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JUL 12 2002

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

REP

Kelly L. Wentz

v.

Docket No. F-01002432

PPL Electric Utilities Corporation

PREHEARING ORDER

On February 26, 2002, Ms. Wentz filed the above captioned complaint and alleged a billing dispute. By letter dated March 25, 2002, PPL Electric Utilities Corporation filed its Conditional Answer and Preliminary Motions. The Preliminary Motion alleged that the Complaint should be dismissed for failure to join Penn Credit and Jack Sunday as indispensable parties. My understanding of an indispensable party is based on the following:

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PUB. UTIL. COM.

As a general rule, an indispensable party is one whose rights are so connected with the claims of the litigants that no decree can be made without impairing its rights. Sprague v. Casey, 520 Pa. 38, 550 A.2d 184 (1988); Grimme Combustion, Inc. v. Mergentime Corp., 406 Pa. Super. 620, 595 A.2d 77 (1991), alloc. denied. 530 Pa. 644, 607 A.2d 254 (1992); Burkett v. Snyder, 369 Pa. Super. 519, 535 A.2d 671 (1988).

The basic issue in this case is whether Ms. Wentz owes money to PPL. The rights of Mr. Sunday and Penn Credit are not involved in that issue. If the Commission determines that Ms. Wentz does owe money to PPL, there will be no impact on Mr. Sunday or Penn Credit. If the Commission determines that she properly terminated her account and does not owe money to PPL, PPL will be required to direct its agent, Penn Credit, to change its records. In addition, PPL will be required to decide whether Mr. Sunday should be liable for the

unpaid balance, and if Mr. Sunday disagrees, his remedies will not be impaired by this proceeding. My analysis indicates that neither Mr. Sunday nor Penn Credit meets the threshold requirements to be categorized as indispensable. Accordingly, the motions will be denied below.

An initial telephonic hearing in this case is scheduled for Wednesday, August 7, 2002, at 10:00 a.m. Accordingly, the parties are further directed to comply with the following requirements:

1. If you intend to present any documents or exhibits for my consideration, you must send one (1) copy to the other party and three (3) copies to me one week before the hearing. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of filing. If you send me any correspondence or documents, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

2. If you or any proposed witness will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one (1) week before the hearing.

3. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes must be sent to me and all parties of record. My correct address is: Louis G. Cocheres, Administrative Law Judge, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

4. YOU MAY LOSE THIS CASE IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

5. ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS STILL A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

6. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

7. The complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the complainant is entitled to the relief requested in the Complaint.

8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.



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 OUR FILE

August 7, 2002

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In Re: F-01002432

(See letter of 6-26-02)

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Kelly L. Wentz v. PPL Electric Utilities Corporation

Billing dispute.

Hearing Cancellation/Reschedule Notice

This is to inform you that the initial telephone hearing on the above-captioned case previously scheduled for August 7, 2002 has been canceled.

The hearing has been rescheduled as follows:

Type: Initial telephone hearing
Date: Friday, September 13, 2002
Time: 10:00 a.m.
Presiding: Administrative Law Judge Louis G. Cocheres
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

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

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

Kelly L. Wentz	(717) 249-2731
William J. Fries, Esquire	(610) 820-5450

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

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

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

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

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

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

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	F-01002432		YES	NO
Case Name:	Kelly L. Wentz v. PPL Electric Utilities Corp	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	HBG	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
Date:	August 7, 2002	Estimated Add'l Days:		
ALJ:	Louis G. Cocheres	RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	Hearing postponed at Wentz' request 8/5/02	

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AUG 14 2002

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 OFFICE OF THE ALJ
 02 AUG -7 PM 3:51
 PA PUC
 KJR

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Name and Telephone Number	Address	Who are you representing?
	City State Zip	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	
Telephone:	E-mail Address:	Fax Number:

Check this box if additional parties or attendees appear on back of form.

Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

SRB

William J. Fries
Gross McGinley LaBarre & Eaton
33 South Seventh Street
Allentown, Pennsylvania 18101
(610) 820-5450

September 5, 2002

FEDERAL EXPRESS

The Honorable Louis G. Cocheres
Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17105-3265

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SECRETARY'S BUREAU

2002 SEP - 9 AM 9:18

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Re: Kelly L. Wentz v.
PPL Electric Utilities Corporation
Docket No. F-01002432

Dear Judge Cocheres:

Enclosed for filing in the above-captioned matter are three (3) copies of PPL Hearing Exhibit No. 4. PPL Exhibits 1, 2 and 3 have been previously submitted to your attention on July 31, 2002. I propose to introduce these documents into evidence at the telephonic hearing scheduled for Wednesday, September 13, 2002 at 10:00 AM. I can be reached at the telephone number (610) 774-4388 at the aforesaid date and time.

I have mailed copies of Exhibit No. 4 to the Complainant.

Very truly yours,

William J. Fries / WJF

William J. Fries

Enclosures

cc. Kelly L. Wentz
James J. McNulty, Secretary

F-01002432

Account Activity Statement

Date 09/05/02
Page 1

*** Current Account Status ***

*** Account Information ***

Account Number: 01471-51004
 Requested By: KELLY J WENTZ
 Mail To: KELLY J WENTZ
 290 OLD STONEHOUSE RD
 CARLISLE PA 17014
 Payment Agreement 50.00 Balance 50.00
 Installment
 Budget Bill Amortization 50.00 Balance 50.00
 Installment
 Current Rate: RS

DATE	TRANSACTION TYPE	TRANSACTION AMOUNT	BALANCE FORWARDED	ACTUAL BILLED	DEFERRED BALANCE	MSG DAY H/C	PGG/TYPE	DAYS USED	RWH	BILLED KW
07/24/2000	ELECTRIC SERVICE	\$5.74								
07/24/2000	Regular Bill	\$5.74				0000/0211	00004A	25	4	
08/11/2000	Payment	\$-5.74								
08/23/2000	ELECTRIC SERVICE	\$6.91								
08/23/2000	Regular Bill	\$6.91				0001/0259	00009E	29	5	
0 /19/2000	Late Payment Charge	\$0.09								
09/22/2000	ELECTRIC SERVICE	\$6.91								
09/22/2000	Regular Bill	\$13.91	\$6.91			0025/0208	00014E	30	5	
10/11/2000	Payment	\$-13.91								
10/24/2000	ELECTRIC SERVICE	\$7.17								
10/24/2000	Regular Bill	\$7.17				0244/0010	00022A	32	8	
11/08/2000	Payment	\$-7.17								
11/30/2000	ELECTRIC SERVICE	\$21.64								
11/30/2000	Regular Bill	\$21.64				0469/0000	02912A	28	28	28
12/01/2000	ELECTRIC SERVICE	\$11.95								
12/01/2000	Regular Bill	\$263.59	\$221.64			1058/0000	04697A	31	1785	
12/28/2000	Payment	\$-221.64								
01/22/2001	Payment	\$-143.93								
01/23/2001	ELECTRIC SERVICE	\$143.93								
01/23/2001	Regular Bill	\$143.93				1700/0000	06504A	33	1807	
02/16/2001	Payment	\$-143.93								
02/21/2001	ELECTRIC SERVICE	\$107.74								
02/21/2001	Regular Bill	\$107.74				09941/0000	07809A	29	1305	
03/15/2001	Payment	\$-107.74								
03/23/2001	ELECTRIC SERVICE	\$105.42								
03/23/2001	Regular Bill	\$105.42				0861/0000	09082A	30	1273	
04/24/2001	Payment	\$-105.42								
04/24/2001	ELECTRIC SERVICE	\$109.91								
04/24/2001	Regular Bill	\$109.91				0569/0005	10417A	30	1335	

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OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No:	F-01002432		YES	NO
Case Name:	Kelly L. Wentz v. PPL Electric Utilities Corp.	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	HBG	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days		
Date	September 13, 2002	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ:	Louis G. Cocheres	DATE:	10/4/02	
Reporting Firm:	Commonwealth Reporting	Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:		

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Name and Telephone Number	Address	Who are you representing?
Kelly L. Wentz Telephone: 717-249-2731	290 Old Stonehouse Rd. City: Carlisle State: PA Zip: 17103	Pro se
William J. Fries Telephone: 610-820-5450	Gross, McGinley, LaBarre & Eaton 33 South Seventh St. City: Allentown State: PA Zip: 18101	PPL

Check this box if additional parties or attendees appear on back of form.

Thomas A. Kelly, CRC Inc.
Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J. GROSS
PAUL A. MCGINLEY
DONALD LABARRE, JR.
JACKSON L. EATON, III
MICHAEL A. HENRY
PATRICK J. RILEY
WILLIAM J. FRIES
ANNE K. MANLEY
SUSAN ELLIS WILD
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P.O. BOX 4060
ALLENTOWN, PENNSYLVANIA 18105-4060

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

ORIGINAL

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2002 OCT 28 AM 9:15
SECRETARY'S BUREAU

October 24, 2002

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

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RE: Kelly L. Wentz v. PPL Electric Utilities Corporation
No. F-01002432

Dear Mr. McNulty:

Enclosed for filing are an original and three copies of a Joint Certificate of Satisfaction of Complaint under 52 Pa. Code § 5.24. Because all legal and factual issues in this proceeding have been resolved, PPL respectfully requests that this docket be terminated.

I hereby certify that I have provided a copy of the Certificate to the Complainant in this proceeding. In addition, I am provided a copy of the Certificate to Administrative Law Judge Louis G. Cocheres.

Thank you for your assistance.

Very truly yours,

William J. Fries
WILLIAM J. FRIES

WJF/sjm

Enclosures

cc: The Honorable Louis G. Cocheres, w/encl.
Ms. Kelly L. Wentz, w/encl.
Ms. Anita Scott, w/encl. (via telefax)
Ms. Deidre L. Bilger, w/encl. (via telefax)

10/24/02 sjm
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ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

2002 OCT 28 AM 9:45
SECRETARY'S BUREAU

KELLY L. WENTZ

Complaint Docket
NO. F-01002432

v.

PPL ELECTRIC UTILITIES CORPORATION

JOINT CERTIFICATE OF SATISFACTION OF COMPLAINT DOCUMENT
FOLDER

1. Complainant is Kelly L. Wentz.
2. Respondent is PPL Electric Utilities Corporation.
3. This Joint Certificate of Satisfaction of Complaint is submitted pursuant to 52 Pa. Code Section 5.24.

4. PPL Electric Utilities Corporation hereby certifies that the parties to the above-referenced formal Complaint, now pending before the Pennsylvania Public Utility Commission, have mutually and voluntarily agreed that the following terms constitute full satisfaction of all outstanding legal and factual disputes in this proceeding:

- a. PPL agrees to contact Inovision to withdraw its collection claim against Complainant.
- b. PPL further agrees that it will request that Inovision update its credit reporting to reflect that Complainant owes no money to Inovision on the subject account

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c. Complainant agrees to pay the sum of \$124.30 to PPL within 30 days from the date of this Certificate in full and final satisfaction of Complainant's liability on the subject account, and as long as Complainant makes timely payment thereof, PPL will not in the future make any adverse credit report pertaining to Complainant with respect to the subject account.

WHEREFORE, Complainant withdraws the above-captioned Complaint with prejudice and Complainant and PPL respectfully request that the docket be marked closed in this matter.

Respectfully submitted,

PPL Electric Utilities Corporation

By: William J. Fries
WILLIAM J. FRIES
Its Attorney

Kelly I. Wentz
KELLY I. WENTZ

Date: 10-10-02

Date: 10-17-02

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: October 30, 2002

SUBJECT: Certification of Satisfaction Filed
F-01002432 Kelly L. Wentz v. PPL Electric Utilities Corporation

TO: Wanda Zeiders
Docket Management

FROM: Susan Licon, Scheduling Officer
Office of Administrative Law Judge

On October 28, 2002, a Certificate of Satisfaction was filed in the above-captioned proceeding by William J. Fries, Esquire. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc. ALJ Louis G. Cocheres
Beth Plantz
Case File

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