

RECEIVED  
10 mm  
2017 MAR -8 AM 10:31

222 MOUNT AIRY ROAD, SUITE 200  
BASKING RIDGE, NJ 07920-2335  
(P) 908.753.8300  
(F) 908.753.8301  
WWW.BMG.LAW

PA P.U.C.  
SECRETARY'S BUREAU

MURRAY E. BEVAN  
mbevan@bmg.law

March 7, 2017

**VIA REGULAR AND ELECTRONIC MAIL**

Mayer Krain  
3650 Salina Road  
Philadelphia, PA 19154  
krain@verizon.net

**Re: *Krain v. Choice Energy, LLC***  
***Docket No. C-2016-2581006***

Dear Mr. Krain:

On behalf of our client Choice Energy, LLC ("Choice"), we are writing in response to the directive by Administrative Law Judge Joel H. Cheskis to establish a time and place to discuss the above-captioned matter and reach a potential resolution. We have been asked to meet with you by March 14, 2017. Our firm has an office in Trenton, New Jersey, at 172 W. State Street, and we can arrange to utilize a conference room for our discussion. Given the nature of your complaint, we are hesitant to call you as that appears to be a source of much consternation on your part. Please contact us and let us know when you can meet and we will work to accommodate your schedule.

We have also reviewed the materials you provided to the Pennsylvania Public Utility Commission (the "PUC") in response to our answer, and we again conducted a thorough investigation of your continued allegations. In addition to reviewing again our internal records, our telemarketing vendor also engaged its call center telecommunication carriers to conduct an independent review of the call traffic. We would like to advise you of the results of this investigation:

1. Choice reiterates its statements that it did not call multiple times a day. Choice stands by its original assertions that there were eight (8) call attempts made on eight (8) separate days over a span of 55 days to your home phone number. Choice also wishes to advise you that your home and cellular phone numbers were put on Choice's internal do-not-call list late on December 28, 2016, the same day Choice received your complaint. Choice has not identified any outbound calls to either your home or cell phone number on that date, or on any date after December 28, 2016.
2. Choice can confirm that the phone numbers identified by you have been used by Choice's telemarketing vendor.
3. You have not identified any specific number(s) that you said you called requesting that Choice no longer contact you, and Choice asks that you provide this information. Choice

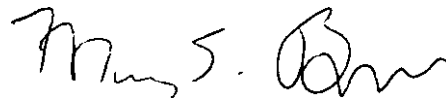
Mr. Krain  
March 7, 2017  
Page 2 of 2

has not been able to locate any inbound calls from either of your phone numbers to any of the phone numbers used by Choice's telemarketing vendor, including the general customer service phone number listed on Choice's website. Choice's website URLs are [www.4ChoiceEnergy.com](http://www.4ChoiceEnergy.com) and [www.4ChoiceEnergy.net](http://www.4ChoiceEnergy.net).

4. It is very likely that another entity or entities with a name similar to Choice has been calling you, as there are several entities doing business in Pennsylvania that have similar names. We advise you to visit [www.donotcall.gov](http://www.donotcall.gov) for information on how to place your phone numbers on the national Do Not Call registry to prevent unsolicited marketing calls from all vendors.

Please let us know when you are available to meet to discuss this matter. If you cannot come to Trenton, please let us know if you have an alternate location to suggest.

Very truly yours,



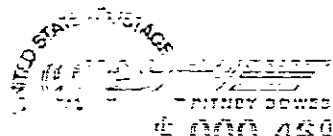
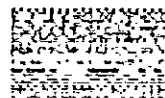
Murray E. Bevan

cc: Moses Cheung (via electronic mail only)  
Mediator Cynthia Lehman (via electronic mail only)  
Secretary Rosemary Chiavetta (via electronic mail only)

**B.M.** BEVAN, MOSCA  
**& G.** & GIUDITTA, P.C.

ATTORNEYS AT LAW

222 MOUNT AIRY ROAD, SUITE 200  
BASKING RIDGE, NJ 07920-2335



**Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, Keystone Building  
Harrisburg, PA 17120**

17120\$0079 C000

