

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**KENNETH JAMES ARTHURS,**  
**Complainant**

**v.**

**PENNSYLVANIA ELECTRIC COMPANY,**  
**Respondent**

**: Complaint Docket No. C-2018-3005331**  
**:**  
**: REPLY TO NEW MATTER**  
**:**  
**: Filed on behalf of:**  
**:**  
**: Complainant KENNETH JAMES**  
**: ARTHURS**  
**:**  
**: Counsel of Record for this Party:**  
**:**  
**: DAVID C. SERENE, ESQUIRE**  
**: Pa I.D. No. 27626**  
**: THE SERENE LAW FIRM PLLC**  
**: 12 Gorman Avenue**  
**: Indiana, Pennsylvania 15701**  
**: (724) 349-2101**  
**: dcs@serenelaw.com**

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>KENNETH JAMES ARTHURS,</b>	:	<b>Complaint Docket No. C-2018-3005331</b>
<b>Complainant</b>	:	
	:	
v.	:	
	:	
<b>PENNSYLVANIA ELECTRIC COMPANY,</b>	:	
<b>Respondent</b>	:	

**REPLY TO NEW MATTER**

Complainant Kenneth J. Arthurs, by his counsel, David C. Serene, Esquire, files the following Reply to the New Matter of the Respondent, Pennsylvania Electric Company, in the above captioned matter:

11. Admitted in part and denied in part. It is admitted only that there is a hotel license for part of the building which is the service location. It is denied that ten rooms are utilized for hotel purposes on the second and third floors. To the contrary, only the third floor is utilized for hotel purposes; the second floor contains one, four-bedroom apartment with four tenants, and is therefore used for residential purposes. The electric service to the second and third floors is on the same meter.

12. Paragraph 12 of the New Matter states a conclusion of law to which no reply is required.

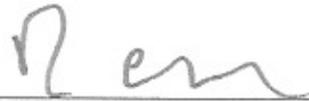
13. Paragraph 13 of the New Matter states a conclusion of law to which no reply is required. To the extent that a reply may be required, paragraph 13 is denied for the reasons, *inter alia*, set forth in paragraph 11 hereof, which is here by incorporated by reference.

14. Admitted only hat Respondent attached copies of the Formal Complaint and Initial Decision and Final Order at No. C-2018-3001476. To the extent that the same may contain conclusions of law, no reply is required.

15. Denied. The Formal Complaint in this proceeding was filed in good faith as Complainant believes that his billing is erroneous and excessive, and that there are valid factual and equitable grounds to adjust the billing and grant him the various forms of relief he has requested as set forth in the Formal Complaint.

**WHEREFORE**, Complainant prays that the Commission grant him relief as prayed for in his Complaint in this matter.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "D. Serene", written in dark ink.

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David C. Serene, Esquire  
Counsel for Complainant

Dated: November 23, 2018

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

KENNETH JAMES ARTHURS, : Complaint Docket No. C-2018-3005331  
Complainant :  
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v. :  
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PENNSYLVANIA ELECTRIC COMPANY, :  
Respondent :

VERIFICATION

I, Kenneth J. Arthurs, Complainant in the within action, hereby verify that the averments of the foregoing Reply to New Matter are true and correct upon my personal knowledge, information and belief. I make this verification subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Kenneth J. Arthurs

Dated: November 23, 2018

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KENNETH JAMES ARTHURS, : **Complaint Docket No. C-2018-3005331**  
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CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing Reply to New Matter upon the Respondent's following counsel of record via United States first-class mail and email attachment on November 23, 2018:

John L. Munsch  
Pennsylvania Electric Company  
800 Cabin Hill Drive  
Greensburg, Pennsylvania 15601  
jmunsch@rfirstenergycorp.com



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David C. Serene, Esquire  
Counsel for Complainant