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COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

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| Andrew P. Ciruolo, | | |
| v. | | Docket No.: |
| PPL Electric Utilities | | C-20032168 |
| Corporation | | |
| PUC Hearing | | |
| ----- | | |

Scranton State Office Building
100 Lackawanna Avenue
Hearing Room 318
Scranton, PA

DOCUMENT

Thursday, September 2, 2004
Commencing at 10:01 a.m.

BEFORE:

Ember Jandebaur, Administrative Law Judge

APPEARANCES:

DARYL WISHARD, Esquire
10 West Third Street
Williamsport, PA 17701
For the Respondant

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SEP 16 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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REPORTER: STEPHANI CAIN

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| <u>WITNESS</u> | <u>DIRECT</u> | <u>CROSS</u> | <u>REDIRECT</u> | <u>RECROSS</u> |
|----------------|---------------|--------------|-----------------|----------------|
| NONE | | | | |

P R O C E E D I N G S

1
2 -----
3 JUDGE JANDEBEUR:

4 This is the time and the place for the
5 hearing in the matter of Andrew P. Ciruolo spelled
6 capital C-I-R-A-O-L-O versus PPL Electric Utilities
7 Corporation. Docket number C-2003 2168.

8 I have in the Courtroom --- state your
9 name again for me?

10 ATTORNEY WISHARD:

11 Darryl Wishard.

12 JUDGE JANDEBEUR:

13 W-I?

14 ATTORNEY WISHARD:

15 I-S-H-A-R-D. And D-A-R-R-Y-L.

16 JUDGE JANDEBEUR:

17 Okay. I have Attorney Darryl Wishard for
18 Pennsylvania PPL Electric Utilities Corporation in the
19 Courtroom with potentially two witnesses.

20 It is 10:01. This hearing was noticed on
21 July 15th, 2004. The Hearing Notice does state that
22 it will be an initial hearing in person Thursday,
23 September 2nd, 2004, 10:00 a.m. room 318 the Scranton
24 State Office Building. That is where we are. That is
25 the date. It is about 10:01, as I stated.

1 I do not have the Complainant Andrew P.
2 Ciruolo in the Courtroom. What we will do at this
3 point is take a five minute break assuming that he is
4 having difficulty getting through town because of the
5 tent setup for President Bush's visit. And if he is
6 not here at that time, we'll deal with that then. So
7 we'll take a five minute recess.

8 SHORT BREAK TAKEN

9 JUDGE JANDEBEUR:

10 We're back on the record. This is in the
11 matter of Andrew Ciruolo versus PPL Electric Utilities
12 Corporation. It is now 10:08 in the morning. We do
13 not have Mr. Ciruolo here. Mr. Wishard, what would
14 you like to do at this point?

15 ATTORNEY WISHARD:

16 Your Honor, at this point in time I would
17 request that based on the fact that the Complainant in
18 this case of the Administrative code has the burden of
19 proof and the burden of going forward, he did not show
20 up today presenting any evidence in support of the
21 Complaint. We would ask that you dismiss the
22 Complaint.

23 JUDGE JANDEBEUR:

24 Okay. Thank you. I will take that
25 motion under advisement. My usual process is to give

1 them two days, so that would be Monday, to get in
2 touch with me with a valid reason why they didn't show
3 up, car accident, problem in the family, whatnot, but
4 a valid reason for not showing up.

5 If I do not hear from Mr. Ciarolo by
6 close of business Monday, I will dismiss it. Okay?
7 Off the record. Thank you.

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HEARING CONCLUDED AT 10:10 A.M.

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