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April 18, 2022

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Patricia Wasserman v. PPL Electric Utilities Corporation
Docket No: F-2021-3027092

Dear Ms. Chiavetta:

Enclosed for E-Filing in the above-captioned matter are the Replies to Complainant's Exceptions to the Initial Decision Issued by the Honorable Darlene Heep on March 28, 2022 on behalf of PPL Electric Utilities Corporation.

Please note that this filing was E-Filed with the Commission on the date indicated above.

Very truly yours,



KIMBERLY G. KRUPKA

KGK/tb
Enclosure

cc: Administrative Law Judge Darlene Heep (wenc.) *via email only*
Patricia Wasserman (w/enc.)
Dana M. Brunner (w/enc.) *via email only*
Michelle L. Bartolomei (w/enc.) *via email only*
Shelbie Frederick Bayda (w/enc.) *via email only*
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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PATRICIA WASSERMAN,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET

NO. F-2021-3027092

**RESPONDENT PPL ELECTRIC UTILITIES CORPORATION'S REPLIES TO
COMPLAINANT'S EXCEPTIONS TO THE INITIAL DECISION ISSUED BY
THE HONORABLE DARLENE HEEP ON MARCH 28, 2022**

AND NOW, comes Respondent PPL Electric Utilities Corporation ("Respondent PPL"), by and through its counsel, Gross McGinley, LLP, and replies to Complainant's Exceptions as follows:

INTRODUCTION

On March 28, 2022, the Honorable Darlene Heep ("Judge Heep") issued an Initial Decision that granted in part and dismissed in part the Complaint of Patricia Wasserman ("Wasserman" and/or "Complainant"). Specifically, Complainant's request for a payment arrangement was granted (contingent upon the Commission affirming the ALJ's decision), with the provision of a thirty-six month arrangement. However, Complainant's requests for dismissal of the transferred balance and/or security deposit was denied for her failure to satisfy her burden of proof at the time of the telephonic hearing which was held on November 2, 2021. On March 28, 2022, Judge Heep's Initial Decision was served upon the parties. On April 8, 2022, Complainant filed and served, upon the PUC only, Exceptions to the Initial Decision. On the

same date, the PUC served the same on counsel to Respondent PPL. These Replies are offered in response thereto.

REPLIES TO COMPLAINANT'S EXCEPTIONS

The Exceptions filed by Ms. Wasserman must be dismissed wherein the Findings of Fact of the ALJ are supported by substantial evidence of record and the Conclusions of Law are supported by fact and law. Judge Heep neither committed an error of law nor otherwise abused her discretion in reaching any one of his Findings of Fact and/or Conclusions of Law.

EXCEPTION 1

Complainant's initial Exception contends the ALJ erred in holding Complainant responsible for the balance accumulated on the account servicing the Schwenkmill Road property. However, the overwhelming evidence supports a finding that the ALJ correctly found that Respondent PPL Electric properly transferred a previously unpaid balance to Complainant's current account. The substantial evidence of record supports a finding that all charges on Complainant's current account were properly transferred from an account in her name, during times when she had requested electric service and before placing a request to cancel the same.

Currently, Complainant receives electric service at her residence at Morwood Road in Telford, Pennsylvania. (Tr. at 14). However, prior to May 3, 2017, Complainant had an active electric account in her name on Schwenkmill Road in Perkasio, Pennsylvania. (Tr. at 13-14, 18). This account on Schwenkmill Road originally was established in Complainant's name in 1999. It was not until April 24, 2017, that Complainant first contacted Respondent PPL to advise that she had moved months earlier and was permitting a friend to remain in the residence. While Complainant originally expressed a desire to have the electric removed from her name on that date, she did not want it terminated due to the friend living there. Respondent PPL Electric properly advised Ms. Wasserman that if she had the electric removed from her name, the service

would be terminated unless someone else contacted Respondent PPL Electric to have the service in his/her name. With the provision of this information, Ms. Wasserman elected to have the service remain in her name so that her friend would not be without electric service. (Tr. 21, 42, 58). PPL Electric honored this request until another party contacted Respondent PPL on May 3, 2017 to accept service at the Schwenkmill property. As of May 4, 2017, the account was removed from Complainant's name. All such action was in accordance with 52 Pa. Code §56.16(a).

When Complainant moved into the property located on Morwood Road, in Telford, Pennsylvania, Respondent PPL Electric, thereafter, properly transferred the outstanding balance from the Schwenkmill property in accordance with 52 Pa. Code 56.16(b). That balance was \$3,676.35. (Respondent PPL Exhibits 1, 5, 7, and 8). Respondent PPL Electric provided all available documentation which supported the accumulated bill, which had not previously been disputed when Complainant was residing at the Schwenkmill property. Complainant was unable to produce any evidence to dispute the same. Accordingly, ALJ Heep properly concluded that Complainant remains responsible for the charges accumulated through May 3, 2017 at the Schwenkmill Road property, and that such charges were properly transferred to the account servicing Morwood Road.

EXCEPTION 2

Complainant's second Exception contends the ALJ erred in finding that Respondent PPL Electric had previously provided Complainant with payment arrangements. While Complainant contends she has never previously entered into a payment arrangement with Respondent PPL Electric, the business records of Respondent PPL Electric show such arrangement was made on June 9, 2021, at which time there was a concern of a future termination of service. Respondent PPL Hearing Exhibit 2. While Complainant disputes this arrangement, she has been accorded

another payment arrangement through ALJ Heep's initial decision. While PPL Electric contends the establishment of such payment arrangements are confirmed by the documentary evidence, it must also be noted that Complainant's service was never terminated and she has never been adversely impacted by the payment arrangements on her account which actually protected the account from termination.

EXCEPTION 3

Complainant's third Exception contends the ALJ erred in finding that Respondent PPL Electric delayed in providing a bill for services at her current residence on Morwood Road, Pennsylvania. The record evidence is ample that such delay was due to the need to verify the identity of Ms. Wasserman. When Complainant originally sought service, she did so through Respondent PPL Electric's self-service option which cannot verify identity. The security number she provided did not match the corresponding name on Respondent PPL Electric's files, as Complainant was using the name Trisha Baird. Respondent PPL Hearing Exhibit 2, Tr. 41. Thereafter, the parties engaged in numerous telephone calls, all aimed with the purpose of confirming identity. Finally, as a result of multiple calls and additional information, the account could be, and was, opened on May 15, 2020. However, the only charges included were those from when Complainant agrees she was residing at the premises. The records are clear that Complainant was properly billed for services, and only for services for when she resided at the premises.

EXCEPTION 4

Complainant's fourth Exception does not appear to be an Exception to which a response is required. Rather, it appears that Complainant is providing an assertion that she intends for her payments to be applied towards current charges and not disputed charges. It is the belief of Respondent PPL that such Exception does not require a Reply.

CONCLUSION

Based upon the foregoing reasons, Respondent PPL respectfully requests that Complainant's Exceptions be denied in their entirety.

GROSS MCGINLEY, LLP

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Date: April 18, 2022

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PATRICIA WASSERMAN,

Complainant,

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NO. F-2021-3027092

CERTIFICATE OF SERVICE

This is to certify that the Replies to Complainants' Exceptions to the Initial Decision Issued by the Honorable Darlene Heep on March 28, 2022 on behalf of PPL ELECTRIC UTILITIES CORPORATION was mailed to counsel/complainant of record on behalf of Respondent by First Class Mail, on this the 18th day of April, 2022.

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BY:



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