

Jay Larry Moyer
370 W. Johnson Street (C-1)
Philadelphia, PA 19144
267-693-2633

January 11, 2018

RE: email of January 10, 2018

Joel H. Cheskis
Deputy Chief Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17101-3265

Honorable Judge Cheskis:

With this letter, I am responding to your email of January 10, 2018.

As I read your email, it seems to offer three separate suggestions: 1) to cancel and undo the hearing which was ordered on December 21, 2017 for adjudication of the 2017 Complaint; 2) to invite PPL to initiate a certificate of satisfaction; and 3) to consolidate two different Formal Complaints: the 2015 Complaint (C-2015-2511904) and the 2017 Complaint (C-2017-2629683).

For the reasons below, I would like to express my strenuous objection to these suggestions.

First, the right to a Formal Hearing is assured by the Public Utility Code. 66 Pa. Code § 332(g) and 66 Pa. Code § 332(g) and should not be denied.

Second, the facts do not support a certificate of satisfaction for either Complaint.

Third, the issues in the two Formal Complaints are distinct and are not amenable to consolidation. A central, and unique issue in the Formal Complaint in 2015 specifies “further misconduct of PPL”. That “further misconduct” consisted of phone conversations, ex parte communication, and Notices of Termination. Those issues and those allegations were dismissed by the PUC and were not brought to a hearing for adjudication. This “inaction” by the PUC is part of the Petition for Review now under appeal to the Commonwealth Court and currently pending.

Furthermore, the 2015 Complaint pre-dated the PUC’s Order of May 19, 2016, which ruled in PPL’s favor. That 2015 Complaint, moreover, was specific to the period of 2009-2015, and addressed the billing irregularities from that period. The new and unique billing errors cited in the 2017 Complaint are found in a different set of bills and represent a different, more recent

period of time. The errors and aberrations which are evident in the 2017 bills are different errors, and they may not be conflated with the earlier irregularities.

For the above reasons, the three suggestions raised in your email should be rejected.

Respectfully submitted,

Larry Moyer

Encl: Cheskis email (1.10.2018)