

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: C-20065812
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 01/27/06
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: STADLER, JAMES F

RESPONDENT/APPLICANT: PEOPLES NATURAL GAS CO., THE

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 122250

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE IS OPPOSED TO THE COMPANY RAISING HIS RATES FROM SEPT. TO DEC. 2005. COMPLAINANT STATES THIS WAS A 62.3 % INCREASE. COMPLAINANT WANTS A PORTION OF THESE BILLS.

DOCKETED
JAN 30 2006

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CAPTION SHEET

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 8. DOCKET NO: C-20065812 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: STADLER, JAMES F

RESPONDENT/APPLICANT: DOMINION RETAIL INCORPORATED

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 125002

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE IS OPPOSED TO THE COMPANY RAISING HIS RATES FROM SEPT. TO DEC. 2005. COMPLAINANT STATES THIS WAS A 62.3 % INCREASE. COMPLAINANT WANTS A PORTION OF THESE BILLS.

DOCKETED
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DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED
2006 JAN 27 AM 9:24
SECRETARY'S BUREAU

Please print or type.

C-20065812

1. CUSTOMER NAME (COMPLAINANT)

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

Name JAMES F. STADLER

Street/P.O. Box 554 FLORENCE DR Apt # _____

City Bethel Park State PA. Zip 15102

County Allegheny

Area Code/HOME Phone 412-833-8772

Area Code/WORK Phone 412 833-8772

Utility Account Number 54613 0810 0614
(from your bill)

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)

Dominion Peoples PLUS

Name of utility company your complaint concerns: _____

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

SECRETED

JAN 30 2006

DOCUMENT
FOLDER

30

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.

DOMINION PEOPLES PLUS
INCREASE IN GAS RATE FROM SEPT. 2005
TO DEC. 2005 → 62.3% INCREASE
(10.34 PER MCF TO 16.78 PER MCF)

• SEE ATTACHED SEPT. & DEC. 2005 BILLS

5. RELIEF

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

Contact DOMINION PEOPLES PLUS AND REQUEST
THAT THEY SEND ME A REFUND FOR A
PORTION OF MY DECEMBER 2005 BILL OF
\$426, BASED ON THEIR EXUBERANT 62.3%
RATE INCREASE FOR THE THREE MONTH BILLING
PERIOD. (SEPT, 2005 TO DEC, 2005)

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 F. STADLER, 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 F. Stadler 1/23/06
(Signature) (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.

JAMES STADLER

554 FLORENCE DR
BETHEL PARK PA 15102-1455



Dominion®

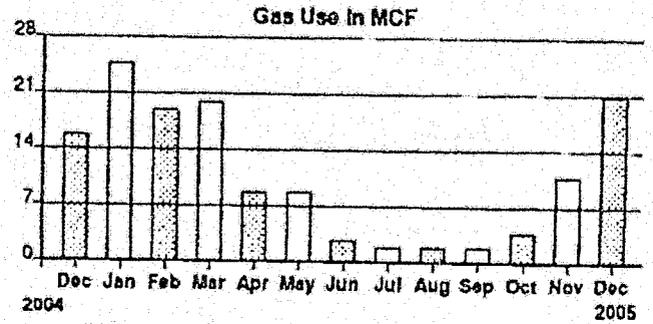
Account Number 5 4613 0210 0614 Date Prepared December 27, 2005 Next Billing Date January 25, 2006

For Dominion Peoples General Information, call 1-800-764-0111.

Summary of Basic Charges

Monthly Usage Comparison

Average Daily Temperature For This Billing Period 2004 40°F 2005 27°F



Legend: Actual Estimate Customer Read Adjusted Usage

Average monthly use: 10.5 MCF.
Total annual use: 125.6 MCF.

Billing Period And Meter Readings

Date	Meter Number	Read Type	Reading	Difference
Dec 21, 2005	21899529	Estimate	265.0	
Nov 21, 2005		Actual	244.0	21.0
MCF Used in 30 Days				21.0

This is an Estimated Bill.

Commodity prices and charges are set by the natural gas supplier you have chosen. The Public Utility Commission regulates delivery prices and services.

Dominion Peoples Credits and Charges

Balance From Last Bill	\$43.55
Payment on Dec 15, 2005 - Thank You	43.55 CR
Dominion Peoples Balance	\$0.00
GS-Transportation Rate	
Customer Charge - 1 Month	\$11.00
Delivery Charge	
21.0 MCF @ \$2.4087	50.58
Capacity Charge \$0.6118 per MCF	12.85
State Tax Surcharge Cr @ .28%	.14 CR
Dominion Peoples Current Charges	\$74.29
Dominion Peoples Account Balance	\$74.29

Dominion Peoples Plus Credits and Charges

Balance From Last Bill	\$169.34
Payment on Dec 15, 2005 - Thank You	169.34 CR
Dominion Peoples Plus Balance	\$0.00
Commodity Charge 21.0 MCF @ \$16.777	352.32
Dominion Peoples Plus Current Charges	\$352.32
Dominion Peoples Plus Account Balance	\$352.32

For questions about gas supply costs, contact Dominion Peoples Plus at 1-800-400-5648 or P O Box 298 Pittsburgh, PA 15230-0298 or www.dom.com.

Total Account Balance \$426.61

Dominion Peoples current charges include \$2.73 in state taxes.

Please Pay Account Balance of \$426.61 by January 18, 2006 to Avoid a Late Payment Charge of \$6.40 (1.5% per month)

Take advantage of our Budget Payment Plan. Enjoy the convenience of paying a planned amount each month - a feature which is especially helpful during the winter. If you join, your monthly budget amount will be \$174.00. Budget accounts are reviewed at the end of the budget year, or sooner if necessary, to adjust for any over- or underpayments. To join, please pay the budget amount of \$174.00 with this bill.

Help people without heat or light by donating to the Dollar Energy Fund. Please add \$1 to your monthly gas payment.

*PA 426.61
1/13/06
ch 162*

JAMES STADLER

554 FLORENCE DR
BETHEL PARK PA 15102-1455

Account Number 5 4613 0210 0614
Date Prepared September 21, 2005

Next Billing Date
October 20, 2005



Dominion[®]

For Dominion Peoples General Information, call 1-800-764-0111.

Summary of Basic Charges

Dominion Peoples Credits and Charges

Balance From Last Bill	\$15.82	
Payment on Sep 12, 2005 - Thank You	15.82	CR
Dominion Peoples Balance		\$0.00
GS-Transportation Rate		
Customer Charge - 1 Month	\$11.00	
Delivery Charge		
2.0 MCF @ \$2.4087	4.82	
Capacity Charge \$0.6129 per MCF	1.23	
State Tax Surcharge Cr @ .28%	.01	CR
Dominion Peoples Current Charges		\$17.04
Dominion Peoples Account Balance		\$17.04

Dominion Peoples Plus Credits and Charges

Balance From Last Bill	\$15.49	
Payment on Sep 12, 2005 - Thank You	15.49	CR
Dominion Peoples Plus Balance		\$0.00
Commodity Charge 2.0 MCF @ \$10.3356	20.67	
Dominion Peoples Plus Current Charges		\$20.67
Dominion Peoples Plus Account Balance		\$20.67

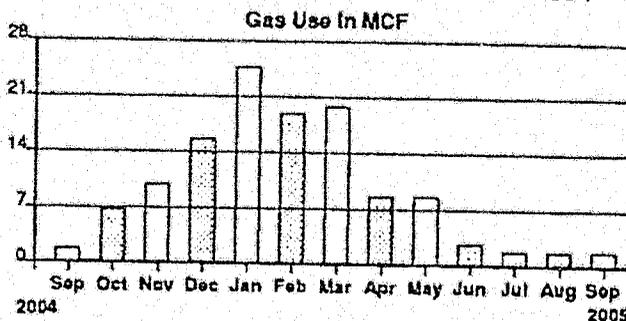
For questions about gas supply costs, contact Dominion Peoples Plus at 1-800-400-5648 or P O Box 298 Pittsburgh, PA 15230-0298 or www.dom.com.

Total Account Balance **\$37.71**

Dominion Peoples current charges include \$.62 in state taxes.

Monthly Usage Comparison

Average Daily Temperature For This Billing Period
2004 70°F
2005 68°F



Legend: Actual Estimate Customer Road Adjusted Usage

Average monthly use: 10.2 MCF
Total annual use: 122.8 MCF.

Billing Period And Meter Readings

Date	Road Type	Reading	Difference
Meter Number	21899529		
Sep 20, 2005	Actual	229.2	
Aug 22, 2005	Estimate	227.2	2.0
MCF Used in 29 Days			2.0

Commodity prices and charges are set by the natural gas supplier you have chosen. The Public Utility Commission regulates delivery prices and services.

Please Pay Account Balance of \$37.71 by October 13, 2005 to Avoid a Late Payment Charge of \$.57 (1.5% per month)

Help people without heat or light by donating to the Dollar Energy Fund. Please add \$1 to your monthly gas payment. You can pay this bill with an electronic check, ATM/debit card with a Pulse, Star, NYCE or Accell logo, or a Visa, MasterCard, or Discover credit card at www.dom.com or at 1-800-573-1169. BillMatrix provides this service. A service fee applies.

*PA 10-1-05
OK 1201
\$37.71*

JAMES STADLER

554 FLORENCE DR
BETHEL PARK PA 15102-1455

Account Number 5 4613 0210 0614
Date Prepared September 21, 2005

Next Billing Date
October 20, 2005



Dominion

For Dominion Peoples General Information, call 1-800-764-0111

Summary of Basic Charges

Dominion Peoples Credits and Charges

Balance From Last Bill	\$15.82
Payment on Sep 12, 2005 - Thank You	15.82 CR
Dominion Peoples Balance	\$0.00
GS-Transportation Rate	
Customer Charge - 1 Month	\$11.00
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2.0 MCF @ \$2.4087	4.82
Capacity Charge \$0.6129 per MCF	1.23
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Total Account Balance	\$37.71

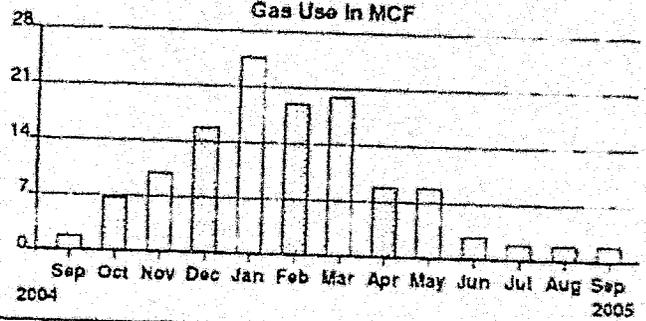
Dominion Peoples current charges include \$.62 in state taxes.

Monthly Usage Comparison

Average Daily Temperature For This Billing Period

2004
70°F

2005
68°F



Legend: Actual Estimate Customer Read Adjusted Usage

Average monthly use: 10.2 MCF
Total annual use: 122.8 MCF

Billing Period And Meter Readings

Date	Read Type	Reading	Difference
Meter Number	21899529		
Sep 20, 2005	Actual	229.2	
Aug 22, 2005	Estimate	227.2	2.0
MCF Used in 29 Days			2.0

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*pd 10-1-05
of 1201
\$37.71*

JAMES STADLER

554 FLORENCE DR
BETHEL PARK PA 15102-1455

Account Number 5 4613 0210 0614
Date Prepared December 27, 2005

Next Billing Date
January 25, 2006



Dominion

2/1/06

For Dominion Peoples General Information, call 1-800-764-0111.

Summary of Basic Charges

Dominion Peoples Credits and Charges

Balance From Last Bill	\$43.55
Payment on Dec 15, 2005 - Thank You	43.55 CR
Dominion Peoples Balance	\$0.00
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Dominion Peoples Plus Credits and Charges

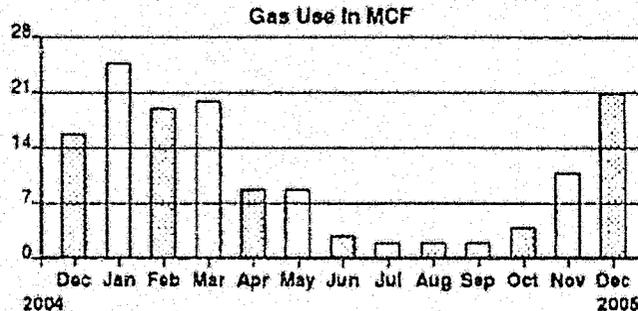
Balance From Last Bill	\$169.34
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Dominion Peoples Plus Balance	\$0.00
Commodity Charge 24.0 MCF @ \$16.777	352.32
Dominion Peoples Plus Current Charges	\$352.32
Dominion Peoples Plus Account Balance	\$352.32

Total Account Balance \$426.61

Dominion Peoples current charges include \$2.73 in state taxes.

Monthly Usage Comparison

Average Daily Temperature For This Billing Period **40°F** (2004) vs **27°F** (2005)



Legend: Actual (white), Estimate (light gray), Customer Read (dark gray), Adjusted Usage (black)

Average monthly use: 10.5 MCF.
Total annual use: 125.6 MCF.

Billing Period And Meter Readings

Date	Read type	Reading	Difference
Meter Number	21899529		
Dec 21, 2005	Estimate	265.0	
Nov 21, 2005	Actual	244.0	21.0

MCF Used in 30 Days 21.0

This is an Estimated Bill.

Commodity prices and charges are set by the natural gas supplier you have chosen. The Public Utility Commission regulates delivery prices and services.

Please Pay Account Balance of \$426.61 by January 18, 2006 to Avoid a Late Payment Charge of \$6.40 (1.5% per month)

Take advantage of our Budget Payment Plan. Enjoy the convenience of paying a planned amount each month - a feature which is especially helpful during the winter. If you join, your monthly budget amount will be \$174.00. Budget accounts are reviewed at the end of the budget year, or sooner if necessary, to adjust for any over- or underpayments. To join, please pay the budget amount of \$174.00 with this bill.

Help people without heat or light by donating to the Dollar Energy Fund. Please add \$1 to your monthly gas payment.

Handwritten note: Pd 426.61 1/13/06 162

- 1-800-400-4271 Emergencies – answered 24 hours a day
1-800-764-0111 Questions or Complaints – Monday through Friday (7 a.m. to 7 p.m.) Our representatives can give you information about rate schedules and tell you how to make sure your bill is correct. They can also explain the different charges. Please call or write before the due date on this bill. Please write Dominion Peoples at: PO Box 26666, Richmond, VA 23261-6666. Rate schedules are available upon request or can be viewed on our website www.dom.com – Visit us on the internet.
- 1-800-527-1333 Hearing-Impaired Customers – TDD (Telecommunications Device for the Deaf)
1-800-573-1169 Pay by debit or credit card or electronic check – 24 hours a day, 7 days a week. Visit our website or call BillMatrix Corporation. Service fee applies.

PAYING YOUR BILL . . .

For your own protection, do not send cash through the mail. Allow six (6) days for payments to be applied to your account. Please record your account number on your check or money order and mail to Dominion Peoples, PO Box 26784, Richmond, VA 23261. Do not include correspondence with your payment. Send correspondence to PO Box 26666, Richmond, VA 23261.

ELECTRONIC CHECK CONVERSION – If you pay by check, you authorize Dominion to convert your paper check into an electronic debit, which instructs your financial institution to transfer funds in the amount of your payment from your account to us. If you do not want your check converted or have questions, please call the number on the front of this bill or visit our website at www.dom.com.

UNDERSTANDING YOUR BILL . . .

Budget Payment Plan – This plan lets you spread payments over the entire year. All residential customers are eligible.

Capacity Charge – A charge designed to recover the costs that Dominion Peoples incurs to reserve capacity on the interstate pipelines.

Commodity Charge – Basic service charges for natural gas supply services to customers, excluding charges for natural gas distribution services.

Commodity Charge Adjustment – An adjustment applicable to some customers to reflect the current monthly cost of purchased gas.

Customer Charge – A monthly charge to cover certain Dominion Peoples' costs such as maintaining the gas lines, meter reading and billing. This charge is the same each month no matter how much gas you use.

Delivery Charge – Basic service charge for the delivery of natural gas to a customer from the point of receipt into Dominion Peoples' distribution system.

Gas Cost Adjustment Charge – The amount billed or credited each month to account for differences between projected and actual gas supply costs of Dominion Peoples.

Late Payment Charge – 1 1/2% per month (or 18% per year) of the amount you owe without past late payment charges. Industrial accounts are charged 2% per month (or 24% per year). We add this to your bill if you do not pay either the Account Balance or the Budget Amount by the Due date. Allow six (6) days for payments to be applied to your account.

MCF – MCF means 1,000 Cubic Feet. It is an abbreviation for the standard measure of gas.

Meter Readings –

Actual – Our employee reads your meter or the remote device attached to your meter. We read your meter every other month.

Customer – You gave us this reading.

Estimate – During the months we don't read your meter, we base your bill on past gas used, current rates and the weather. We verify estimated bills the next time we read your meter.

State Taxes – Taxes collected by public utilities and then paid to the Commonwealth of Pennsylvania.

State Tax Surcharge – The amount billed or credited to your account as a result of changes in the level of certain Pennsylvania taxes paid by Dominion Peoples. Taxes include: Capital Stock Tax, Corporate Net Income Tax, Public Utility Realty Tax.

Transition Costs – Costs incurred by interstate pipelines and passed on to gas utility companies and other pipeline customers. These costs are a result of federal regulations designed to promote competition.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: January 30, 2006

DOCKET

JAN 30 2006

JAMES F STADLER
Complainant

v.

PEOPLES NATURAL GAS COMPANY
Respondent

Complaint Docket
No: C-20065812

DOCUMENT
FOLIO

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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 30, 2006

C-20065812

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 F STADLER. 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.

DOCUMENT
FOLDER

January 30, 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 RE-SERVED: MARCH 1, 2006

JAMES F STADLER
Complainant

v.

DOMINION RETAIL INCORPORATED
Respondent

Complaint Docket
No: C-20065812

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: DOMINION RETAIL INCORPORATED

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 RE-SERVED: MARCH 1, 2006

C-20065812

DOMINION RETAIL INCORPORATED
1201 PITT STREET
PITTSBURGH PA 15221

Dear Ms. George:

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

RE-SERVED MARCH 1, 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

Horace P. Payne, Jr.
Senior Counsel

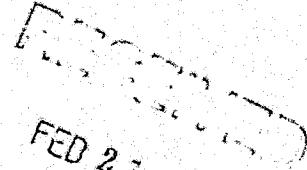
Dominion Resources Services, Inc.
625 Liberty Avenue, Pittsburgh, PA 15222
Phone: 412-497-6889. Fax: 412-497-6838
E-mail: Horace_P_Payne@dom.com
Web Address: www.dom.com



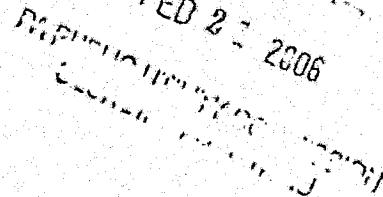
Dominion[®]

ORIGINAL

February 21, 2006



FEB 21 2006



CERTIFIED MAIL

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

Re: James F. Stadler v. The Peoples Natural Gas Company
at Docket No. C-20065812

Dear Secretary McNulty:

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.

DOCUMENT
FOLDER

Very truly yours,

Enclosures

cc: James F. Stadler, 554 Florence Drive, Bethel Park, PA 15102

252

COMMONWEALTH OF PENNSYLVANIA
BEFORE
THE PUBLIC UTILITY COMMISSION

ORIGINAL

RECEIVED
MAR 2 2006

James F. Stadler
v.
The Peoples Natural Gas Company

) Complaint Docket
) No. C-20065812
) 2006

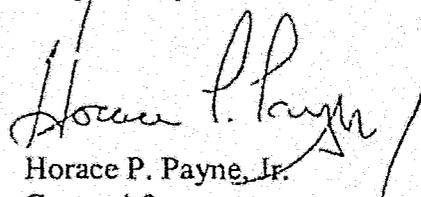
ANSWER OF
THE PEOPLES NATURAL GAS COMPANY
d/b/a DOMINION PEOPLES

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. Dominion Peoples was incorrectly served with the subject complaint.
5. Wherefore, Dominion Peoples respectfully requests that this complaint be dismissed.
6. Unknown to Dominion Peoples.
7. Denied.

DOCKETED
MAR 2 - 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 F. Stadler

v.

The Peoples Natural Gas Company

) Complaint Docket

) No. C-20065812

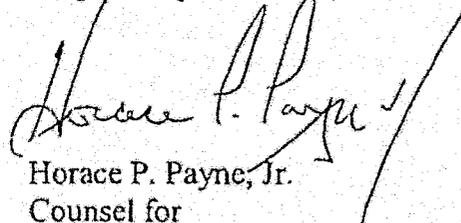
) 2006

FEB 2 2006
P. U. C. STAFF

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

1. Complainant has filed this matter against his gas supplier, Dominion Peoples Plus, a separate and distinct company from Dominion Peoples.
2. Complainant is not a Dominion Peoples delivery customer.
3. Dominion Peoples was incorrectly served with the subject complaint.
4. Wherefore, Dominion Peoples respectfully requests approval of the attached Order dismissing Dominion Peoples from this matter.

Respectfully submitted,



Horace P. Payne, Jr.

Counsel for

The Peoples Natural Gas Company

James F. Stadler
v
The Peoples Natural Gas Company

) Complaint Docket
) No. C-20065812
) 2006

ORDER

Respondent, The Peoples Natural Gas Company d/b/a Dominion Peoples is hereby dismissed from this matter, as it has been incorrectly served with this Complaint. Complainant is not a customer of Dominion Peoples, and therefore Dominion Peoples is not responsible for any of the actions that are the subject of this complaint. Respondent has performed all duties required of them and has not violated any of the Commission's regulations, policies, or procedures.

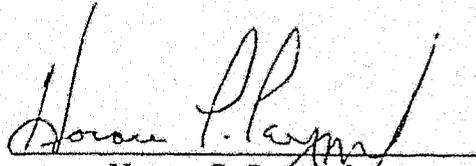
BY THE COURT:

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 2nd day of February, 2006.



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

FEB 2 2006
PITTSBURGH, PA

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Additional Information
Formal Complaint Form

RECEIVED

Please print or type.

C-20065812

MAR 10 2006

1. CUSTOMER NAME (COMPLAINANT)

PA PUBLIC UTILITY COMMISSION

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

Name JAMES F. STADLER

Street/P.O. Box 554 FLORENCE DR Apt #

City BETHAL PARK State PA. Zip 15102

County Allegheny

Area Code/HOME Phone 412-833-8772

Area Code/WORK Phone 412-833-8772

Utility Account Number 5461302100614
(from your bill)

DOCUMENT FOLDER

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 PLUS

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

[Handwritten mark]

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.

"DOMINION PEOPLES PLUS"
PO BOX 298
PITTSBURGH, PA 15230-0298

INCREASE IN GAS RATE FROM SEPT. 2005 TO DEC. 2005 →
62.3% INCREASE. (\$10.34 PER MCF TO \$16.78 PER MCF)
• SEE ATTACHED "DOMINION PEOPLES PLUS" SEPT. & DEC. 2005 BILLS.

5. RELIEF

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

CONTACT DOMINION PEOPLES PLUS (1) AND
REQUEST THAT THEY SEND ME A REFUND FOR A PORTION
OF MY DECEMBER 2005 BILL FOR \$426, BASED ON
THEIR EXUBERANT 62.3% RATE INCREASE FOR THE
THREE MONTH BILLING PERIOD. (SEPT, 2005 TO DEC, 2005)
PLEASE SUBMIT THIS COMPLAINT TO DOMINION PEOPLES
PLUS. (DO NOT SEND IT TO DOMINION PEOPLES) AS PER MY
NOTE BELOW.

(1) NOTE THIS IS DOMINION PEOPLES PLUS NOT DOMINION
PEOPLES (THEY ARE DIFFERENT)

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 F. STADLER, 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 F. Stadler
(Signature)

3/10/06
(Date)

9. **LEGAL REPRESENTATION (IF ANY)**

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. **FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
----------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------

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.

JAMES STADLER

554 FLORENCE DR
BETHEL PARK PA 15102-1455

Account Number 5 4613 0210 0614
Date Prepared September 21, 2005

Next Billing Date
October 20, 2005



Dominion®

For Dominion Peoples General Information, call 1-800-764-0111.

Summary of Basic Charges

Dominion Peoples Credits and Charges

Balance From Last Bill	\$15.82
Payment on Sep 12, 2005 - Thank You	15.82 CR
Dominion Peoples Balance	\$0.00
GS-Transportation Rate	
Customer Charge - 1 Month	\$11.00
Delivery Charge	
2.0 MCF @ \$2.4087	4.82
Capacity Charge \$0.6129 per MCF	1.23
State Tax Surcharge Cr @ .28%	.01 CR
Dominion Peoples Current Charges	\$17.04
Dominion Peoples Account Balance	\$17.04

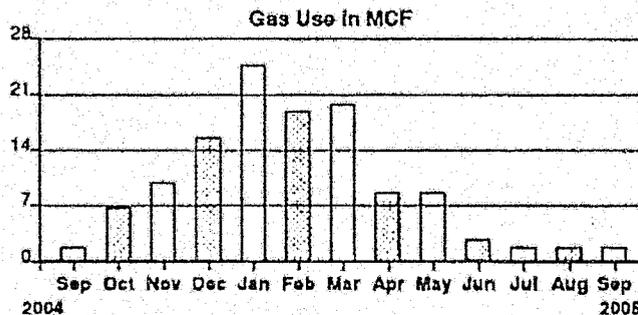
Dominion Peoples Plus Credits and Charges

Balance From Last Bill	\$15.49
Payment on Sep 12, 2005 - Thank You	15.49 CR
Dominion Peoples Plus Balance	\$0.00
Commodity Charge 2.0 MCF @ \$10.3356	20.67
Dominion Peoples Plus Current Charges	\$20.67
Dominion Peoples Plus Account Balance	\$20.67
For questions about gas supply costs, contact Dominion Peoples Plus at 1-800-400-5648 or P O Box 298 Pittsburgh, PA 15230-0298 or www.dom.com.	
Total Account Balance	\$37.71

Dominion Peoples current charges include \$.62 in state taxes.

Monthly Usage Comparison

Average Daily Temperature For This Billing Period 2004 70°F 2005 68°F



Legend: Actual (white), Estimate (shaded), Customer Read (black), Adjusted Usage (checkered)

Average monthly use: 10.2 MCF.
Total annual use: 122.8 MCF.

Billing Period And Meter Readings

Date	Meter Number	Read Type	Reading	Difference
Sep 20, 2005	21899529	Actual	229.2	
Aug 22, 2005		Estimate	227.2	2.0
MCF Used in 29 Days				2.0

Commodity prices and charges are set by the natural gas supplier you have chosen. The Public Utility Commission regulates delivery prices and services.

Please Pay Account Balance of \$37.71 by October 13, 2005 to Avoid a Late Payment Charge of \$.57 (1.5% per month)

Help people without heat or light by donating to the Dollar Energy Fund. Please add \$1 to your monthly gas payment. You can pay this bill with an electronic check, ATM/debit card with a Pulse, Star, NYCE or Accell logo, or a Visa, MasterCard, or Discover credit card at www.dom.com or at 1-800-873-1169. BillMatrix provides this service. A service fee applies.

*PR 10-1-05
2 1201
\$37.71*

JAMES STADLER

554 FLORENCE DR
BETHEL PARK PA 15102-1455

Account Number 5 4613 0210 0614
Date Prepared December 27, 2005

Next Billing Date
January 25, 2006



Dominion

2/16/06

For Dominion Peoples General Information, call 1-800-764-0111.

Summary of Basic Charges

Dominion Peoples Credits and Charges

Balance From Last Bill	\$43.55
Payment on Dec 15, 2005 - Thank You	43.55 CR
Dominion Peoples Balance	\$0.00
GS-Transportation Rate	
Customer Charge - 1 Month	\$11.00
Delivery Charge	
21.0 MCF @ \$2.4087	50.58
Capacity Charge \$0.6118 per MCF	12.85
State Tax Surcharge Cr @ .28%	.14 CR
Dominion Peoples Current Charges	\$74.29
Dominion Peoples Account Balance	\$74.29

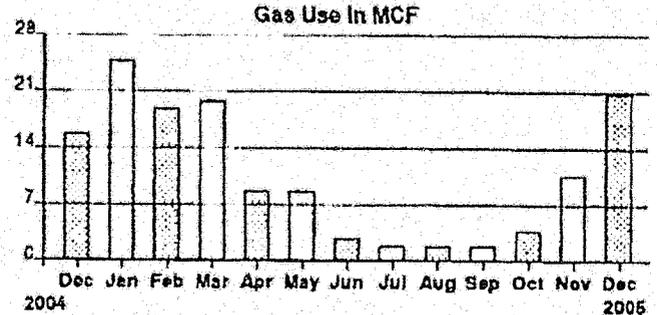
Dominion Peoples Plus Credits and Charges

Balance From Last Bill	\$169.34
Payment on Dec 15, 2005 - Thank You	169.34 CR
Dominion Peoples Plus Balance	\$0.00
Commodity Charge 21.0 MCF @ \$16.777 -	352.32
Dominion Peoples Plus Current Charges	\$352.32
Dominion Peoples Plus Account Balance	\$352.32
For questions about gas supply costs, contact Dominion Peoples Plus at 1-800-400-5648 or P O Box 298 Pittsburgh, PA 15230-0298 or www.dom.com.	
Total Account Balance	\$426.61

Dominion Peoples current charges include \$2.73 in state taxes.

Monthly Usage Comparison

Average Daily Temperature For This Billing Period
2004 40°F 2005 27°F



Legend: Actual (white), Estimate (light gray), Customer Read (dark gray), Adjusted Usage (checkered)

Average monthly use: 10.5 MCF.
Total annual use: 125.6 MCF.

Billing Period And Meter Readings

Date	Read Type	Reading	Difference
Meter Number	21899529		
Dec 21, 2005	Estimate	265.0	
Nov 21, 2005	Actual	244.0	21.0
MCF Used in 30 Days			21.0

This is an Estimated Bill.

Commodity prices and charges are set by the natural gas supplier you have chosen. The Public Utility Commission regulates delivery prices and services.

Please Pay Account Balance of \$426.61 by January 18, 2006 to Avoid a Late Payment Charge of \$6.40 (1.5% per month)

Take advantage of our Budget Payment Plan. Enjoy the convenience of paying a planned amount each month - a feature which is especially helpful during the winter. If you join, your monthly budget amount will be \$174.00. Budget accounts are reviewed at the end of the budget year, or sooner if necessary, to adjust for any over- or underpayments. To join, please pay the budget amount of \$174.00 with this bill.

Help people without heat or light by donating to the Dollar Energy Fund. Please add \$1 to your monthly gas payment.

*PD 426.61
1/13/06
162*

Horace P. Payne, Jr.
Senior Counsel

Dominion Resources Services, Inc.
625 Liberty Avenue, Pittsburgh, PA 15222
Phone: 412-497-0889; Fax: 412-497-6838
E-mail: Horace_P_Payne@dom.com
Web Address: www.dom.com

ORIGINAL



Dominion®

March 10, 2006

RECEIVED

MAR 10 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFIED MAIL

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

Re: James F. Stadler v. The Peoples Natural Gas Company
at Docket No. C-20065812

Dear Secretary McNulty:

On February 21, 2006, Dominion Peoples filed a Motion to Dismiss in the above-referenced matter, as it was incorrectly served with the complaint that was meant for Dominion Retail, Inc. d/b/a Dominion Peoples Plus. As indicated on the attached Caption Sheet from your office, the Respondent has since been changed to Dominion Retail, Inc. Thus, Dominion Peoples requests that the Motion to Dismiss be withdrawn.

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

Very truly yours,

Horace P. Payne

DOCUMENT
FOLDER

DOCKETED
MAR 22 2006

cc: Office of Administrative Law, Scheduling Office
PA PUC, P.O. Box 3265, Harrisburg, PA 17105-3265

96

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: C-20065812
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 01/27/06
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: STADLER, JAMES F

RESPONDENT/APPLICANT: DOMINION RETAIL INCORPORATED

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 125002

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE IS OPPOSED TO THE COMPANY RAISING HIS RATES FROM SEPT. TO DEC. 2005. COMPLAINANT STATES THIS WAS A 62.3 % INCREASE. COMPLAINANT WANTS A PORTION OF THESE BILLS.

06 MAR - 1 11:11:55
 PA PUC

Gary A. Jeffries
Senior Counsel

Dominion Retail, Inc.
1201 Pitt Street, Pittsburgh, PA 15221
Phone: 412-473-4129 Fax: 412-473-4170
Email: gjeffries@dom.com



Dominion

ORIGINAL

March 21, 2006

RECEIVED

MAR 21 2006

PA PUBLIC UTILITY COMMISSION
COMMUNICATIONS DIVISION

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

Re: James F. Stadler vs. Dominion Retail Incorporated; Docket No. C-20065812
RESPONDENT'S ANSWER AND NEW MATTER

Dear Secretary McNulty:

On behalf of Dominion Retail, Inc. d/b/a Peoples Plus, the appropriate respondent in the above-referenced matter, please find an original and four (4) copies of the ANSWER AND NEW MATTER OF DOMINION RETAIL, INC. d/b/a PEOPLES PLUS

Pursuant to 52 Pa. Code §5.62(c), a reply to new matter shall be filed within 20 days of the date of service of the answer or other pleading raising the new matter. Failure to file a timely reply to new matter shall be deemed in default, and relevant facts stated in the new matter may be deemed admitted

A copy of this filing is also being served upon Complainant this date by first-class U.S. Mail.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Gary A. Jeffries
Senior Counsel

DOCUMENT
FOLDER

Enclosures

cc: James F. Stadler, 554 Florence Drive, Bethel Park, PA 15102

45...

5. Complainant requests the Commission order Peoples Plus to send him "*a refund for a portion of my December 2005 bill of \$426, based on their exuberant 62.3% rate increase for the three month billing period (Sept, 2005 to Dec, 2005)*" Peoples Plus denies that Complainant is entitled to a refund. Moreover, Peoples Plus is not a public utility and thus is not subject to the rate or price regulation that Complainant is seeking
6. No response necessary.
7. No response necessary.
8. No response necessary.

NEW MATTER

In furtherance of its Answer, the Respondent, Peoples Plus, hereby states and avers the following material facts as New Matter pursuant to 52 Pa. Code §5.62(b):

1. Complainant, who receives natural gas utility service from Dominion Peoples Gas, began receiving natural gas commodity service from Peoples Plus in August 2002 upon Peoples Plus' acquisition of the natural gas customers served by NewPower. Complainant's service with NewPower had been priced at a monthly variable rate. Peoples Plus continued to price the gas at a variable rate. Additionally, Complainant was always free to cancel service with Peoples Plus at anytime without penalty,
2. Complainant contacted Peoples Plus' call center on January 9, 2006 to cancel his service. That day and on two additional occasions a few days later, he complained to call center staff about the price of gas. He was told that prices for natural gas were sharply higher

nationwide beginning in the fall of 2005 and that his variable price reflected that market reality.

Complainant was served under a variable rate, cancel-anytime contract with Peoples Plus from the inception of service with the company in 2002. That contract is now ended. Peoples Plus bears no further responsibility to Complainant.

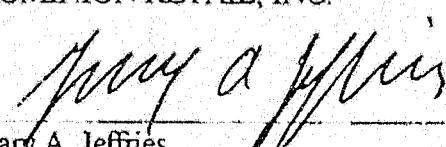
Pursuant to 52 Pa. Code §56 2(c), a reply to new matter shall be filed within 20 days of the date of service of the answer or other pleading raising the new matter. Failure to file a timely reply to new matter shall be deemed in default, and relevant facts stated in the new matter may be deemed admitted.

IN WITNESS WHEREOF, Respondent, Peoples Plus, respectfully submits its ANSWER AND NEW MATTER.

DOMINION RETAIL, INC.

DATED: March 21, 2006

By:



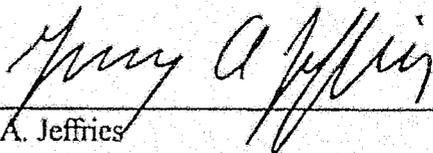
Gary A. Jeffries
Senior Counsel

CERTIFICATE OF SERVICE

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

James F. Stadler
554 Florence Drive
Bethel Park, PA 15102

Dated this 21st day of March, 2006.



Gary A. Jeffries
1201 Pitt Street
Pittsburgh, PA 15221

RECEIVED

MAR 21 2006

PA PUBLIC UTILITY COMMISSION
REGISTRATION DIVISION

Gary A. Jeffries
Senior Counsel

Dominion Retail, Inc.
1201 Pitt Street, Pittsburgh, PA 15221
Phone: 412-473-4129 Fax: 412-473-4170
Email: gjeffries@dom.com



Dominion

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March 21, 2006

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MAR 21 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

Re James F. Stadler vs. Dominion Retail Incorporated: Docket No. C-20065812
RESPONDENT'S PRELIMINARY MOTION TO DISMISS

Dear Secretary McNulty:

On behalf of Dominion Retail, Inc. d/b/a Peoples Plus, the appropriate respondent in the above-referenced matter, please find an original and four (4) copies of the PRELIMINARY MOTION TO DISMISS OF DOMINION RETAIL, INC. d/b/a PEOPLES PLUS.

Pursuant to 52 Pa Code §5 101(d), a reply to a motion to dismiss may be filed within 10 days of the date of service.

A copy of this filing is also being served upon Complainant this date by first-class U.S. Mail.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Gary A. Jeffries
Senior Counsel

Enclosures

cc: James F. Stadler, 554 Florence Drive, Bethel Park, PA 15102

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BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION MAR 2 1 2006

JAMES F. STADLER)
)
 Complainant,)
)
 v.)
)
 DOMINION RETAIL INCORPORATED)
)
 Respondent .)

PA PUBLIC UTILITY COMMISSION
REGULATORY BUREAU

Docket No. C-20065812

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PRELIMINARY MOTION TO DISMISS OF
DOMINION RETAIL, INC. d/b/a PEOPLES PLUS

By even date hereof, the Respondent, Dominion Retail, Inc. d/b/a Peoples Plus ("Peoples Plus"), filed its ANSWER AND NEW MATTER in the above-captioned proceeding. That pleading is hereby incorporated by reference. Now comes Peoples Plus and hereby moves the Pennsylvania Public Utility Commission ("Commission"), pursuant to §§ 5.101(a)(1) and 5.101(a)(3) of the Commission's Rules on Formal Proceedings, 52 Pa. Code §§ 5.101(a)(1), 5.101(a)(3), for an Order dismissing the Formal Complaint of James F. Stadler ("Complaint") for the reason that the Complaint, on its face, fails to invoke the Commission's jurisdiction and is insufficient as to substance

Section 701 of the Public Utility Code, 66 Pa. C.S. §701, allows any person, having an interest in the subject matter, to file a formal complaint in writing with the Commission setting forth any act or thing done or omitted to be done by *any public utility* in violation, or claimed violation, of any law which the Commission has jurisdiction to administer or of any regulation or order of the Commission (emphasis added)

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The instant motion to dismiss is comparable to a preliminary objection in civil practice under Rule 1028 of the Pennsylvania Rules of Civil Procedure. As is the standard in civil practice, the Commission has held that dismissal of a pleading will be granted only where such relief is clearly warranted and free from doubt.

This Complaint raises non-jurisdictional issues against a non-jurisdictional entity and, accordingly, should be dismissed. The essence of the matter raised in the Complaint concerns the Complainant's assertions that Peoples Plus, as a natural gas supplier, is subject to Commission regulation as to the prices it charges under its private contracts with natural gas commodity customers. Related thereto, Complainant requests that the Commission order Peoples Plus to refund to Complainant a portion of that amount that Complainant paid for natural gas commodity for the time period from September through December 2005.

However, Peoples Plus submits that the Commission does not regulate the prices that it, as a natural gas supplier, charges under its private contracts with natural gas commodity customers such as Complainant.¹ Indeed, the Commission has not extended its jurisdiction over gas suppliers such as Peoples Plus beyond those activities set forth in Section 2208(e) of the Public Utility Code². Complainant does not raise an issue with regard to any of the Section 2208(e) activities. Therefore, dismissal of the subject Complaint is clearly warranted and free from doubt.

¹ *Adams, et al. v. Pa. Public Utility Commission*, No. 1697 C.D. March 21, 2003, citing *Allport Water Authority v. Winburne Water Company*, 258 Pa. Superior Ct. 673, 393 A.2d 673 (1978); *Litman v. The Peoples Natural Gas Company*, 303 Pa. Superior Ct. 345, 449 A.2d 720 (1982). In *Piper v. Columbia Gas of Pennsylvania, Inc.*, Docket No. C-891720 (Opinion and Order entered September 2, 1988), the Commission adopted the Administrative Law Judge's Initial Decision which granted motions to dismiss for lack of jurisdiction because the terminated gas service in question was not a tariffed service, but a private contract service not subject to the Commission's regulation.

² 66 Pa. C.S. §2208(e). Those activities include licensing, bonding, reliability and consumer services and protections and applicable portions of Chapter 56 of the Commission's regulations (relating to standards and billing practices for residential utility service).

Finally, the Complaint should be dismissed without a hearing. The Commission's rules recognize that a hearing is not necessary in every formal complaint brought before it. Those rules provide that "The filing of a formal complaint entitles the complainant to a formal hearing before the Commission, *except that the Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary in the public interest.*" 52 Pa. Code §5.21(d)(emphasis added). A hearing is necessary only to resolve disputed questions of fact, and is not required to resolve questions of law, policy, or discretion.³ Peoples Plus submits that the only questions concerning Peoples Plus at issue in this proceeding—whether the Commission has jurisdiction to regulate the price Peoples Plus charges for natural gas—are matters of law, not fact. At present the Commission does not have such authority. Accordingly, no hearing on this issue is needed.

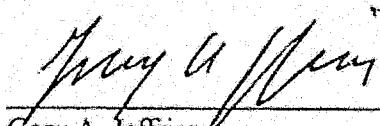
Pursuant to 52 Pa. Code §5.101(d), responses to motions are due within 10 days of receipt

Respectfully submitted,

DOMINION RETAIL, INC

DATED: March 21, 2006

By:



Gary A. Jeffries
Senior Counsel

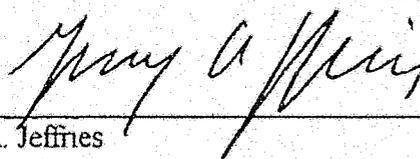
³ *Lehigh Valley Power Committee v. Pennsylvania Public Utility Commission*, 563 A.2d 557 (Pa. Cmwlth 1989).

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of § 154 (relating to service by a participant).

James F. Stadler
554 Florence Drive
Bethel Park, PA 15102

Dated this 21st day of March, 2006.



Gary A. Jeffries
1201 Pitt Street
Pittsburgh, PA 15221

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MAR 21 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Duquesne Light

Our Energy...Your Power

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Legal Department
411 Seventh Avenue, 8-2
Pittsburgh, PA 15219

Tel 412-393-1546
Fax 412-393-1418
rsestak@duqlight.com

Regina M. Sestak
Assistant General Counsel

March 22, 2006

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MAR 22 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Certificate of Mailing

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

RE: Pamela N. Betts v. Duquesne Light Company
Docket No. C-20065812

Dear Secretary McNulty:

An original and three copies of Duquesne Light Company's Answer are enclosed. A copy of this document has been served upon Complainant in accordance with Commission regulations.

Sincerely,

Regina M. Sestak
Assistant General Counsel
Duquesne Light Company

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c: Pamela N. Betts (w/enclosure)

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MAR 22 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PAMELA N. BETTS,)
)
 Complainant,)
)
 v.)
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent.)

Docket No. C-20065912

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ANSWER

TO THE HONORABLE COMMISSION:

AND NOW comes the Respondent, Duquesne Light Company, by and through its attorney, Regina M. Sestak, and files the within Answer of which the following is a statement:

1. Complainant's averment, "[n]ew ten (10) day shut-off notice dated 2/15/06," is an apparent reference to the ten-day termination notice that was issued on Complainant's account on February 15, 2006. If so, this averment is admitted.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that she received the ten-day shut off notice on February 17, 2006, and this averment is therefore denied.

Complainant's averment, "on or after 8:00 on 2/27/06," is an apparent reference to the termination date on the termination notice issued on February 15, 2006. If so, this averment is admitted.

Complainant's averment, "[b]ecause of this disputed \$50.00 turn-on fee mentioned herein," is an apparent reference to Complainant's averments concerning a \$50.00 reconnection fee in her Formal Complaint. Complainant's averments concerning said reconnection fee are addressed below in response to specific averments. If Complainant intends this averment to mean that she filed this Formal Complaint because of said reconnection fee, this averment is a statement of opinion to which no response is required.

Complainant's averment that the PUC closed her case is an apparent reference to Complainant's informal complaint filed with the Public Utility Commission (PUC) Bureau of Consumer Services (BCS) at BCS Case Number: 1932473, which was closed on or about January 31, 2006. If so, this averment is admitted. Said complaint was closed without decision due to Complainant's participation in Respondent's Customer Assistance Program (CAP). A copy of the printout evidencing the BCS decision, which was transmitted to Respondent electronically, is attached hereto, incorporated herein, and marked Exhibit 1.

Complainant's averments regarding her name, address, telephone numbers and electric service account number are admitted.

2. Admitted.

3. Admitted.

4. A. As Complainant's averments, "Complaints," "Termination Notice, incorrect turn-on-fee added to Acct., and name change issue on

billing," and "taking off 1st name," are apparently intended to summarize the nature of the issues raised in this Complaint, they are statements of opinion to which no response is required. Complainant's averments concerning said issues will be addressed with specificity below.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that the name now listed is not her full legal name anyhow, and this averment is therefore denied.

Complainant's averment, "[s]orry, but there are two that you listed here," is apparently intended to indicate that two issues raised in her Complaint are among the categories listed in this section. If so, this averment is a statement of opinion to which no response is required.

Complainant's averment, "[t]here are incorrect charges on my bill," is denied. On the contrary, all charges on Complainant's bills are correct and are based upon actual usage. Respondent's tariff, and Respondent's CAP, as approved by the PUC.

Complainant's averment that she received a notice that her utility service is being terminated is an apparent reference to the above mentioned termination notice. If so, this averment is admitted.

Complainant's averment, "shut-off copy enclosed: on or after Mon. 27 Feb 2005, Dated: 2/15/06," is an apparent reference to the document labeled "10 Day Shut-Off Notice," dated February 15, 2006, that Complainant has attached to her complaint. Said document will be addressed below in the section labeled Attachments.

B. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that the PUC did not send Complainant an appeal form(s) and this averment is therefore denied.

In that it is not clear what Complainant intends to mean by her averment, "just this," after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment and it is therefore denied.

Complainant's averment regarding the January 31, 2006 letter from J. Byndas is an apparent reference to the letter to Complainant from Julia Byndas, PUC Investigator, that Complainant has attached to her Complaint. This letter will be addressed below in the section labeled Attachments.

Complainant's averments that the above-mentioned letter does not have the correct information in it is a statement of opinion and/or conclusion of law to which no response is required. By way of further response, said attached letter will be addressed below in the section labeled Attachments.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment, "I never asked for a budget plan from the PUC," and this averment is therefore denied.

Complainant's averment that she is not behind in her CAP payment is denied. On the contrary, Complainant is currently \$50.00 past-due under her CAP arrangement.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments regarding Complainant's conversations with PUC investigator, Ms. Trout, and these averments are therefore denied.

As it is unclear to whom Complainant is referring in her averment, "I was told that they tape the phone conversations & Rep that day said ours was being taped," after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment and it is therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments, "I told phone (the man) Rep. that I would call PUC, as he suggested, and he told me go ahead then it would stay off." and these averments are therefore denied. By way of further response, Respondent has found no record of such a conversation in its records, although Respondent did advise Complainant of her right to contact the PUC on numerous occasions.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments, "[w]hen turned on: Sr. Tech. told us that our ser. turn-off was a mistake they ment to turn-off our neighbor," and "Rep. that day, sorry," and these averments are therefore denied. By way of further response, Respondent has no record that said statements were made to Complainant. Further, Complainant's service was not erroneously terminated. On the contrary, if Complainant intends this averment to refer to the service termination that

occurred on June 29, 2005, her service was terminated due to her failure to make the payment due June 2, 2005.

Complainant's averment that on Tuesday June 28, 2005, she paid \$57.00 cash through a Western Union payment location is admitted. However, by way of further response, Respondent issued a ten-day termination notice on June 14, 2005 for electric service to be terminated on or after June 27, 2005. Complainant did not respond to the notice and her electric service was terminated on June 29, 2005. Following termination, Complainant contacted Respondent and stated that she had already paid \$57. Respondent subsequently verified that she had paid \$57 on June 28, 2005, at an unauthorized payment agency. Because Respondent is not immediately notified of payments made at unauthorized agencies, customers facing termination are instructed to make payments at Respondent's office.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments that the store owner stated that "they" get it within 15 minutes after it is sent to them, that "they" just have to pull it, and that the store is "Under Wraps (412) 793-4545, Saltsburg Rd. Penn Hills, PA 15235," and these averments are therefore denied.

Complainant's averments, "[t]his payment was for two mths of CAP payment \$29-due June 2005 and \$28-due July 2005,' and "[t]hey both totaled \$57.00," are admitted. By way of further response, Complainant owed a CAP amount of \$29 on her bill due June 2, 2005 and a CAP amount of \$28 on her bill due July 5, 2005.

Complainant's averment, "that on my bill sent out June 04, 2005 postmark it had a due date of Tues. 05 July 2005 on it," is denied as stated. On the contrary, Complainant's bill due July 5, 2005, was sent to Complainant on June 13, 2005.

As it is unclear which monthly bill Complainant is referring to in her averment that she paid it before it was due, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that she has to rely on a Housing Authority Utility Check to be sent to her to pay the bills, and that her check was delayed due to the Housing Authority having computer problems and breakdowns, and unexpected call offs and vacations, and these averments are therefore denied.

Complainant's averment, "D.L.C. turned off ser on Tues 28 June 2005," is denied. On the contrary, as noted above, Complainant's service was terminated on June 29, 2005.

Complainant's averment that Complainant called Respondent on June 28, 2005 and Respondent's representative told her that a man posted a 72-hour notice on her door is denied. On the contrary, Complainant called Respondent on June 29, 2005. Respondent has no record of anyone having told Complainant that a man posted a 72-hour notice on her door. By way of further response, the 2004 amendment to the Public Utility Code known as the Responsible Utility Customer Protection Act, 66 Pa. C.S. §§1401, et seq., does

not require utilities to post any notice on customer's door, except the 48-hour termination notice required by §1406(b)(1)(iii) during the winter heating season when telephone contact has not been made. No notice was posted on Complainant's door in June, 2005.

Complainant's averment, "turn-off @ 11:00 Tues. 28 June 2005," is an apparent reference to the date that Complainant was terminated for non-payment. If so, this averment is denied. On the contrary, as noted above, Complainant's service was terminated on June 29, 2005.

As it is unclear what Complainant intends to mean by her averment "on receipt written before faxed to Ms. Marie," after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied. By way of further response, this averment may be intended to refer to the copy of a receipt for the payment made June 28, 2005, that was faxed to Respondent's employee Marie Tamilya ("Tamilya") at 3:44 p.m. on June 29, 2005.

Complainant's averment, "turn over please," is an apparent attempt to incorporate the attached page that begins with "4. B." into her complaint. Said attached page will be addressed as follows:

Complainant's averments that representatives of Respondent promised to send her copies of the notice that was posted on her door is denied. On the contrary, as noted above, no such notice was posted.

It is admitted that a copy of said notice was never sent to Complainant.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments regarding her health, and these averments are therefore denied.

Complainant's averment, "so really needed the service on," is a statement of opinion to which no response is required.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments regarding her next door neighbor, whether there are house numbers on the houses, whether Complainant has had mail mix ups, and whether Complainant had immediately contacted the PUC, and these averments are therefore denied.

Complainant's averments, "rec'd a case # of 1932473," and "a investigator named Ms. Terri Trout," are apparent references to her informal complaint, discussed above. If so, these averments are admitted.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that PUC Investigator Trout ("Trout") dealt with her case up until a few weeks ago, and this averment is therefore denied. By way of further response, based upon information received from BCS, it is Respondent's understanding that Complainant's informal complaint at BCS Case No. 1932473 was originally assigned to PUC Investigator Terri Trout, then reassigned to PUC Investigator Julia Byndas.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's

avermment, "unknowingly it was changed to Ms. Julia Byndas on 1/31/2006," and this averment is therefore denied.

Complainant's averment that January 31, 2006 was the date that BCS Case No. 1932473 was closed is admitted.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments, "I had spoken to and left and rec'd mgs from Ms. Trout on a often basis throughout this time frame that she was trying to resolve with them," and "the reasons I had called in about, which was getting power turned back on," and these averments are therefore denied.

Complainant's averments that Ms. Trout spoke to Respondent and advised them to turn service back on immediately and that Respondent was to turn the power on that day, but didn't, are denied. On the contrary, Respondent's employee Tamilia spoke with Trout on June 29, 2005, and indicated that, if Complainant provided a copy of her receipt for payment, Respondent would reconnect service on the next business day without requiring Complainant to pay the \$50.00 reconnection fee prior to service restoration. Tamilia indicated that the reconnection fee would instead be charged to Complainant's account.

It is unclear to whom Complainant is referring as "she" in her averments, "she said they didn't believe I made the \$57.00 and wanted to see proof to turn-on right away," and "she ask me if I could get my daughter to fax to D.L.C.'s supervisor Ms. Marie." therefore, after reasonable investigation, Respondent is

without sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied.

Complainant's averments regarding Ms. Marie's fax and telephone numbers are an apparent reference to Tamilia's fax and telephone numbers. If so, these averments are admitted.

Complainant's averment, "receipt of payment," is an apparent reference to the receipt for the payment made on June 28, 2005, at the unauthorized agency that Complainant faxed to Tamilia for payment verification. If so, this averment is admitted.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments regarding her daughter's walk to Under Wraps, whether Complainant called ahead and spoke with the owner, whether Complainant told the owner of the problem, and whether the owner faxed the receipt, and these averments are therefore denied.

If Complainant intends her averment, "but still wasn't on that day," to mean that service was not restored on the date that the receipt was faxed, this averment is admitted.

It is unclear to whom Complainant is referring in her averment, "called after hours," therefore, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied.

Complainant's averments, "called Ms. Marie after faxing," and "left-her v. mail mgs.(s)," are admitted.

Complainant's averment that Tamilia did not return her calls is denied. On the contrary, Tamilia returned Complainant's calls on numerous occasions.

As it is unclear what time period Complainant is referring to in her averment that Respondent's supervisor did not return her calls, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied. By way of further response, Complainant requested to speak with a supervisor on June 29, 2006, but, before a supervisor could call her back, Tamilia had become involved and called Complainant back.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments that Trout called Complainant the next day in the morning/mid morning to check if service was restored, that Complainant's daughter told Trout "no," that she had gotten ill during the night because of the extreme heat and had to be seen in the emergency room of Children's Hospital, that she was told that she was not to be in extreme heat, and that Trout asked Complainant to call her doctor because she did not sound well and to see if her doctor would call Respondent, and these averments are therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that Tamilia talked to Complainant's Doctor's office mgr twice on three way phone on the shut off date, and this averment is therefore denied. By way of further response, when Tamilia called Complainant back on June 29, 2006, Complainant indicated that she has a medical condition. Tamilia advised

Complainant of her medical rights and told her to have her doctor call Tamilia. Complainant declined to do so, but gave Tamilia her doctor's telephone number. Tamilia called the doctor's office and confirmed the doctor was not in, but the office did not verify Complainant's medical condition or provide a medical certification.

Complainant's averment that Complainant's doctor's office verified Complainant's health issues with Tamilia is denied. On the contrary, as noted above, Complainant's doctor's office did not verify Complainant's health issues or provide a medical certification when Tamilia called said doctor's office on June 29, 2005.

Complainant's averment, "I'm desperately in need of the service on right away," is a statement of opinion to which no response is required.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment, "Dr. wasn't in and would be next day and asked Ms. Marie to call him back then if she couldn't take both of their word for it," and this averment is therefore denied.

Complainant's averment, "I do not feel I owe or should have to pay the \$50-turn on fee because my ser. wasn't to be off," is a statement of opinion and/or conclusion of law to which no response is required.

It is unclear which neighbor Complainant is referring to in her averment that her neighbor's power was off, therefore, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied.

5. To the extent this paragraph contains requests for relief, no response is required.

Complainant's averment that she would like the PUC to order Respondent to permit her bill to be in the name N. Betts is a statement of opinion and/or request for relief to which no response is required.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that her other utility bills are in the name N. Betts, and this averment is therefore denied.

Complainant's averment, "taking off the (Pamela) for security purposes," is a statement of opinion to which no response is required.

Complainant's averment that she has asked Respondent many times to change her name on her account is denied as stated. On the contrary, Respondent's records indicate that Complainant called Respondent on August 15, 2005 and requested that the name on her account be changed from Pamela Betts to N. Betts. Respondent's representative informed her that she needed to bring legal proof of a name change to Respondent's office for verification.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that she has an extremely abusive, estranged husband, and this averment is therefore denied.

Complainant's averment, "I didn't want to be able to continue to change acct. info or get acct. info from various utility co.(s) himself," is a statement of opinion to which no response is required.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that Complainant's estranged husband uses other women to obtain Complainant's account information from other utility companies, and this averment is therefore denied.

6. After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment that the court has not granted a "Protection from Abuse" order from the court for her personal safety, and this averment is therefore denied.

Complainant's averment, "[d]on't believe so," is a statement of opinion to which no response is required.

7. Complainant's averments that she has spoken to a utility company representative about this complaint, and that she has spoken several times and to several people is admitted.

8. This paragraph contains Complainant's verification and signature to which no response is required.

9. Complainant's averment, "have none," is apparently intended to mean that Complainant is not represented by an attorney in this matter. This averment is admitted to the extent that Respondent has not received notification that Complainant is represented by an attorney.

Attachments:

Copy of Respondent's bill to Complainant due July 5, 2005:

Complainant has attached a copy of the first page of Complainant's electric bill from Respondent to her Complaint. The copy of this bill contains a

handwritten circling of the payment due date of July 5, 2005. A copy of a bill payment receipt from Western Union, dated June 28, 2005 is also copied onto the bottom of the page. This portion of the page also contains handwritten notations.

The authenticity of the machine-printed portion of the bill, due July 5, 2005, is admitted. As it is not clear what Complainant intends to mean by the circle, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the authenticity of the machine-printed portion of the receipt, and its authenticity is therefore denied. By way of further response, the \$57.00 payment was received by Respondent on June 30, 2005.

Complainant's handwritten notations on the receipt will be addressed as follows:

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments, "(412) 793-4545," and "Mon-Sat. Hrs. 9-6," and these averments are therefore denied.

In that it is not clear what Complainant intends to mean by the circlings on the receipt, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to their truth, and they are therefore denied.

Complainant's averment, "[b]ill due July 05, 2005," is an apparent reference to the above-mentioned bill that Complainant has attached to this Complaint.

Complainant's averment, "service off today @ 11:00," is an apparent reference to the date on the bill payment receipt, which is June 28, 2005. If so, this averment is denied. On the contrary, Complainant's service was terminated on June 29, 2005.

Complainant's averment, "Attn: Ms. Marie @ Light Co .," is an apparent reference to Respondent's employee, Marie Tamilia. If this averment is intended to mean that a copy of said receipt was provided to Tamilia, it is admitted.

If Complainant's averment, "AM Supervisor," is a reference to Marie Tamilia's title, this averment is denied. On the contrary, Tamilia's title is PUC Regulatory Analyst.

Complainant's averments, "FAX #: 412 393-6919," and "Direct Work #: 412 393-4601," are apparent references to Tamilia's fax and telephone numbers. If so, these averments are admitted.

Copy of Document Titled Transmission Verification Report:

Complainant has attached a copy of a machine-printed document titled Transmission Verification Report containing handwritten notations to this Complaint.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the authenticity of said Transmission Verification Report, and its authenticity is therefore denied.

In that it is not clear what Complainant intends to mean by circling a section of said machine-printed portion, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to its truth and it is therefore denied.

The handwritten notations will be addressed as follows:

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment regarding "Under Wraps, Saltsburg Rd, Pgh , PA, (412) 793-4545," and this averment is therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments regarding whether said document is a fax of a receipt of payment made on Tuesday June 28, 2005, at 10:51 a.m., for \$57.00 cash at Under Wraps, phone number (412) 793-4545 and whether Under Wraps is open Monday through Saturday from 9 until 6, and these averments are therefore denied.

It is unclear what Complainant intends to mean by her averment, "Duquesne Light Co.," therefore, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment, and it is therefore denied.

Complainant's averments, "Fax to Marie (412) 393-6969)," and "her direct wrk # 393 4601," is an apparent reference to Tamilya's fax number and direct dial telephone number. If so, this averment is admitted.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's

averments regarding what Trout told her and regarding Complainant's next door neighbor's shut off notices, and these averments are therefore denied.

Copy of document labelled "Your Electricity Has Been Shut-Off"

Attached is a copy of a shut-off notice from Respondent to Complainant, dated June 28, 2005. Said notice contains machine printed portions and handwritten notations. The authenticity of the machine-printed portion of the document is admitted. Respondent handwrote a portion of the notations and Complainant apparently handwrote a portion of the notation. Said notations will be addressed as follows:

The date written on said shut-off notice is denied as stated. Respondent believes and therefore avers that a 6-29-05 date was initially hand-written by one of its employees and subsequently altered to read 6-28-05

Complainant's averment, "[t]his was posted on front door," is admitted.

The \$50 turn-on fee notation was written by one of Respondent's employees and is admitted.

Copy of Complainant's bill due August 3, 2005:

Complainant has attached a copy of the first page of her bill due August 3, 2005, which contains a copy of a document labeled "Bill Payment Receipt," that has been copied on the bottom, and on which a telephone number has been handwritten. The authenticity of said bill is admitted.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the authenticity of said "Bill Payment Receipt." and its authenticity is therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of the handwritten averment, "(412) 793-4545," and it is therefore denied.

Copy of document labeled "10 Day Shut-Off Notice:

Complainant has attached a copy of a document labeled "10 Day Shut-Off Notice," from Respondent to Complainant to her Complaint. Said document contains machine-printed portions and handwritten notations. The authenticity of said machine-printed portions is admitted.

The handwritten notations will be addressed as follows:

Complainant's averment, "[s]hut-off notices at time of problem June 2005 "did not" have this in it," is admitted.

As it is unclear to whom Respondent is referring as "co. reps" and "they" in her averment, "so co. reps. told me that at that time they (co.) still should have posted 10-day, 72 hr 48 hr, and then 24 hr notices," after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment and it is therefore denied. As noted above, the Responsible Utility Customer Protection Act, which went into effect December 14, 2004, does not require the posting of said notices. Respondent's employees were aware of this and would not have told Complainant that said notices should have been posted at any time after said Act went into effect.

If Complainant intends her averment "[b]ut they didn't," to mean that Respondent did not post 10-day, 72-hour, 48-hour, and 24-hour notices prior to terminating her service, this averment is admitted.

Copy of Letter From PUC Investigator, Julia Byndas.

Complainant has attached a copy of a letter from the PUC, dated January 31, 2006. The letter contains machine-printed portions and handwritten notations. The authenticity of the machine-printed portions is admitted, to the extent that they are in accord with information provided to Respondent by BCS. The handwritten notations will be addressed as follows:

Complainant has placed two asterisks in the body of the letter, which appear to refer to handwritten portions at the bottom of the letter. No response is required to said asterisks.

Complainant's averment, "2 highlighted areas are "not" what I had contact the PUC about at all," is an apparent reference to Complainant's informal complaint at BCS Case No. 1932473. If so, after reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of this averment and it is therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averments concerning her conversations with Ms. Byndas, and these averments are therefore denied.

After reasonable investigation, Respondent is without sufficient knowledge or information to form a belief as to the truth of Complainant's averment concerning what she received or did not receive from the PUC, nor what she was told by the Secretary's Bureau or other PUC employees, and these averments are therefore denied.

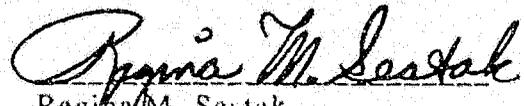
The telephone number for the Secretary's Bureau is admitted.

By way of further response, Respondent complied with all applicable law, regulations, and tariff provisions in the termination and reconnection of Complainant's service. Specifically, Complainant's service was properly terminated for non-payment in accordance with Section 1406(a) of the Responsible Utility Customer Protection Act, 66 Pa.C.S. §1406(a). Respondent provided appropriate notice of termination to Complainant in accordance with the requirements of Section 1406(b)(1)(i) and (ii) of the Responsible Utility Customer Protection Act, 66 Pa.C.S. §1406(b)(1)(i) & (ii). Reconnection occurred well within the time limit set by Section 1407(b) of the Responsible Utility Customer Protection Act, 66 Pa.C.S. §1407(b). Respondent further properly imposed a \$50 reconnection fee in accordance with Section 1407(a) of the Responsible Utility Customer Protection Act, 66 Pa.C.S. §1407(a), and its Tariff Rule 40 A, Tariff ELECTRIC - PA.P.U.C. No. 23, First Revised Page No. 29, Cancelling Original Page No. 29, effective December 14, 2004.

WHEREFORE, Respondent requests that after reasonable investigation and hearing the Complaint be dismissed.

Respectfully submitted:

DUQUESNE LIGHT COMPANY
By Counsel:



Regina M. Sestak
Pa. I.D. # 23632
Duquesne Light Company
411 Seventh Avenue, 8-2
Pittsburgh, PA 15219
Telephone: (412) 393-1546
FAX (412) 393-1418



Date(s) Sent: [07/27/05] DUQ 07272005 150839.xml
 [07/22/05] DUQ 07222005 062001.xml
 [07/20/05] DUQ 07202005 062005.xml

Status: Receipt of PUC Decision Date Closed: [07/31/05] Closing Data Received: [2/17/06 15:48:00]

Justified: Internal Justification: [No] Reason Justified: [None-not justified] Error Code: [None]

Decision: Written Oral Decision Balance: [\$749.51] Balance Date: [07/28/05]

Lump Requested: [] Awarded: [\$0.00] Difference: [] Date Awarded: [00/00/00] Service Restored: []

Budget Payments
 Regular: [\$0.00] Affects Plus: [\$0.00] Special: [\$0.00] Monthly Payments
 Current: [\$0.00] Final: [\$0.00] End: [\$0.00]

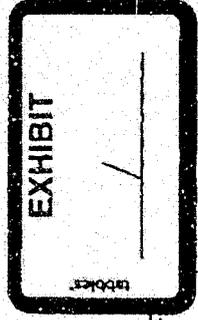
Decision Type: [CAP REVIEWED / NO DECISION] Terms: []

Resolution: CAP REVIEW. CAP 352. THIS IS THE CORRECT CAP RATE BASED ON INCOME CUSTOMER PROVIDED. CO SENT PROPER NOTICE OF TERMINATION SENT CUSTOMER CAP VALID LETTER. DISMISS 1405.
 REVISION REVISED 2/17/2006
 CUSTOMER CALLED BACK ON 2/8/2006 AND \$50.00 RECONNECT FEE ADDRESSED VERBALLY WITH CUSTOMER. CUSTOMER ADVISED THE COMPANY PROPERLY REQUESTED THIS FEE AS THE CUSTOMER DID NOT CALL TO VERIFY HER PAYMENT WITH THEM PRIOR TO TERMINATION. ALSO ADVISED CUSTOMER TERMINATION NOTICES WERE ISSUED 10 DAY NOTICE BY MAIL 6/14/2005. EXPLAINED 72 HR NOTICE ON 6/21/2005 WHERE MESSAGE WAS CUT OFF AND 72 HR NOTICE ON 6/23/2005 WHERE ENTIRE MESSAGE LEFT. I VERIFIED TELEPHONE # CO USED. NO POSTING ON THE ACCOUNT AS CO NOT REQUIRED TO POST 48 HR NOTICE UNLESS ITS WINTER. CUSTOMER ADVISED MED CERTS NEED TO BE FILED BY DR. CAN HAVE 1 MED CERT AND 2 RENEWALS

RECEIVED

MAR 22 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



AFFIDAVIT

I, Joseph W. Smetanka, being duly sworn according to law depose and say that I am authorized to make this affidavit on behalf of Duquesne Light Company being the holder of the office of Operational Vice President - Customer Services with that corporation, and that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief and Duquesne Light Company expects to be able to prove the same at any hearing hereof.

Joseph W. Smetanka
Joseph W. Smetanka

Sworn and subscribed before me this 21st day of March, 2006.

Mary Jane Hammer
Notary Public

My Commission Expires October 6, 2007

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Mary Jane Hammer, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Oct. 6, 2007
Member, Pennsylvania Association of Notaries

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PAMELA N. BETTS,)
)
 Complainant,)
)
 v.)
)
 DUQUESNE LIGHT COMPANY,)
)
 Respondent.)

Docket No. C-20065912

RECEIVED

MAR 22 2006

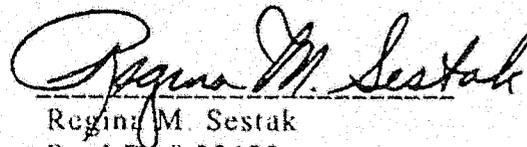
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

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 52 PA. Code § 1.54 (relating to service by a participant).

Pamela N. Betts
5850 Heberton Drive
Verona, PA 15147-3323

Dated this 22nd day of March, 2006.



Regina M. Sestak
Pa. I.D. # 23632
Duquesne Light Company
411 Seventh Avenue
Mail Drop 8 2
Pittsburgh, PA 15219
Telephone: (412) 393-1196
FAX (412) 393-1418



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 27, 2006

IN REPLY PLEASE
REFER TO OUR FILE

Re: C-20065812

GARY A JEFFRIES ESQUIRE
DOMINION RETAIL INCORPORATED
1201 PITT STREET
PITTSBURGH PA 15221

DOCUMENT
FOLDER

James F. Stadler v. Dominion Retail Incorporated

Motion Judge Assignment Notice

This is to inform you that a preliminary motion was filed on the above-captioned case. This motion is being assigned to Chief Administrative Law Judge Veronica A. Smith for ruling. The Commission rule of practice at 52 Pa. Code §5.101 specifies that the person who filed the complaint has ten (10) days from the date the motion was served on you to file an answer.

If you file any pleading or document relating to this motion with the Secretary of the Commission, please provide a duplicate copy to the judge.

Procedural questions or comments should be directed to the judge at:

717-783-5452

DOCKETED
APR 06 2006