

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jaime Leggett	:	
	:	
v.	:	C-2018-3001033
	:	
West Penn Power Company	:	

**SECOND PREHEARING ORDER**

An initial telephonic hearing in this case is scheduled for **Wednesday, July 18, 2018, at 10:00 a.m.** To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the hearing. If you have any witnesses you want to have present during the hearing, you must provide them with the telephone number and PIN number.

Toll-free Bridge Number: 1.855.750.1027  
PIN Number: 139994

**You must call into the hearing on the scheduled day and time. If you fail to do so, your case will be dismissed. You will not be called by the Special Agent.**

The parties are also hereby directed to comply with the following requirements:

1. If a party fails to participate in the hearing on the scheduled day and time, the hearing will proceed without that party and a decision may be entered against that party.
2. A request for a change of the scheduled hearing date must state the agreement or opposition of the other parties and must be submitted in writing no later than five days prior to the hearing. 52 Pa.Code § 1.15(b). **Please note that changes are granted only in situations**

**where good cause exists.** Requests for changing a hearing date must be sent to me and all parties of record. My address is:

Alphonso Arnold III  
Pennsylvania Public Utility Commission  
Office of Administrative Law Judge  
400 North Street  
Harrisburg, PA 17120  
Phone: 717.787.1399  
Fax: 717.787.0481

3. A change in address which occurs during the course of the proceeding shall be reported to the Secretary, parties, and Special Agent promptly. 52 Pa. Code § 1.24.

4. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other parties and three copies to me so that the other parties and I receive the copies at least **five (5) days** before the hearing. This includes a copy of a Protection from Abuse (PFA) Order if you marked the “yes” response on the Complaint form that asks if you are a victim under a PFA. Proposed exhibits should be properly pre-marked for identification purposes. Note that attachments to your Complaint or Answer are not admitted into the record unless submitted separately in accordance with this paragraph. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of its filing. If you send me any correspondence or document, you must also send a copy of that correspondence or document to every other party. For your convenience, a copy of the Commission’s current service list of all parties to this proceeding is enclosed with this Order. Please have all pre-served documents or exhibits in your possession during the hearing.

5. It is the policy of the Pennsylvania Public Utility Commission to encourage settlements. 52 Pa.Code § 5.231(a). The utility shall contact the Complainant at least one week before the scheduled hearing to discuss possible settlement of this case. If the parties are unable to settle this case, the parties may still attempt to resolve as many questions or issues as possible.

6. The Responsible Utility Customer Protection Act, 66 Pa.C.S. §§ 1401-1418 applies to this case. This law provides strict requirements that the Commission must follow in handling customer complaints. The application of this law may result in the issuance of less favorable payment terms than a customer's current payment arrangement.

7. If the Commission's Bureau of Consumer Services ("BCS") has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made. **FAILURE TO MAKE REGULAR PAYMENTS FOR CURRENT CONSUMPTION (SERVICE) BY THE DUE DATE EACH MONTH MAY RESULT IN TERMINATION OF THE CUSTOMER'S SERVICE BEFORE THE HEARING. 66 Pa.C.S. §§ 1405(f), 1406(a) & 1410(2).**

8. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following: (a) the "before taxes or other deductions" pay from salaries, wages, tips or other compensation; (b) pension, retirement or social security benefits; (c) Supplemental Security Income (SSI); (d) unemployment compensation benefits; (e) workers' compensation benefits; (f) alimony; (g) child support; (h) public assistance; and (i) any other source(s) of income.

9. At the hearing, the customer must be prepared to testify about and document any change in income that would support establishing a second or subsequent payment agreement if the customer has missed a payment on a previous payment agreement or any significant change in circumstance that would support extending the time period for a payment plan. 66 Pa.C.S. § 1405(d) & (e).

10. The Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that he or she is entitled to the relief requested in the complaint.

11. The utility must prepare and submit the following documents at least five business days before the hearing: (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less; (b) a copy of the BCS decision(s), if any; (c) a brief summary of any payment arrangement(s) made between the utility and the customer.

12. If you are an individual, you may either represent yourself or have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent you. 52 Pa.Code §§ 1.21 & 1.22. If you are a partnership, corporation, trust, association, joint venture, other business organization, trustee, legal representative, receiver, agency, governmental entity, municipality, or other political subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall comply with the Commission's appearance requirements. 52 Pa.Code § 1.24.

13. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal hearing and will be conducted in accordance with the Commission's Rules of Practice and Procedure. 52 Pa.Code §§ 1.1, *et seq.* Please participate in the hearing using a phone and at a location that will present minimal background noise.

14. If you, or anyone you plan to call as a witness on your behalf, has a limited ability to speak or understand English or are deaf or hearing-impaired, a qualified interpreter can be provided upon your request. If you need an interpreter, please contact the scheduling office for the Office of Administrative Law Judge at (717) 787-1399 at least ten (10) days before the hearing to make your request. The AT&T Relay Service number for persons who are deaf or hearing-impaired is 1-800-654-5988.

Date: May 22, 2018

/s/  
Alphonso Arnold III  
Special Agent

**C-2018-3001033 - JAIME LEGGETT v. WEST PENN POWER COMPANY**

JAIME LEGGETT  
11475 GEHR ROAD  
WAYNESBORO PA 17268  
717.749.5883

**ACCEPTS E-SERVICE**

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