

Amendment to Complaint:

- 1.) Court's decision recognized the Company as a corporation; the company is a Limited Liability Company (Single Member LLC). There is a difference.

- 2.) An attorney was hired in Malcolm Pollard. He states that his notification of appearance was sent to the wrong location. He is to make an appearance with this re-filing.

- 3.) There was a court order that stated the Power Company was to come to our company location to review and negotiate the issues with the billing and discuss a settlement. The Commission Policy permits settlements 52 PA Code &5.231. "The Utility will contact the customer at least one week before the scheduled hearing to discuss possible settlement of this case."

- 4.) On March 20, 2018 the Court issued a prehearing order addressed to Attorney Malcolm Pollard recognizing him as an attorney of interest. Attorney Pollard did not deny appearance. Attorney Perrottta did deny appearance.

- 5.) The Utility company violated the court order by failing to attempt a settlement and approach the Caravan by Court order. (attached) For Utilities failure to follow the Courts order to attempt a settlement. The Plaintiff was awaiting negotiations to proceed with possibility of settlement which would make the need to proceed with the court action unnecessary.

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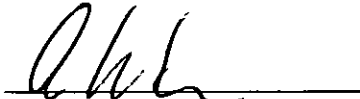
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REFILING OF COMPLAINT

Attorney Malcolm Pollard is filing officially as Attorney-in-fact.

1. Reasoning of the failure of the Plaintiffs actions, Andrew Menichino as a member was in fact awaiting utility company to fulfill courts order dated March 19, 2018 #2 violating code 52 PA code &5.231 (a)
2. Therefore the Plaintiff is re-filing with an attorney to argue the facts. Amendment attached.

Respectfully,



Andrew Menichino
Caravan II, LLC

Date: 6/25/18

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JUN 26 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Andrew Menichino	:	
For Caravan II LLC	:	
	:	
	:	C-2018-2647292
v.	:	
	:	
Pennsylvania Power Company	:	
	:	

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C-2018-2647292

v.

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PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

*Filing this form begins a legal proceeding and you will be a party to the case.
If you do not wish to be a party to the case, consider filing an informal complaint.*

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name Caravan II, LLC Andrew C. Menichino

Street/P.O. Box 1465 Sampson Street Apt #

City New Castle State PA Zip 16101

County Lawrence

Telephone Number(s) Where We Can Contact You During the Day:

(724) 598-1001 (home)

(724) 510-5284 (mobile)

E-mail Address (optional): iiiacm@aol.com

Utility Account Number (from your bill) 110 102 932 370

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

Penn Power a division of First Energy Company

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

3. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- ELECTRIC WASTEWATER/SEWER
- GAS TELEPHONE/TELECOMMUNICATIONS (local, long distance)
- WATER MOTOR CARRIER (e.g. taxi, moving company, limousine)
- STEAM HEAT

4. Reason for Complaint

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. Your complaint may be dismissed without a hearing if you do not provide specific information.

- The utility is threatening to shut off my service or has already shut off my service.
- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them. See attached
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.
- Other (explain).

We have had an ongoing discussion with Penn Power regarding our usage- much of our building is NOT currently used yet bill does not decrease to any degree.

We have been told by Penn Power employees that we are on some kind of demand that results in us paying for more KWH than actually used.

Numerous times they told us our bill should be \$1200.00 to \$1400.00 per month with an increase in severe weather months. Prior to our purchasing the building the previous owner had an additional 80 rooms that were torn down prior to our purchase.

Our bill indicates a multiplier of 40 times KWH used and then metered load and Reactive Demand Charges.

We have replaced all our light bulbs with energy efficient bulbs, closed off all unused space, and selected a company with a better rate in an effort to reduce our bill.

Our bills escalated dramatically after a wind shear or mini tornado damaged our transformer.

This was replaced and our bills escalated DRAMATICALLY. We complained and they said we were getting free electricity as the original transformer was not recording all the electricity being used.

We owned the building next door and ran a certified line from that meter and our bills were a mere fraction under Innovative Associates when we were operating at a much higher capacity and had a fully functioning restaurant.

After numerous complaints Penn Power sent out a repair man who upon inspection realized THEY had hooked the new transformer up incorrectly and actually "Fried" the inside of the wire coming into the building.

We would just like to pay for power ACTUALLY used.

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

I would like a thorough and unbiased inspection of our power at the facility and then a fair and reasonable determination of what power was actually used and then a payment plan to facilitate the conclusion of this case

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. Protection From Abuse (PFA)

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. Prior Utility Contact

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES n/a

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name Malcolm Pollard

Street: 6331 Lakeshore Drive

City Erie State PA Zip 16505 _____

Area Code/Phone Number 824-838-8258

E-mail Address (if known) mactk72@gmail.com

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

9. **Verification and Signature**


You must sign your complaint. Individuals filing a Formal Complaint **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink**. If you do not sign the Formal Complaint, the PUC **will not accept it**.

Verification:

I, Andrew C. Menichino, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



(Signature of Complainant)



(Date)



Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not signed** by one of these individuals, the PUC **will not accept it**.

10. **Two Ways to File Your Formal Complaint**

Electronically. You must create an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/efiling/default.aspx>.

Note: If you are appealing your Bureau of Consumer Services (BCS) decision, you must file your formal complaint by mail.

Mail. Mail the completed form with your original signature and any attachments, by certified mail, first class mail, or overnight delivery to this address:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

Note: Formal Complaints sent by fax or e-mail will **not** be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your Formal Complaint for your records.

Messages (Continued)

Explanation of Terms

Customer Charge - Monthly charge that offsets costs for billing, meter reading, equipment, service line maintenance, and assessing and displaying Smart Meter Technology.

Default Service Support Charge - Charge to recover new and deferred costs associated with serving customers in a competitive market.

Distribution Charge - Charge for the use of local wires, transformers, substations and other equipment used to deliver electricity to consumers from high-voltage transmission lines.

Distribution System Improvement Charge - This charge recovers costs incurred to repair, improve or replace infrastructure that the Company uses to deliver electricity to its customers.

Estimated Reading - On the months we do not read a meter, we calculate the bill based on past electrical usage.

Energy Efficiency Charge(s) - Charge to fund the utility's programs designed to reduce customers' annual electric use and peak demand for electricity mandated by Act 129 of 2008.

Hourly Pricing Service Charge - Charges to provide energy, capacity, compliance with Alternative Energy Portfolio Standards, transmission and ancillary services for industrial customers receiving Default Service.

KWH (Kilowatt Hour) - A unit of measure for electricity usage equal to 1,000 watts used for one hour.

Late Payment Charge - A charge added to the bill on balances owed after the Due Date.

Price to Compare (PTC) - Price per kilowatt hour to be used when comparing to the price of a generation supplier.

Price to Compare Default Service - Charges for costs to provide energy, capacity, compliance with Alternative Energy Portfolio Standards, transmission and ancillary services for customers receiving Default Service.

Prorated Reading - Reading calculated by multiplying the daily average electric usage between two recent readings by the number of days in the billing period.

Service Charge - Charge for opening an account.

Solar Requirements Charge - Charge to acquire Solar Photovoltaic Alternative Energy Credits to comply with the Alternative Energy Portfolio Standards Act.

State Tax Surcharge - An adjustment to the state taxes recovered through Penn Power's basic charges.

General Information

If you have billing questions or complaints about your Penn Power account, please contact us before the due date.

Call Customer Service at 1-800-720-3600 from Monday - Friday, 8 a.m. - 6 p.m. Our representatives can answer your questions, describe the charges on your bill, explain how to make sure your bill is correct, and provide information on rate schedules and energy efficiency.

Call Payment Options at 1-800-774-1674 from Monday - Friday, 8 a.m. - 6 p.m.

Visit our web site at www.firstenergy.com

Write to us at Penn Power, 76 S., Main St., A-RPC, Akron, OH 44308-1890

Customers with hearing or speech impairments can contact the Telecommunications Relay Service (TRS) at 711.

Information about Think Energy: P.O. Box 27004, Lehigh Valley, PA 180027004, 1-866-262-0078

For your protection, all of our employees wear Photo I.D. badges.

Electronic Check Conversion - Your check authorizes us either to make a one-time electronic funds transfer (EFT) from your account or process as a check. If you have questions about this program, call 1-866-263-8081.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JUN 26 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Andrew Menichino
for Caravan II LLC

v.

Pennsylvania Power Company

C-2018-2647292

PREHEARING ORDER

The Commission has scheduled an initial telephonic hearing in this case for Thursday, April 26, 2018 at 10:00 a.m. The parties must call the toll-free number shown on the hearing notice to participate in the telephonic hearing. Failure to call the toll-free number and participate in the telephonic hearing will constitute a failure to appear.

IF YOU FAIL TO PARTICIPATE IN THE HEARING, THE HEARING WILL PROCEED WITHOUT YOU AND A DECISION MAY BE ENTERED AGAINST YOU.

The parties shall comply with the following requirements:

1. A request for a change of hearing date must state whether the other parties agree or disagree with a change to the date and shall be submitted in writing no later than five (5) days prior to the hearing. 52 Pa.Code § 1.15(b). Requests for changes of hearing dates must be sent to all the parties of record as well as to the Office of Administrative Law Judge at:

Benjamin J. Myers, Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120
Telephone: (717) 787-1399
Fax: (717) 787-0481
Email: benmyers@pa.gov

Exhibit

Changes are granted only in rare situations where good cause exists.

6. Although the hearing is being conducted telephonically, it is still a formal proceeding and is conducted in accordance with the Commission's Rules of Practice and Procedure.

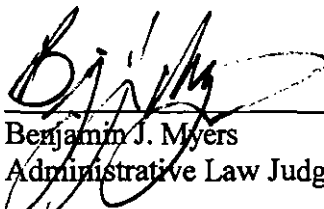
7. Pursuant to 52 Pa.Code §§ 1.21 & 1.22, if you are an individual you may represent yourself or be represented by an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *pro hac vice* from another state. If you are a partnership, corporation, trust, association, or governmental agency or subdivision you **must** be represented by an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *pro hac vice*. Unless you are an attorney, you may not represent someone else. Attorneys shall enter their appearance in accordance with the provisions of 52 Pa.Code § 1.24(b).

8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code § 5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

9. The Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that they are entitled to the relief requested in the complaint.

10. 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: March 19, 2018



Benjamin J. Myers
Administrative Law Judge

C-2018-2647292 - ANDREW MENICHINO FOR CARAVAN II LLC v. PENNSYLVANIA
POWER CO

ANDREW MENICHINO
CARAVAN II LLC
1465 SAMPSON STREET
NEW CASTLE PA 16101
724.598.1001

LOUIS PERROTTA ESQUIRE
229 SOUTH JEFFERSON STREET
NEW CASTLE PA 16101
724.656.5688

MALCOLM POLLARD ESQUIRE
6331 LAKESHORE DRIVE
ERIE PA 16505
814.838.8258

LAUREN MARISSA LEPKOSKI ESQUIRE
FIRSTENERGY SERVICES CO
2800 POTTSVILLE PIKE
PO BOX 16001
READING PA 19612
610.921.6203
-E-SERVE-

Caravan II, LLC
Andrew Menichino
3 Timberwood Drive
Granville, Pa 16125

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL



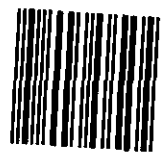
7016 0750 0000 3718 3811

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pa
17120

RETURN RECEIPT
REQUESTED



1000



17120

U.S. POSTAGE
PAID
NEW CASTLE, PA
16101
JUN 28, 18
AMOUNT
\$7.83
R2305M144507-5