



Kimberly G. Krupka

33 S. Seventh Street, P.O. Box 4060
Allentown, PA 18105
610/820-5450 • 610/820-6006
kkrupka@grossmcginley.com

ATTORNEYS

MALCOLM J. GROSS
PAUL A. MCGINLEY
HOWARD S. STEVENS
DONALD L. BARRE, JR.
J. JACKSON EATON, III
MICHAEL A. HENRY
ANNE K. MANLEY
SUSAN ELLIS WILD*
VICTOR F. CAVACINI
THOMAS E. REILLY, JR.
STUART T. SHMOOKLER
JAMES A. RITTER
JOHN F. GROSS
ALLEN I. TULLAR
RAYMOND J. DERAYMOND
THOMAS A. CAPEHART
KIMBERLY G. KRUPKA
KIMBERLY A. SPOTTS-KIMMEL
LOREN L. SPEZIALE**
CHARLES J. FONZONE
SAMUEL E. COHEN*
JENNIFER L. WEED**
ADRIAN K. COUSENS*
GRAIG M. SCHULTZ**
MICHAEL J. BLUM**
ZACHARY R. FOWLER
NICOLE J. O'HARA*
CHRISTOPHER W. GITTINGER
CONSTANCE K. NELSON
SARAH K. HART*
SARAH M. MURRAY
RYAN L. STAUFFER*

Of Counsel:
PATRICK J. REILLY
THE HON. JOHN P. LAVELLE (Ret.)
MARIANNE S. LAVELLE

*Also admitted in NY
*Also admitted in NJ
*Also admitted in DC
*Also admitted in MD
*Also admitted in MA
*Also admitted in TX
*Also admitted in NM

Allentown Office:
33 S. Seventh Street
P.O. Box 4060
Allentown, PA 18105
Phone: 610/820-5450
Fax: 610/820-6006

Easton Office:
101 Larry Holmes Drive, Suite 202
Easton, PA 18042
Phone: 610/258-1506
Fax: 610/258-0701

Emmaus Office
111 East Harrison Street, Suite 2
Emmaus, PA 18049
Phone: 610/967-1030
Fax: 610/967-0622

Lehigh Office
415 Mahoning Street
Lehigh, PA 18235
Phone: 610/377-0500

July 6, 2017

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Lesley A. Schaeffer v PPL Electric Utilities Corporation
Docket No: F-2016-2577647

Dear Ms. Chiavetta:

Enclosed for eFiling in the above-captioned matter are the Replies on behalf of PPL Electric Utilities Corporation, to Complainant's Exceptions.

Please note that this filing was eFiled with the Commission on the date indicated above.

Very truly yours,

KIMBERLY G. KRUPKA

KGK/ejm
Enclosure

cc: Lesley A. Schaeffer (w/ enc.)
Administrative Law Judge Benjamin J. Myers (w/enc.); via telefax only
Patricia L. Moore (w/enc.) *via email only*
Kimberly R. Hanson (w/enc.) *via email only*
Holly M. Groth (w/enc.) *via email only*
Shelbie Frederick Bayda (w/enc.) *via email only*

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LESLEY A. SCHEAFFER,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. F-2016-2577647

**PPL ELECTRIC UTILITIES CORPORATION'S REPLIES
TO EXCEPTIONS OF COMPLAINANT, LESLEY A. SCHEAFFER**

AND NOW, comes the Respondent, PPL Electric Utilities Corporation ("PPL Electric") by and through its attorney of record, Gross McGinley, LLP, and files the within Replies to Exceptions, alleging in support thereof as follows:

I. History and Background:

On or about November 23, 2016, Lesley A. Scheaffer filed a Complaint against Respondent, PPL Electric Utilities Corporation (hereinafter "PPL Electric" or "Respondent") pertaining to the electrical account in the name of her father, Leslie W. Scheaffer and servicing the home in which she resides. Complainant alleged that Respondent PPL Electric failed to accept certain monthly payments over the telephone and through PPL Electric's online payment system (also referred to as IVR). In the form of "Relief", Complainant Scheaffer requested a discharge of the overdue balance, a change of due dates for the electric bill, and enrollment in customer assistance programs.

Respondent, PPL Electric, filed its Answer on December 19, 2016, within 20 days of service of Complainant's Complaint and denied any allegations of improper billing. On January 18, 2017 written notice of a hearing for February 22, 2017 was provided. Such hearing occurred on that date at 10:00 AM. Following a full hearing on the merits, ALJ Myers issued an Initial Decision on June 6, 2017. Thereafter Complainant filed Exceptions with the PUC, but did not serve the same on PPL Electric. However, the Secretary of the Commission provided a copy of Complainant's Exceptions to PPL Electric via mail dated June 26, 2017. These Replies are offered in response thereto.

II. Replies to Complainant's Exceptions:

Initially, it must be noted that Complainant has not filed her Exceptions in numbered paragraph form and has not specifically identified any Findings of Fact or Conclusions of Law to which she excepts. For such reasons, the Exceptions should be dismissed. However, to the extent the Commission deems it appropriate to consider the Exceptions of Complainant, Respondent PPL Electric responds as follows:

1. Denied. Complainant appears to allege she was denied due process as she was not prepared for the hearing and was not provided the opportunity to fully participate. However, the record does not support such a finding. Complainant completed and signed her Complaint on November 15, 2016. Thereafter, her Complaint was received and accepted by the Commission on November 23, 2016. By Notice dated January 18, 2017, Complainant was provided with nearly five (5) weeks' notice of the hearing held on February 22, 2017. Complainant was able to fully testify at the hearing and explain all of her allegations. Moreover, Complainant's attachments to her

Complaint consisted of her own written statements as well as monthly electric bills. Complainant was provided full opportunity to testify as to the content within the written statements. Moreover, all of the charges and payments on the disputed account are contained within PPL Hearing Exhibit No. 1. Accordingly, Complainant was provided with ample opportunity to state her Complaint and provide documents in support thereof.

2. Denied. Complainant appears to contest the maintenance of the electric bill in the name of her father following his death. Complainant's father, Leslie Scheaffer, passed away on December 22, 2016. (N.T. at 8). The hearing was held on February 22, 2017. However, Complainant had not previously contacted Respondent, PPL Electric, to request to disconnect electric service due to the death of the ratepayer. (PPL Electric Exhibit 2). In fact, according to PPL Electric's customer contacts (PPL Hearing Exhibit 2), there were no calls placed by Complainant to PPL after December 22, 2016 (date of Mr. Scheaffer's passing) and the date of the hearing. Moreover, as stated by Complainant during the hearing, no Representative to the Estate of Leslie Scheaffer had yet been appointed. (N.T. at 9). Accordingly, there is no basis to find that PPL Electric violated any Rule or Regulation of the Commission or any Pennsylvania Statute of Code provision by maintaining service in the name of the ratepayer when there was no request to disconnect service and no Estate had yet been established which would permit the Personal Representative to transfer the Account into the name of the Estate. To require PPL Electric to discontinue electrical service to a residence on the date of death of the ratepayer and before the appointment of a Personal Representative would leave real estate without electricity and vulnerable to extensive damage.


3. Denied. Complainant appears to contest the finding that Complainant, as an individual residing in the home and over the age of 18, can be held responsible for the electrical charges accumulated while living within the home. However, Complainant herself admitted that she is an “occupant” of the home, as she a natural person who resides in the premises to which the public utility service is provided.” 14 Pa. Code § 56.2. More specifically, Complainant Lesley Schaeffer testified that she lived at the service address since atleast 2011. (N.T. at 13). Accordingly, where she has resided in the premises for the past seven six years and has enjoyed the use of the electricity without the explicit approval of PPL Electric, Ms. Schaeffer is a user without contract. Further, she would be responsible for the unpaid balance accumulated during her residency. However, it must be noted that such allegations were not contained within Complainant’s Complaint. Rather, the Complaint pertained to alleged attempts to make partial payments on the account. Complainant Schaeffer alleged PPL Electric refused to accept such payments. However, as correctly found by ALJ Myers, such payments in fact were accepted. (Opinion at 9). Moreover, such payments do not appear to be a basis for Complainant’s Exceptions.

4. Denied. Complainant appears to contest the ability of PPL Electric to be represented by Counsel of Record at the time of the hearing. As a corporation, PPL Electric is required to be represented by Counsel.¹ Moreover, due process permits PPL Electric to be represented by Counsel of its election. Complainant had the same right to

¹ Any partnership, corporation, trust, association, joint venture or other business organization, trust, trustee, legal representative, receiving, agency, governmental entity, municipality or other political subdivision must have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent it during any hearing before the Commission.

be represented by Counsel of her election at the hearing, had she engaged legal representation.

GROSS MCGINLEY, LLP



BY: _____

KIMBERLY G. KRUPKA, ESQUIRE; ID # 83071

Attorney for Respondent

PPL Electric Utilities Corporation

33 S. Seventh Street; P O Box 4060

Allentown PA 18105-4060

Ph. (610) 820-5450; Fx. (610) 820-6006

Date: July 6, 2017

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LESLEY A. SCHEAFFER,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

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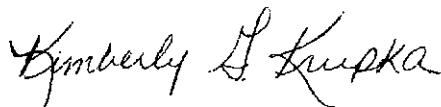
CERTIFICATE OF SERVICE

This is to certify that the Reply to Claimant's Exceptions on behalf of PPL ELECTRIC UTILITIES CORPORATION was mailed to counsel/complainant of record on behalf of Respondents by first class United States mail, postage on this the 6th day of July, 2017.

Administrative Law Judge Benjamin J. Myers
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
VIA TELEFAX ONLY

Lesley Schaeffer
958 Edgemont Avenue
Palmerton PA 18071

GROSS MCGINLEY, LLP



BY: _____

KIMBERLY G. KRUPKA, ESQUIRE
Attorney ID # 83071
Attorney for Respondent
PPL Electric Utilities Corporation
33 S. Seventh Street; P O Box 4060
Allentown PA 18105-4060
Ph. (610) 820-5450; Fx. (610) 820-6006