at hearing.

7. Admitted.

8. The allegations in this paragraph do not contain any factual averments to which any responsive pleading is required.

9. Not Applicable

10. The allegations in this paragraph do not contain any factual averments to which any responsive pleading is required.

NEW MATTER REGARDING BILLING

11. Paragraphs 1 – 10 of this Answer are incorporated by reference as if set forth fully herein.

12. Complainant's Account No. 100059262053 at the Service Location was initiated on September 15, 2004. Due to Complainant's past arrearages at other Penelec accounts, Penelec requested a security deposit prior to initiating service.

13. On or about September 23, 2004, the Commission's Bureau of Consumer Services ("BCS") issued a decision directing Complainant to pay a \$175.00 security deposit prior to having his service initiated and thereafter, to pay his monthly budget bill plus \$15.00 towards his arrearages.

14. On or about October 20, 2004, the Company entered into a payment agreement with Complainant to pay his monthly budget bill amount plus \$15.00 towards his arrearages. Complainant's outstanding balance subject to the agreement was \$135.49.

15. From on or about November 19, 2004 to on or about May 19, 2005, Complainant was enrolled in Penelec's Customer Assistance Program ("CAP"). CAP is an alternative collection method that provides payment assistance to eligible low-income, payment-troubled customers. However, Complainant was dismissed from the program in May of 2005 for non-payment.

16. On or about June 24, 2005, the Company entered into a payment agreement with Complainant to pay his current bill amount plus \$21.00 towards his arrearages. Complainant's outstanding balance subject to the agreement was \$654.53.

17. On or about August 22, 2005, the Commission's BCS issued another decision directing Complainant to pay his monthly budget bill plus \$15.00 towards his arrearages. Complainant's outstanding balance subject to the BCS decision was \$706.58.

18. Complainant's payment history at Account No. 100059262053 has been poor. Since the initiation of Complainant's account at the Service Location in September of 2004, Complainant has made only five payments to Penelec for electric services rendered.

19. As of the date of this pleading, Complainant's outstanding account balance is \$1,082.77.

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NEW MATTER REGARDING JURISDICTION

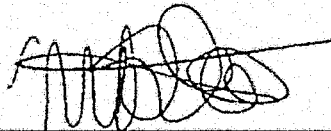
21. Paragraphs 1 – 20 of this Answer and New Matter are incorporated by reference as if set forth fully herein.

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23. In accordance with Section 1405 (D) of the Public Utility Code, the Commission is prohibited from establishing further payment arrangements for the Complainant since he defaulted on prior payment arrangements, and has alleged no change in household income. 66 Pa. C.S. § 1405 (D). Thus, to the extent that Complainant is requesting another payment agreement, the request should be denied, and the complaint should be dismissed with prejudice.

WHEREFORE, Pennsylvania Electric Company hereby requests that the Complaint of Brad Rounds be dismissed with prejudice.

Respectfully submitted,



Dated: February 7, 2006

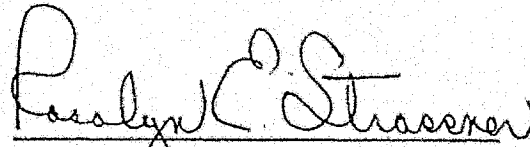
Matthew A. Totino
RYAN, RUSSELL, OGDEN & SELTZER LLP
800 North Third Street, Suite 101
Harrisburg, Pennsylvania 17102-2025
(717) 236-7714

Attorneys for
Pennsylvania Electric Company

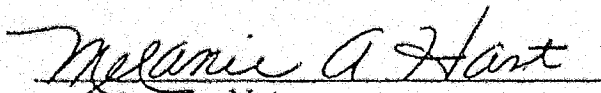
Brad Rounds
Docket No. C-20065760

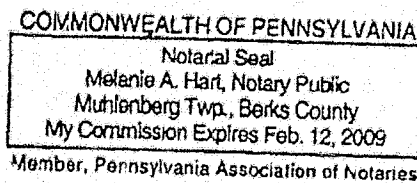
COMMONWEALTH OF PENNSYLVANIA)
: ss.
COUNTY OF BERKS)

Rosalyn E. Strassner being duly sworn according to law, deposes and says that she is the Business Analyst-Compliance for Pennsylvania Electric Company ("Penelec"); that she is authorized to and does make this affidavit for it; and that the facts set forth above are true and correct to the best of her knowledge, information and belief and she expects the said Penelec to be able to prove the same at any hearing thereof.


Rosalyn E. Strassner

Sworn to and subscribed before
me this 3rd day of February, 2006.


Notary



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BRAD ROUNDS

v.

Docket No. C-20065760

PENNSYLVANIA ELECTRIC COMPANY:

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Amended Answer and New Matter of Pennsylvania Electric Company upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

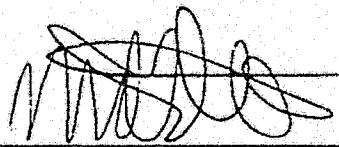
Service by Hand Delivery, addressed as follows:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Service by First Class Mail, postage prepaid, addressed as follows:

Brad Rounds
P.O. Box 6525
Erie, PA 16507

Dated: February 7, 2006



Matthew A. Totino
RYAN, RUSSELL, OGDEN & SELTZER LLP
800 North Third Street, Suite 101
Harrisburg, Pennsylvania 17102-2025
(717) 236-7714

Attorneys for
Pennsylvania Electric Company

SECRETARY'S BUREAU

2006 FEB - 7 PM 2:32



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
February 14, 2006

IN REPLY PLEASE
REFER TO OUR FILE

DOCKETED
FEB 28 2006

In Re: C-20065760

(See attached list)

**DOCUMENT
FOLDER**

Brad Rounds v. Pennsylvania Electric Company
Billing dispute and Requests payment arrangements.

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 telephone hearing
Date: Monday, March 27, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge Kandace F. Melillo
PO Box 3265
Harrisburg, PA 17105-3265
Phone: 717.783.5452
Fax: 717.787.0481

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

Brad Rounds	440-265-9346
Matthew A. Totino, Esquire	717-236-7714

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.

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 Melillo
Susan Licon
Beth Plantz
Docket Section
Calendar File