

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 06/27/02
8. DOCKET NO: F-01134780	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: MANSBERGER, CHARLES

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: CUMBERLAND

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT HE GOT CONNECTED AND NEVER RECEIVED A BILL. NOW HE OWES \$3,000 FOR THREE YEARS AND TEN MONTHS. HE WANTS THE BILL REMOVED BECAUSE OF PPL'S NEGLECT.

DOCUMENT  
FOLDER

**DOCKETED**  
JUN 28 2002

**ORIGINAL**

**FORMAL COMPLAINT FORM**  
Pennsylvania Public Utility Commission

BCS 1134780

7-2-02

2002.11.27 AM 9:18

F-01134780  
110500

Please Print:

SECRET BUREAU

1. Your Name, Mailing Address and Telephone Number:

Name Charles Mansberger

Street/P.O. Box 119 3rd Ave. Apt.# \_\_\_\_\_

City New Cumberland State PA Zip 17070

County Cumberland Home Telephone-Area Code (717) 774-7183  
Work Telephone-Area Code ( ) \_\_\_\_\_

2. Name of Company your complaint concerns: PP&L

3. What is your complaint?

I feel as though I am being railroaded to pay for someone elses mistake. As a PP&L customer, I took the proper steps to get connected & never recieved an electric bill. 3 years & 10 months later, I am forced to put a \$3,000 bill in my name. I feel that not only was PP&L at fault for not properly billing me, when they finally did, I was threatened that it would be shut off unless I claimed it by putting it in my name. Only after putting it in my name, was I given the option to appeal it.

(If you need more space, use additional paper and attach to this form).

(-over-)

30

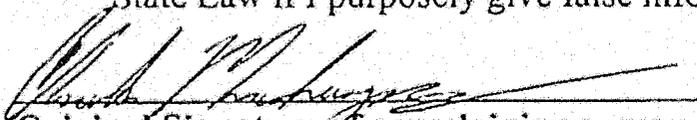
4. What do you want the Public Utility Commission to do about your complaint?

Get PPL to take this bill due to their own neglect.

(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

  
Original Signature of complaining person

6-25-02  
Date

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

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number-Area Code ( \_\_\_\_\_ ) \_\_\_\_\_

*Timely*  
*7-2-02*

**NOTIFICATION OF INTENT TO APPEAL**  
(Request For Formal Complaint Forms)

Notice to Customer:

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: May 30, 2002. The Commission will send you formal complaint forms.

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

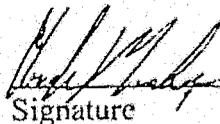
Thank You.  
Pennsylvania Public Utility Commission

**Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:**

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

CHARLES MANSBURGER  
119 3RD AVENUE  
NEW CUMBERLAND PA 17070

717 774 7183  
(Area Code) Telephone Number

  
Signature

Mail this completed form to:

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

**FOR OFFICE USE ONLY**

BCS Number: 1134780      Date of mailing: May 30, 2002  
Company: PPL ELECTRIC UTILITIES INC  
827 HAUSMAN ROAD  
ALLENTOWN PA 18104-9392

SECRETARY'S BUREAU

2002 JUN 12 AM 9:08

REVISED 11-97

RECEIVED

*39*



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

7-2-02

IN REPLY PLEASE  
REFER TO OUR FILE

June 12, 2002

BCS 1134780

CHARLES MANSBURGER  
119 3<sup>RD</sup> AVENUE  
NEW CUMBERLAND PA 17070

Dear Sir/Madam:

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

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

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

Return the form to us on or before JULY 2, 2002 to the address listed below:

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

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

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision,
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.

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

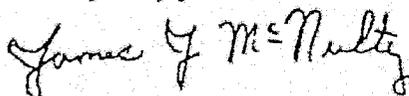
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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

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

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

Very truly yours,



James J. McNulty  
Secretary

KSB

CC PPL ELECTRIC UTILITIES INC.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JUNE 28, 2002

CHARLES MANSBERGER  
Complainant

VS.

PPL ELECTRIC UTILITIES  
CORPORATION  
Respondent

Complaint Docket  
No: F-01134780

DOCUMENT  
FOLDER

**DOCKETED**

JUN 28 2002

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

---

TO: PPL ELECTRIC UTILITIES CORPORATION

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time, THEREFORE,

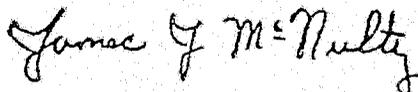
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required 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

DATE SERVED: JUNE 28, 2002

F-01134780

PPL ELECTRIC UTILITIES CORPORATION  
PAUL E RUSSELL GEN COUNSEL  
TWO N 9TH ST  
ALLENTOWN PA 18101-1179

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by CHARLES MANSBERGER. 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.

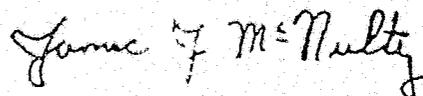
JUNE 28, 2002

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

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help.

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

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty  
Secretary

dbb

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J. GROSS  
PAUL A. MCGINLEY  
DONALD LABARRE, JR.  
J. JACKSON EATON, III  
MICHAEL A. HENRY  
PATRICK J. REILLY  
WILLIAM J. FRIES  
ANNE K. MANLLY  
SUSAN ELLIS WILD  
ELIZABETH R. CRAVER  
ALLEN I. TULLAR  
JOHN F. GROSS  
KIMBERLY G. KRUPKA  
ROBERT A. ALFERT  
K. A. SPGTIS-KIMMEL

ATTORNEYS AT LAW  
33 SOUTH SEVENTH STREET  
P.O. BOX 4060  
ALLENTOWN, PENNSYLVANIA 18105-4060

(610) 820-5450  
TELEFAX (610) 820-6006  
E-MAIL wfries@gmle.com

RECEIVED

JUL 18 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

July 18, 2002

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

ORIGINAL

RE: Charles Mansberger v. PPL Electric Utilities Corporation  
No. F-01134780

DOCUMENT  
FOLDER

Dear Mr. McNulty:

Enclosed for filing in the above captioned matter are an original and three copies of the Condition Answer with New Matter and Preliminary Motions of PPL Electric Utilities Corporation.

Pursuant to 52 Pa. Code §1.11, the enclosed document is to be deemed filed on July 18, 2002, which is the date it was deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

In addition, please date and time-stamp the enclosed extra copy of this letter and return it to me in the envelope provided.

Very truly yours,

*William J. Fries*  
WILLIAM J. FRIES

WJF/sjm  
Enclosures  
cc: Charles Mansberger, w/encl.

7/11/02 sjm  
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RECEIVED

JUL 18 2002

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

CHARLES MANSBERGER

Complaint Docket  
NO. F-01134780

v.

PPL ELECTRIC UTILITIES CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a true copy of the foregoing document upon the participant(s) listed below, in accordance with the requirements of Section 1.54 (relating to service by a participant):

Charles Mansberger  
119 Third Avenue  
New Cumberland, PA 17070

Dated this 18<sup>th</sup> day of July, 2002.

GROSS, MCGINLEY, LaBARRE & EATON, LLP

BY:

William J. Fries

WILLIAM J. FRIES, ESQUIRE  
Attorney for PPL Electric Utilities Corporation  
33 South 7<sup>th</sup> Street  
P.O. Box 4060  
Allentown, PA 18105-4060  
(610) 820-5450  
I.D. #25914

Date: 7/18/02

RECEIVED

JUL 18 2002

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

CHARLES MANSBERGER,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET  
NO. F-01134780

DOCKETED

JUL 27 2002

**CONDITIONAL ANSWER WITH NEW MATTER AND PRELIMINARY MOTIONS  
OF PPL ELECTRIC UTILITIES CORPORATION**

PPL Electric Utilities Corporation (PPL), by its attorney, hereby Answers the Complaint with New Matter in the above captioned proceeding as follows, in the event the within Preliminary Motions are denied.

DOCUMENT  
FOLDER

1. Admitted.

2. Admitted.

3. Admitted in part and denied part. PPL denies that Complainant Charles Mansberger

(Complainant) is being railroaded to pay for someone else's mistake. To the contrary, PPL avers that on December 5, 2001, it issued a letter to "occupant" at the subject electric service premises, which is located at 119 Third Avenue, New Cumberland, Pennsylvania, because an investigation conducted by PPL on an electric meter for said premises indicated electric usage on an inactive meter. PPL also avers

that the aforesaid letter stated that if no contact was received from the occupant by December 17, 2001, electric service may be terminated. In addition, PPL avers that on December 10, 2001, Complainant contacted PPL by telephone, during which time he stated that he and his girlfriend had been living at the subject electric service premises, and Complainant agreed to accept electric service from March 31, 1999. Moreover, PPL avers that as a result of said agreement, PPL informed Complainant, during the aforesaid telephone call, that he would be connected effective March 31, 1999 and that a payment arrangement was available. PPL further avers that on April 20, 2002, an electric service bill, along with a letter offering a payment arrangement, was sent to Complainant. PPL also avers that on April 30, 2002, Complainant contacted PPL concerning the aforesaid payment agreement offered, and, at this time, he agreed to pay \$160.10 by May 15, 2002 and, thereafter, for 48 months, would pay his current electric bill plus \$62.50 towards the \$3,160.80 balance for electric usage since March 31, 1999. Furthermore, PPL avers that on April 30, 2002, Complainant contacted PPL a second time and stated he did not agree to being responsible for electric service from March 31, 1999.

PPL admits that Complainant is a PPL customer.

PPL denies, as averred, that Complainant took the proper steps to get connected and never received an electric bill. To the contrary, PPL avers that its records indicate Complainant failed to contact PPL to establish electric service in his name at the subject electric service premises and, as a result, an electric service bill for electric usage at the subject electric service premises was not issued to Complainant in his name.

PPL denies, as averred, that 3 years and 10 months later, Complainant is forced to put a \$3,000 bill in his name. To the contrary, PPL did not force Complainant to put a \$3,160.80 bill in his name. By way of further response, PPL avers that on December 10, 2001, Complainant admitted he was residing at the subject electric service premises and agreed to accept electric service from March 31, 1999. PPL also avers that based on said agreement, an electric service bill was issued to Complainant for electric usage at the subject electric service premises since March 31, 1999. In addition, PPL avers that since March 31, 1999, Complainant benefited from electric service at the subject electric service premises and, as a result, is responsible for paying for said usage. Furthermore, PPL avers that Complainant knew or should have know that he should have contacted PPL, prior to December 10, 2001, when he did not receive electric service bills for electric usage on the subject electric service premise since March 31, 1999.

PPL denies that it was PPL's fault for not properly billing Complainant. To the contrary, PPL avers it was Complainant's fault that he did not receive an electric service bill for electric usage at the subject electric service premises. By way of further response, it was Complainant's responsibility to establish electric service in his name when he commenced residency at the subject electric service premises. In addition, PPL incorporates by reference herein its aforesaid response to Paragraph 3 of the Complaint.

PPL denies that Complainant was threatened that his electric service would be shut off unless he claimed it by putting it in his name. To the contrary, PPL avers that on December 5, 2001, it issued a letter to Complainant stating that PPL detected electric usage at the subject electric service

premises on an inactive meter and requested that the occupant contact PPL prior to December 17, 2001 or electric service may be terminated. By way of further Answer, PPL incorporates by reference herein its aforementioned response to Paragraph 3 of the Complaint. PPL also avers that pursuant to Section 56.14 of the Pennsylvania Code, a utility is permitted to render a makeup bill for previously unbilled utility service resulting from a utility billing error; as such, the electric service bill issued to Complainant in the amount of \$3,160.80 is a permissible makeup bill.

PPL admits that it put electric service in Complainant's name effective March 31, 1999. By way of further response, PPL incorporates by reference herein its aforementioned response to Paragraph 3 of the Complaint.

After reasonable investigation, PPL is without knowledge or information sufficient to form a belief as to the truth of Complainant's allegation that "after putting it in my name, was I given the option to appeal it," and strict proof regarding the same is hereby demanded by trial to the extent it is relevant.

4. Paragraph 4 constitutes a request for relief to which no Answer is required. To the extent a response is required, PPL incorporates by reference herein the averment set forth in its Answer to Paragraph 3 of the Complaint.

#### NEW MATTER OF PPL ELECTRIC UTILITES CORPORATION

PPL Electric Utilities Corporation (PPL), by its attorney, hereby raises as a New Matter, pursuant to Section 5.62, Title 52 of the Pennsylvania Code, 52 Pa. Code § 5.62, the following:

5. Paragraphs 1 through 4 of PPL's Conditional Answer are incorporated herein by reference as though set forth at length herein.

6. Complainant Charles Mansberger (Complainants) and PPL entered into an agreement on December 10, 2001, whereby Complainant accepted responsibility for electric service at the subject electric service premises since March 31, 1999.

7. Complainant breached the aforesaid agreement by failing to make payments for electric usage at the subject electric serviced premises since March 31, 1999.

8. Complainant's claims are barred by the agreement executed between PPL and Complainant.

9. Complainant's claims are barred by the doctrine of waiver.

10. Complainant's claims are barred by the doctrine of estoppel.

#### PRELIMINARY MOTIONS OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utilities Corporation (PPL), by its attorney, hereby makes the following Preliminary Motions pursuant to Section 5.101(a)(1) Title 52 of the Pennsylvania Code, 52 Pa. Code § 5.101(a)(1).

11. Paragraphs 1 through 4 of PPL's Conditional Answer and Paragraphs 5 through 10 of PPL's New Matter are incorporated herein by reference as though set forth at length herein.

12. On May 30, 2002, the Bureau of Consumer Services (BCS) issued a decision in response to Complainant Charles Mansberger's (Complainant) informal Complaint, a copy of which is attached hereto as Exhibit "A."

13. In the May 30, 2002 decision from the BCS, Complainant was advised that unless the decision was appealed within 20 days, the decision was final and binding on all parties.

14. On June 27, 2002, Complainant filed an untimely formal Complaint with the Pennsylvania Public Utility Commission (Commission).

15. Because Complainant's Complaint was filed in an untimely manner, the Commission no longer has jurisdiction to hear the matters complained of in the instant Complaint.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Commission grant PPL's Preliminary Motions, and dismiss the Complaint for lack of jurisdiction.

Respectfully submitted,

PPL Electric Utilities Corporation

By: William J. Fries  
WILLIAM J. FRIES

Dated: July 18, 2002  
at Allentown, Pennsylvania

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

CHAS. MANSBURGER  
119 3RD AVENUE  
NEW CUMBERLAND PA 17070

v.

PPL ELECTRIC UTILITIES INC  
827 HAUSMAN ROAD  
ALLENTOWN PA 18104-9392

Case Number: 1134780

Account Number: 30801-27012

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**Decision On Informal Complaint By The Bureau Of Consumer Services:****Statement Of Complaint:**

A summary of the customer's complaint is as follows:

Mr. Mansburger claims he contacted PPL Electric Utilities, Inc. (PPL) approximately 4 years ago and paid off his previous account. Mr. Mansburger never received an electric bill for the above service address and assumed the electricity was included the rent, and is disputing the fact that PPL never billed him and is now charging him \$3,160.10. Mr. Mansburger claims PPL "railroaded" him into agreeing to pay this bill because PPL was going to shut off the electric service.

**Investigation By Staff Of The Bureau Of Consumer Services Revealed:**

1. According to company records, a letter was sent to "Occupant" at the above service address on December 5, 2001, due to usage on an inactive meter. The letter further stated that if no contact was received by December 17, 2001, the service may be terminated.
2. According to company records, Mr. Mansburger called PPL on December 10, 2001, and stated he and his girlfriend have been living at the above service address. Mr. Mansburger agreed to accept service from March 31, 1999, and was advised that a payment agreement was available.
3. According to company records, Mr. Mansburger called PPL on April 30, 2002, in response to receiving a bill for \$3,160.10 along with a letter offering a payment agreement. Mr. Mansburger agreed to pay \$160.10 by May 15, 2002. Thereafter, it was also agreed for 48 months he would be responsible for paying his current bill plus \$62.50 towards the unpaid balance. Mr. Mansburger called back later the same day and told the Customer Service Representative that he would not agree to be responsible for the service from March 31, 1999.
4. According to company records, PPL received a payment on May 13, 2002 for \$84.27.
5. Mr. Mansburger told this Investigator on May 29, 2002, that it was not his fault that PPL did not put the bill in his name, and he should not have to pay. In addition, if someone made a mistake, he should not have to pay for it. This Investigator offered a 10% discount on the initial make-up bill in full settlement of this Informal Complaint. The offer was declined by Mr. Mansburger.

**Based On These Findings, The Bureau Of Consumer Services Concludes:**

1. Mr. Mansburger benefited from the electric service as he admitted to the PPL representative; and he should be responsible.
2. Mr. Mansburger should have contacted his landlord or PPL prior to receiving the "Occupant" letter if he questioned responsibility for the electric service.
3. As per 52 Pa. Code §56.14 a utility is permitted to render a make-up bill for previously unbilled utility service resulting from utility billing error.

**Therefore It Is Decided:**

1. That the informal complaint of CHARLES MANSBURGER is dismissed.
2. That Mr. Mansburger's account balance is \$3,160.80.
3. That beginning with the bill due date in June 2002, Mr. Mansburger shall pay his current bill plus an additional \$50.00 per month to be applied toward the remaining unpaid balance.
4. All payments must be made by the due date of each month's bill.
5. Payments shall continue in this manner until the bill is paid in full.
6. If Mr. Mansburger fails to pay as per the terms of this decision, PPL may terminate service after providing notification as required by Pennsylvania Public Utility Commission regulations.
7. The filing of a Formal Complaint will not stop termination of electric service if Mr. Mansburger fails to pay in accordance with this Informal Decision.

May 30, 2002

Date

\_\_\_\_\_  
SignatureJane W. Rosenthal  
Utility Complaint Investigator  
Bureau of Consumer Services  
PA Public Utility Commission

RECEIVED

**NOTIFICATION OF INTENT TO APPEAL**  
(Request For Formal Complaint Forms)

JUL 18 2002

Notice to Customer:

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: May 30, 2002. The Commission will send you formal complaint forms.

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

Thank You.  
Pennsylvania Public Utility Commission

**Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:**

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

CHARLES MANSBURGER  
119 3RD AVENUE  
NEW CUMBERLAND PA 17070

\_\_\_\_\_  
(Area Code) Telephone Number

\_\_\_\_\_  
Signature

Mail this completed form to:

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

<b>FOR OFFICE USE ONLY</b>	
BCS Number: 1134780	Date of mailing: May 30, 2002
Company: PPL ELECTRIC UTILITIES INC	
827 HAUSMAN ROAD	
ALLENTOWN PA 18104-9392	





COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OJR FILE

August 30, 2002

In Re: F-01134780

(See attached list)

**DOCKETED**  
SEP 03 2002

Charles Mansberger v. PPL Electric Utilities Corporation

Billing dispute.

**DOCUMENT**

Hearing Notice

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

Type: Initial Hearing

Date: Thursday, October 10, 2002

Time: 10:00 a.m.

Location: Hearing Room 3  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, Pennsylvania

Presiding: Administrative Law Judge Wayne L. Weismandel  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
Telephone: (717) 783-5452  
Fax: (717) 787-0481

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

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

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

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: 717-787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Weismandel  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File