

TO THE PUC AND REBER
RIZZO & DARNALL, LLP

I APOLOGIZE TO BOTH PARTIES
FOR MY HANDWRITTEN RESPONSE
BUT THIS SURPRISE OPEN HEART
SURGERY HAS SERIOUSLY EFFECTED
MY TIME AND ABILITY TO PUT THIS
TEXT VIA COMPUTER. MY WIFE HAS
BEEN BACK AND FORTH TO FLA
TAKING CARE OF OUR ILL SON AND
MYSELF - SO WE JUST DIDNT
HAVE TIME

AGAIN RESPECTFULLY

Chet & Michelle DUFFY

Michelle Duffy 11-28-18

Chet Duffy 11-28-2018

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PAGE B

Nov 9, 2018

C-2018-3004871

✓ REGER RIZZO DARNALL LLP
ATT: MARGARET A. MORRIS
MMORRIS@REGERLAW.COM

cc: ROSEMARY CHIAVETTA, ESQ
SECRETARY
PA PUBLIC UTILITY COMMISSION
P.O. BOX 3265
HARRISBURG, PA 17105-3265

Re: DOCKET No. C-2018-300-4871
CHET & MICHELE DUFFY V
PENNSYLVANIA POWER COMPANY
ANSWER AND NEW MATTER OF
PENN POWER

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DEAR SECRETARY CHIAVETTA
AND
MARGARET A. MORRIS

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SECRETARY'S BUREAU
NOV 14 2018

I AM IN RECEIPT OF YOUR REFERENCE
ANSWER AND NEW MATTER DATED
OCTOBER 15, 2018, HOWEVER, YOUR
LETTER WAS ACTUALLY POSTMARKED
OCT 16, 2018 OF WHICH I DID NOT
RECEIVE FOR SEVERAL DAYS LATER.
ADDITIONALLY YOUR REMINDER OF
RESPONSE BY 20 DAYS

1 OF 12

DID NOT REF BUSINESS DAYS OR RUNNING DAYS, FURTHER MY RESPONSE IS AND HAS BEEN DELAYED AS I HAVE RECENTLY HAD OPEN HEART SURGERY AND AM NOT QUITE UP TO SPEED AS YET. I WILL DO THE BEST I CAN IN MY RESPONSE UNDER THE CIRCUMSTANCES.

MY COMMENTS TO THE PENNSYLVANIA POWER COMPANY ANSWER AND NEW MATTER

1. ADMITTED/AGREED
2. ADMITTED/ BUT PENNSYLVANIA AND FIRST ENERGY POWER COMPANY
3. ADMITTED/AGREED
4. DENIED - DUFFY'S AVER THE CHARGES/BILLING HAS BEEN INCORRECT ON AND OFF FOR YEARS AS NOTED IN PRIOR COMPLAINTS TO PENN POWER AND THE PUC. SPECIFICALLY THE INCORRECT BILLING CHARGES ARE AS LISTED IN PARAGRAPH 2 OF YOUR PAGE 2.

PAGE 2 PARAGRAPH 3

4. (CONT)

BILLING RELATED TO DEC 4, 2017 AND RELATED COMMENTS ARE INCOMPLETE, DUFFY'S ADVISED PENN POWER FROM FLORIDA THAT WE WERE NOT IN OUR HOME FROM NOV 2017 THROUGH MAY 2018.

BILLING WAS NOT FORWARDED TIMELY AND ONCE LEARNED PHONE CONVERSATIONS WERE HAD ABOUT PAYMENT TERMS UNTIL WE RETURNED OR UNTIL RESOLUTION AS TO WHY PENN POWER BILLING WAS AT THE \$2,000/MO FOR TWO MONTHS, THE HOME WAS EMPTY - AN ELECTRICAL POWER WAS USED WITH EXCEPTION TO ELECT HEAT SET AT 58 DEGREES. FURTHER ONCE WE DID RECEIVE THESE EXCESSIVE BILLS DUFFY'S ARRANGED OUR ELECTRICAL ENGINEER AND OUR FURNACE SUPPLIER INTO OUR HOME TO INVESTIGATE THROUGHOUT. ABSOLUTELY NO ISSUES WERE FOUND TO JUSTIFY THE PENN POWER BILLING, TESTING WAS COMPLETED WHICH FOUND NO JUSTIFICATION FOR EXCESSIVE BILLING

IT IS CORRECT DUFFY ENTERED INTO A PHONE VERBAL AGREEMENT OVER THE PHONE

4. (CONT)

TO PAY NEW ACTUAL BILLING AND AN ADDITION AMOUNT MONTHLY UNTIL LAST BALANCE HAD BEEN PAID.

IT IS IMPORTANT TO NOTE THE PENN POWER VERBAL AGREEMENT ONLY WAS OFFERED BY PENN POWER AFTER DUFFY FILED A COMPLAINT TO THE PUC.

IT IS CORRECT DUFFY'S REQUESTED TO BE REMOVED FROM THE BUDGET WHEN PENN POWER AGREEMENT OF \$480/MO TO AN ADDITIONAL 1200/MO OVER AND ABOVE ACTUAL USAGE. DUFFY'S DID NOT AGREE TO THE CHANGE BUT WE CONTINUED TO MAKE PAYMENTS ON WHAT WE OWED UNTIL WE WERE CAUGHT UP

PAGE 3 TERMINATION NOTICE

THIS PARAGRAPH IS CORRECT AND PAYMENT WAS MADE BY PHONE BY CREDIT CARD WHILE I WAS IN THE HOSPITAL AFTER QUADRUPLE BY PASS SURGERY. PENN POWER AGENT DIDNT CARE OF THE CIRCUMSTANCES

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PAGE 3 TERMINATION NOTICE (CONT)
IN EFFECT MRS DUFFY WAS TOLD
"PAY IN FULL TODAY OR WE SHUT
YOU OFF"

INDIRECT CHARGES

DUFFY'S CONTINUE TO REMAIN
STEDFAST WITH THIS ASSERTION.
METERS WERE CHANGED TO DIGITAL
FROM ANALOGUE, TRANS FORMER
WAS CHANGED FROM 25 TO 100.
OUR BILLS DOUBLED AND TRIPLED
WITH NO ELECTRICAL EQUIPMENT
CHANGES ON THE PROPERTY.

IN MANY MONTHS METER READERS
DID NOT SHOW UP - FEW POWER BILLS
BASED ON HIGHER READINGS OF PRIOR
YEAR. YEAR AFTER YEAR COMPOUND
ING THE BILLS

YOUR PAGE 3 LAST PARAGRAPH,

FIRST SIX SENTENCES ARE CORRECT.

POINT ONE - WE DO NOT & DID NOT AGREE
POINT TWO - FEW POWER CHANGED METER
AND TRANSFORMER ON THEIR OWN

PAGE 4. PENN POWER POINTS (CONT)

POINT 3 - AGREED HOWEVER THIS
THIS HOME AND EQUIPMENT WITH
25 AMP TRANSFORMER WITH ANALOGUE
METER RARELY IF EVER REACHED
\$500/MO BILLING - AFTER PENN
POWER MADE CHANGE KW USAGE
PER MONTH SKYROCKETED AS HIGH
AS 24,000 KW/HRS/MO - EVEN THE
JUDGE WAS SHOCKED.

POINT 4 - AGREED, HOWEVER MANY
HEAT AND AIR SYSTEMS LAST 30
YEARS OR MORE EFFICIENTLY

POINT 5 - AGREED, MOST HOME
HAVE SIMILAR EQUIPMENT BUT
NEVER APPROACH 24,000 KW/MONTHLY,
ADDITIONALLY DUFFY HIRED OUTSIDE
ENGINEERS TO TEST EACH AND EVERY
ELECTRICAL DEVICE - NONE OF
WHICH WERE DEFECTIVE OR USED THE
KW/H BILLED (NEVER)

POINT 6 - AGREED A WALK THRU
WAS MADE BUT MERELY TO AUDIT
EQUIPMENT IN OUR HOME.
DENIED ABSOLUTELY NO USAGE
TESTS WERE MADE BY PENN POWER.
THIS IS DELIBERATELY MISLEADING TO
THE COURT

PAGE 4 (CONT)

POINT 7 - DENIED - FALSE - MISLEADING
PENN POWER BROUGHT INTO THE HEARING
A LOCAL DISGRUNTLED LENNOX EMPLOYEE
WHO ESPOUSED HIS POSITION - HE
DID NOT TESTIFY THAT IT WAS
PENN POWER JOE BERLACH AND
LENNOX IN NEW CASTLE THAT SIZED
THE HEATING/AIR UNITS WITH LEO
GOLBA THE BUILDER - FURTHER
PENN POWER MADE NO REFERENCE
THAT FOR 15 YEARS THE HEAT/AIR
SYSTEMS WORKED WITHIN SPECS
AND MONTHLY ELECT BILLS WERE
BELOW \$500/MO

* DUFFY FELT PRESSURED BY THE JUDGE
AND PENN POWER FORCED DUFFY TO
PURCHASE THE LARGEST MOST EFFICIENT
HIGHEST SEER VALUES IN THE INDUSTRY
(TRAIN) AT A COST APPROACHED
\$40,000. AFTER THOSE INSTALLATIONS
THE PENN POWER BILLS CONTINUED
TO GROW NOW TO \$2,000/MO. THE
JUDGE SHOULD REVISIT HIS
DECISION

PAGE 5 - Temp Values, kWh, Consumption

- TEMP ARE NOT DISPUTED
- kWh ARE A FUNCTION OF TRANSFORMER AND METERS
- CONSUMPTION;

DEC 2016/2017 Lower BUT Bills Higher

JAN 2017/2018 Bill EXTREMELY Higher

FEB 2017/2018 Lower BUT Bills Higher

NOTE: It is IMPORTANT TO NOTE DURING THESE 2017/2018 Temps LOCAL TV STATIONS KDKA, WPXI, ETC WERE REPORTING EXCESSIVE CUSTOMER BILLING UP AND DOWN METERING. EVERYBODY WAS BEING HAMMERED BY PENN POWER/FIRST ENERGY

PAGE 5 LAST PARAGRAPH - NOT DISPUTED NO METER SHOWED UP - WHAT PENN POWER IS NOT SAYING IS THEY SAID METER READERS WERE AT OUR HOME WHICH MADE US LOOK AT OUR SECURITY RECORDINGS.

PAGE 6, Item 5

PENN POWER CLAIMS THEY DENY OUR ALLEGATIONS/REQUEST FOR RELIEF. OUR POSITION REMAINS IN TACT,

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PAGE 6 ITEM 5 (CONT)

DUFFY RESPONSE TO PARAGRAPH 2
DUFFY IS NOT RELITIGATING - IT
IS OBVIOUS THE JUDGE RULED IN
FAVOR OF PENN POWER - OUR
NEW CLAIM IS BASED ON THE
JUDGES DECISION TO INSTALL
NEW HEATERS/FIRE UNITS AT A
COST OF \$40,000 - DUFFY DID
WHAT WAS ORDERED AND OUR
ELECT BILLS SKYROCKETED AGAIN -
THIS IS NOT A DUFFY HOME ISSUE
THIS IS PENN TOWERS ABUSIVE BILLING
PRACTICE AT OUR HOME

BALANCE OF PAGE 6 LEGALIZE - I AM
NOT A LAWYER AND WILL NOT RESPOND
TO GAMESMENSHP

PAGE 7 PARAGRAPH ONE - SAME RESPONSE
OR BALANCE OF PAGE 6

PAGE 7 PARAGRAPH TWO - PENN POWER
RESPONSE AND COMMENTS ARE INCOMP
AND MISLEADING THE FACT

PAGE 7 PARAGRAPH TWO

A MISSING FACT IS DUFFY REQUESTED PENN POWER AND THE HOME OWNERS DO WALKTHRU'S WITH THEIR OWN ENGINEERS/CONSULTANTS TO JOINTLY DETERMINE FAULT (IF ANY) OVER KWH USAGE (IF ANY), ETC. THIS WILL STOP HE SAID SHE SAID AND MIS INFORMATION TO THE PUC - PENN POWER TO CONCRUTE QUALIFIED PERSONAL TO PERFORM THIS WITH HOME OWNERS

PAGE 7 ITEM 6 NO RESPONSE

PAGE 7 ITEM 7a NO RESPONSE

PAGE 7 ITEM 7b ADMITTED

7c

8

9

10

NEW MATTER

PAGE 8 ITEM 11 THE PUC AND THE JUDGE SHOULD MAKE THIS DETERMINATION NOT PENN POWER IN LIGHT THAT DUFFY'S CONTINUED TO PAY EXCESSIVE BILLS AFTER DUFFY'S INSTALLED NEW BEST QUALITY HEAT/AIR SYSTEMS AT NEARLY 40,000, AT THE REQUEST OF PENN POWER AND THE COURT.

PAGE 8 ITEM 12 THE PUC AND THE COURT CAN ONLY MAKE THIS DECISION BASED ON DUFFY RESPONSE TO PAGE 8, ITEM 11 PENN POWER SHOULD NOT UNILATERALLY BE MADE.

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WHEREFORE THE COMPLAINTS, THE
DUFFY'S BE CONSIDERED AND THE
PUC RULE IN FAVOR OF THE DUFFY'S
AS THE DUFFY'S:

- COMPLIED WITH VICE DUNDERDAK'S COURT ORDER,
- DUFFY'S INSTALLED NEW HEAT/AIR SYSTEMS AT A COST OF NEARLY \$40,000,
- DUFFY'S CONTINUED TO PAY EXCESSIVE PENN POWER BILLING AFTER INSTALLATION OF NEW HEAT/AIR SYSTEMS
- DUFFY'S AGREED TO PAY MONTHLY BILLING PLUS \$468/mo TO CATCHUP WITH PRIOR BILLS, DUFFY AGREED WITH PENN POWER ONLY TO HAVE PENN POWER TO CHANGE THE PLAN ON ITS OWN DEMANDING EITHER \$1300/mo IN ARREARS OR \$2,286.42 OR SHUT OF POWER

RULING IN DUFFY FAVOR WILL POSSIBLY PROVIDE A
FIX FOR COMPLAINTS BY RESIDENTS AND A STRONG
MESSAGE THAT ONGOING ABUSE TO TAXPAYERS
AND ELDERLY WONT BE TOLERATED BY THE

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DEC 03 2018

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SECRETARY'S BUREAU

RESPECTFULLY SUBMITTED,

CHET AND MICHELLE DUFFY

From: **Chet Duffy** ceduffy@zoominternet.net
Subject: Duffy response to Penn Power's answer and new matter
Date: November 9, 2018 at 6:45 PM
To: mmorris@regerlaw.com



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