

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: F-02024050

4. PUBLIC MEETING DATE:  
 00/00/00  
 7. DATE FILED: 05/16/06  
 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: SIDBERRY, ANTHONY

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: LANCASTER

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES EXCESSIVE CHARGES ON BILL DUE TO UTILITY STATING FAULTY EQUIPMENT. HE WOULD LIKE THE PJC TO INVESTIGATE THIS ADDITIONAL AMOUNT AND THE LENGTH OF TIME IT TOOK PPL TO DETERMINE THE FAULTY EQUIPMENT.

**DOCUMENT  
FOLDER**

**DOCKETED**  
MAY 22 2006

ORIGINAL

Must be returned by MAY 18, 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

MAY 18 2006

PA. PUBLIC UTILITY COMMISSION

1. CUSTOMER NAME (COMPLAINANT)

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

Name Anthony Sidberry

Street/P.O. Box 32 Pickford Drive Apt # \_\_\_\_\_

City Lancaster State PA Zip 17603

County Lancaster

Area Code/HOME Phone (177) 629-5197

Area Code/WORK Phone ~~229~~

Utility Account Number 22980-9113  
(from your bill)

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

Name N/A

Street/P.O. Box \_\_\_\_\_

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

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PPL Electric Utilities Corporation  
2 North 4th Street RPC-General  
Allentown, Pa 18101-1175

3. TYPE OF UTILITY (check one)

- |                                                              |                                                                             |
|--------------------------------------------------------------|-----------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> ELECTRIC                 | <input type="checkbox"/> STEAM HEAT                                         |
| <input type="checkbox"/> GAS                                 | <input type="checkbox"/> WASTE WATER                                        |
| <input type="checkbox"/> WATER                               | <input type="checkbox"/> MOTOR CARRIER<br>(taxi, moving company, limousine) |
| <input type="checkbox"/> TELEPHONE<br>(local, long distance) |                                                                             |

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.

I am filing this formal complaint in opposition to the outrageous charge to my utility bill that PPL Electric Utilities claim was due to faulty equipment, during the months of September 18, 2002 thru December 1, 2005. Based on the fact that I have been paying my utility bills monthly, entire during this period, I do not feel that an additional lump sum charge of \$1,170.11 should be put on my account. The PPL Electric Utilities felt that I wasn't being charged enough, although they offered me a settlement of 40% which would bring the estimated amount to \$702.07. The PPL Electric Utilities installed a new meter on Dec. 1, 2005, since then, I can't see how they can determine my average use based on (I) reading after the new meter reader was installed.

5

After I filed an informal complaint, the next few bills I received were significantly lower in average usage, based on the average use.

5. RELIEF

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

I want the Public Utility Commission to investigate the additional amount of \$1170.11 that is being charged to my account + the length of time it took for the PPL Electric Utility to determine this. Because I feel that it is unjust and unfair to wait so long to determine a proper meter reading, I feel that the PPL Electric Utility Corporation should absolve this infraction on my account.

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 Anthony V. Sidberry, 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).

Anthony V. Sidberry  
(Signature)

5-12-06  
(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 <sup>nd</sup> 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.**

**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: 4/17/06. 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 )

ANTHONY SIDBERRY  
32 [REDACTED] PICKFORD DR L 106 LANCASTER PA  
17603

717 629-5197  
(Area Code) Telephone Number

Anthony V. Sidberry  
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: 2024050

Date of mailing: 4/17/06

Company PPI

REVISED 11-97

RECEIVED

APR 25 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

41



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

IN REPLY PLEASE  
REFER TO OUR FILE

April 28, 2006

BCS2024050

ANTHONY SIDBERRY  
32 PICKFORD DRIVE  
L 106  
LANCASTER PA 17603

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 MAY 18, 2006 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:**

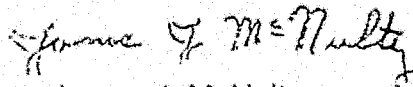
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**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

ane

cc: PPL ELECTRIC UTILITIES

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: MAY 22, 2006

ANTHONY SIDBERRY  
Complainant

v.

PPL ELECTRIC UTILITIES CORPORATION  
Respondent

Complaint Docket  
No: F-02024050

**DOCKETED**  
MAY 22 2006

---

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

---

TO: PPL ELECTRIC UTILITIES CORPORATION

**DOCUMENT  
FOLDER**

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).

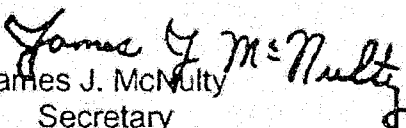
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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: MAY 22, 2006

F-02024050

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

## DOCUMENT FOLDER

Dear Mr. Russell:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by ANTHONY SIDBERRY. 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.

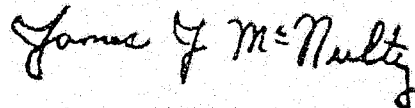
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

MAY 22, 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,

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

James J. McNulty  
Secretary

SS

# ORIGINAL

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J. GROSS  
PAULA MCGINLEY  
DONALD LABARRE JR.  
JACKSON EATON, III  
MICHAEL A. HENRY  
PATRICK J. REILLY  
WILLIAM J. FRIES  
ARNE K. MANLEY  
SUSAN ELLIS WILD  
VICTOR F. CAVACCHI  
ROBERT A. ALPERT  
JOHN P. SERVIS  
ALLENE TULLAR  
RICHARD T. CURLEY  
RAYMOND J. DERAYMOND

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

(610) 820-5450  
TELEFAX (610) 820-6006  
E-MAIL [kkrupka@gmle.com](mailto:kkrupka@gmle.com)  
Direct number: (610) 871-1325

JOHN F. GROSS  
KIMBERLY G. KRUPKA  
K. A. SPOTIS-KIMMEL  
ERROL C. DEANS, JR. \*  
ANDREW H. RALSTON, JR.  
LOREN A. WALMER

OF COUNSEL  
DAVID C. KEEHN

\*Also admitted in NY

EASTON OFFICE  
717 WASHINGTON ST  
EASTON PA 18042  
(610) 258-1506

June 12, 2006

**VIA FEDERAL EXPRESS**

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
Post Office Box 3265, 400 North Street  
Harrisburg, PA 17105-3265

RECEIVED

JUN 12 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RE: Anthony Sidberry v. PPL Electric Utilities Corporation  
Docket No. F-02024050

Dear Mr. McNulty:

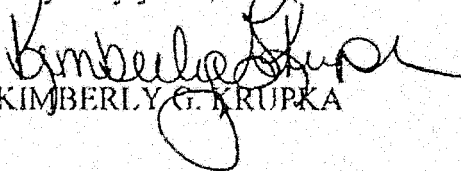
Enclosed for filing in the above-captioned matter are an original and three (3) copies of the Answer of PPL Electric Utilities Corporation.

Pursuant to 52 Pa. Code §1.11, the enclosed document is deemed to be filed on June 12, 2006 and 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.

DOCUMENT  
FOLDER

Very truly yours,

  
KIMBERLY G. KRUPKA

KGK:dm  
Enclosures

cc: Ms. Deidre Bilger (w/encl./via e-mail and U.S. Mail)  
Ms. Mildred A. Castillo (w/encl./via e-mail)  
Mr. Anthony Sidberry (w/encl.)

\\AWDC\CLIENTS\ppi-puc\high\bf\06132289.DOC

96

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ANTHONY SIDBERRY

Complainant  
vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET  
NO. F-02024050

DOCUMENT  
FOLDER

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utilities Corporation (PPL), by its attorney, hereby Answers Complaint in the above-captioned proceeding as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4a. Denied. Complainant alleges in general that his Complaint is other without further explanation. This allegation is too vague for PPL to form a response thereto.

4b. Admitted in part, denied in part. PPL admits that from September 18, 2002 through December 1, 2005, the meter recording electricity at Complainant's residence, while accurately recording electricity, was not accurately communicating the electric usage to PPL. Accordingly, when PPL manually verified the electric usage at Complainant's residence, it was determined that Complainant had used an additional 1,256 kwh from what he was originally billed, which resulted in an additional billing in the amount of \$1,170.11. PPL admits that the lump sum charge of \$1,170.11 was placed on Complainant's bill, but denies that customer was not offered a special agreement for payment. Rather, PPL offered Complainant 48 months to repay the amount. PPL admits that they offered and negotiated settlement of 40% or a credit of \$468.04.

All other allegations are denied.

RECEIVED

JUN 12 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARIAT BUREAU

DOCKETED  
JUN 15 2006

PPL denies that the readings of the defective meter are comparable to current readings.

5. Paragraph 5 constitutes a request for relief to which no Answer is required. To the extent a response is required, PPL incorporates by reference herein the averments set forth in its Answer to Paragraph 4 of the Complaint.

6. No response of answering Respondent is required as the allegations of this paragraph do not pertain to answering Respondent.

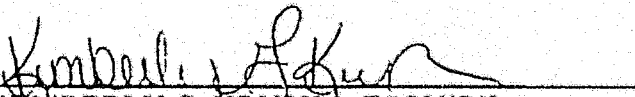
7. Admitted.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Commission deny the above-captioned Complaint.

Respectfully submitted,

GROSS, MCGINLEY, LABARRE & EATON, LLP

BY:

  
KIMBERLY G. KRUPKA, ESQUIRE  
*Attorney for Respondent, PPL Electric Utilities Corporation*

Dated: June 12, 2006  
In Allentown, Pennsylvania

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ANTHONY SIDBERRY

Complainant  
vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET  
NO. F-02024050

RECEIVED

JUN 12 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

This is to certify that ANSWER of PPL ELECTRIC UTILITIES CORPORATION TO THE COMPLAINT OF ANTHONY SIDBERRY was mailed to counsel/complainant of record on behalf of Complainant by first class United States mail, postage on this the 12<sup>th</sup> day of June, 2006.

ANTHONY SIDBERRY  
32 PICKFORD DRIVE  
LANCASTER, PA 17603

GROSS, McGINLEY, LaBARRE & EATON, LLP

By: 

KIMBERLY G. KRUPKA, ESQUIRE  
I.D.# 83071  
Counsel for Defendant, PPL Electric Utilities  
Corporation  
33 South 7<sup>th</sup> Street, P.O. Box 4060  
Allentown, PA 18105  
Phone (610) 820-5450  
Fax (610) 820-6006

W:\DOX\CLIENTS\ppl-pac\billing\00132288.DOC

