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**EXCEPTIONS OF MAYER KRAIN, COMPLAINANT**

**MAYER KRAIN**

**V.**

**CHOICE ENERGY LLC**

**C-2016-2581006**

Discussion of the Civil Penalties

On Page 7, "Pursuant to section 3301 of the Code, 66 Pa.C.S.3301, the Commission may impose a maximum civil penalty of **\$1,000 per day** for each violation of the Code, its regulations or its orders. However, certain standards apply when imposing a civil penalty. Joseph A Rosi v. Bell Atlantic-Pa, Inc., 94 Pa.PUC 103 (February 10, 2000)."

On Page 9, "In light of Choice's violation of the Commission's regulations, the following determinations are warranted under the Rosi factors and standards:"

Listed are ten discussion points of Choice's violations.

On Pages 10 and 11, (3), (8), (9) and (10) call for "a higher penalty" on Choice's violations.

Therefore, based upon Choice's, their employees', agents' and attorneys' actions and inactions, I am asking for that "a higher penalty" be considered that is more than the \$1,000 ordered at this time.

Dated: January 1, 2018

  
Mayer Krain  
Complainant

Krain v Choice Energy LLC  
C-2016-2581006

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 1.54 (relating to service by a party).

By USPS regular mail:

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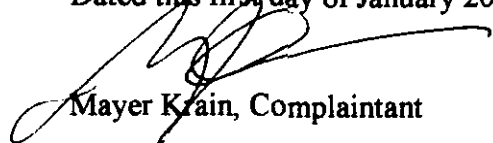
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Dated this first day of January 2018

  
Mayer Krain, Complainant

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