

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
4. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
5. PERSON IN CHARGE:	:	7. DATE FILED: 11/29/93
6. DOCKET NO: Z-00223698	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BOYCE, DAVID P.

RESPONDENT/APPLICANT: DUQUESNE LIGHT COMPANY

COMP/APP COUNTY: ALLEGHENY

UTILITY CODE: 110150

ALLEGATION OR SUBJECT

BILLING DISPUTE

DOCKETED
NOV 30 1993

DOCUMENT
FOLDER



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

ORIGINAL

IN REPLY PLEASE
REFER TO OUR FILE

November 8, 1993

ST 0223698

Original

2-00223698
RECEIVED
NOV 29 1993

DAVID P. BOYCE
5608 ELLSWORTH AVENUE #7
PITTSBURGH PA 15232

SECRETARY'S OFFICE
Public Utility Commission

This is to confirm that the Public Utility Commission has received your request for appeal of the Bureau of Consumer Services Decision. Enclosed are four complaint forms that must be completed. You can use the four forms supplied, filling them out exactly the same or you can file one original and three copies. **IT IS IMPORTANT THAT THE INSTRUCTIONS ARE READ BEFORE YOU COMPLETE THE FORMS. YOU MUST RETURN THESE FORMS TO THE COMMISSION ON OR BEFORE November 29, 1993.** THE COMPLETED AND SIGNED FORMS ARE TO BE RETURNED TO:

John Alford, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

DOCKETED
NOV 30 1993

While your complaint is pending before the Commission, you must pay all undisputed bills. Undisputed bills are those parts of a bill that you did not claim were incorrect or for which you did not request payment arrangements. As long as you pay all undisputed bills, the company cannot terminate your service. If you do not return the forms on time as well as pay all undisputed bills, your service may be shut off by the company. *was refused. See last page!*

*quested
ments and*

*I re-
arrange-*

The company will receive a copy of this letter so that they will know that you have asked for a hearing. Remember, it is **VERY** important for you to:

1. Complete, sign, and date the four forms following all instructions.
2. Have the affidavit completed by a notary public.
3. Return the properly completed forms by the date shown above.
4. Pay all undisputed bills that you owe or receive from the company.

If you have any questions concerning the complaint process, please call the Bureau of Consumer Services office at 1-800-782-1110.

Very truly yours,

Janet E. Patrick
Janet E. Patrick
Supervisor
Document Filing Section

**DOCUMENT
FOLDER**

JEP
cc: Consumer Services
Duquesne Light

2

ST 0223698

11-29-93

FORMAL COMPLAINT FORM
Pennsylvania Public Utility Commission

Please Print:

DOCKETED

NOV 30 1993

Z-00223698

110150

1. Your Name, Mailing Address and Telephone Number

Name David P. Boyce

Street/P.O. Box 5608 Elsworth Ave #7 Apt# 7

City Pittsburgh State Pa Zip 15232

County Allegheny Home Telephone-Area Code (412) 367-8362

Work Telephone-Area Code () N/A

2. Which company does your complaint concern?

Name of Company Duquesne Light

RECEIVED
NOV 30 1993

3. What is your complaint?

SECRETARY'S OFFICE
Public Utility Commission

For three straight years the apartment above mine
has been primarily responsible for my summer month's
astronomical electric bill. I have repeatedly (to no avail)
requested that the air conditioning unit, which the Apt (#1)
has sole control of, because it has the only thermostat
control - be detached from my meter and affixed to the
apartment which controls the use of the air conditioning (A/C)
unit.

In the three years that I have lived in my apartment, the
apt. (#1) upstairs has had a half-dozen or more different
groups of tenants. And every year the people living there
run the A/C unit at their discretion and then move out
before any money can be collected - or attempt to be collected from
them. Were the meter hooked to the transient apartment which

(If you need more space use additional paper and attach to this form).

4. What do you want the Public Utility Commission to do about your complaint?

7) I would like the PUC to "really" intercede and not threaten me with "turning my lights out if I don't come up with \$80 bucks by "Thanksgiving" Is that the way you do it Is that how you give thanks? All it would take would be 5 minutes "work" for a qualified electrician to switch that cable. And then maybe another 5 minutes making a couple of phone calls to the "right people" to find out what's happened to my LEAP application and perhaps ask them to expedite matters a little. The \$600 or so I normally get per year from LEAP would just about wipe the slate clean. If you will notice I normally only use \$20 - \$30 per month - sometimes more. I used to make \$20 dollars an hour in heavy construction and insulation, but I can't do it anymore. I used to pay them \$300 a week in taxes. People forget about that!

(If you need more space use additional paper and attach to this form).

5. You must sign and date your complaint.

There's an old man - retiree that is the third unit on that same system. He paid, if you'll check, Pennsylvania State Law if I purposely give false information. \$39.01 this year on my bill - the girls \$17.46 more - that's it.

David P Boyle Date Signed 11/22/93 (where were you?)

Signature of complaining person, or officer (if customer is a corporation, trust or association) or member (if customer is a partnership) I don't have an attorney, but I know a little about "Fact and Opinion," as in Gertz v. Welch (1974). Anyway, how do you retain a lawyer living on \$600.00 a month?

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____
Street _____
City _____ State _____ Zip _____
Telephone Number-Area Code () _____

I also asked the electric (Duquesne) company if I could make a partial payment - they refused it. "All or nothing, we shut off the power." That's when I called LEAP who referred me to the PUC. David Boyle 1993

③ Continued from the front of page

ST 0223698

11/29/93

has the thermostat and runs up the electric bill - then when they moved out the debt would follow them and not be stuck with me. Now doesn't that sound sensible to you?

In addition since I am living on a fixed income from Social Security Disability. I normally apply for and receive from LEAP, energy assistance payments. However, where the electric company (Duquesne Light) allows the bill to accrue to about \$300.00 before threatening to shut off the electric, which allows me to take full advantage of the approximately \$300.00 emergency aid - which then pays the bill down to zero; this year Duquesne Light threatened termination of service at around \$150.00, or half the normal amount

Therefore, when I applied for emergency aid, I received naturally half the normal amount - early in the winter season. I inquired of an electric man who came to the apartment why this was so. He told me that Duquesne Light had ^{intimated to} ~~ordered~~ its employees to pressure people, by various means (borrow from friends, relatives, etc. to pay all they could. This was right after Duquesne Light had sunken millions into the new internet'l airport.

④ Continued from page front 2 ● SL 0223698
11/29/93

As a result, my normal energy assistance request was also cut by close to a half, from an additional \$300 to only \$170.00, something.

Now the stage is set. With no reserve monies to draw upon this year to cover the extravagant use of electric by the inhabitants of apt # 1 (who, I remind you has control of the thermostat) over the summer months - no fat stored over the winter to burn during the summer - to use an analogy to, i.e., a bear - now there is a huge mounted debt, with which I am stuck. The others long-since having flown the coop, to use another animal metaphor.

What do I want Duquesne Light to do?

- 1) Take the damn cable that runs the electricity through my meter - and stick it where it belongs - to the meter for apartment # 1 one.
- 2) Don't have its employees badger people (poor people, who else) into borrowing or "get it anyway you can, just get it" is what I myself was told.
Meaning of course borrowing and the like; Not criminal acts;
- 3) Let the normal amount of debt accrue so as to be able to collect more the normal amount, in both

⑤ Continued from page front 3 ● ST0223698
11/29/93
the emergency and regular funds.

4) Find out why, as soon as this fall's application from LEAP arrived and I filled it out and sent it in (with a proof of mailing stamped Nov 5th by the US Postal service; I got another letter saying to be watching for the form to be coming in the mail, and to be sure and complete it and send it in?

I included photocopies of the shut-off notice, the stipulation "agreement" from the PUC that I pay \$80.00 per month, else they would let Duquesne shut off the electric. And I put a little message with all that documentation and asked LEAP, to "please help." In other words find out what's happened to my form and my request for emergency help.

5) Tell me where I'm going to get the extra \$80.00 from to pay other people's electric bills. When I talked to the Duquesne light men that one day last year while he was badgering me I asked him, "what do you want me to do, go out and rob someone for the money?" He said, "just get the money."

(6) Continued from page front 4 ● JT 0223698
11/29/93

But I'm not implying here that he or Duquesne would condone that. He said, "surely, (and this of course paraphrasing, I didn't have a tape recording running) "you can get the money from someone." I told him, the only people I knew didn't have any money either.

I then went on to explain that I was new to this "game" because I had quit high-school to work and help support my family, went into the service after that for three years and then worked for 25 years, making near the end, about \$25,000 for 9 months work out of a year - in construction. Contract work.

I said, "I'm not one of these "bloodsuckers," that's lived on welfare all my life." And if it weren't for my recent (2-3 years) disability I'd still be working. And one day when I'm better, I'll be back out there again. (see back of original form, page 2 now)

6) So tell Duquesne light to take some consideration for others once in a while. That's what I want. Someone that will work with people rather than to try and strong-arm them. I know they have "power."

⑦ Continued: Post Script

TOZZ 3698
11/29/93

I propose what I wanted to do all along. Have someone help me figure out what the last party owed when they left. #1 Account for the interim period when the retiree in Apt #2 and I were the only ones on the unit. Then start counting the new group of girlsⁱⁿ when they moved in.

Both parties of girls would have to be prorated, my normal average deduction taken off the top, then the remainder split three ways^(well, now four ways), the way its supposed to all work. Find the girls that moved out and try to collect from them. ^{Issue them notices like me.}

I need an accountant to help figure this all out and either Duquesne Light or the PUC to issue calls for payment of those other people.

Why single me out? I haven't wanted the cable hooked up to my meter all along, but again, when I asked Duquesne to ^{un}do it, they refused. What I need is team work, not some Leviathan threatening to squash me (cut off my electric) How would you like to be treated?



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

11-29

IN REPLY PLEASE
REFER TO OUR FILE
ST 0223698

November 8, 1993

Z-00223698

DAVID P. BOYCE
5608 ELLSWORTH AVENUE #7
PITTSBURGH PA 15232

This is to confirm that the Public Utility Commission has received your request for appeal of the Bureau of Consumer Services Decision. Enclosed are four complaint forms that must be completed. You can use the four forms supplied, filling them out exactly the same or you can file one original and three copies. **IT IS IMPORTANT THAT THE INSTRUCTIONS ARE READ BEFORE YOU COMPLETE THE FORMS. YOU MUST RETURN THESE FORMS TO THE COMMISSION ON OR BEFORE November 29, 1993.** THE COMPLETED AND SIGNED FORMS ARE TO BE RETURNED TO:

John Alford, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

While your complaint is pending before the Commission, you must pay all undisputed bills. Undisputed bills are those parts of a bill that you did not claim were incorrect or for which you did not request payment arrangements. As long as you pay all undisputed bills, the company cannot terminate your service. If you do not return the forms on time as well as pay all undisputed bills, your service may be shut off by the company.

The company will receive a copy of this letter so that they will know that you have asked for a hearing. Remember, it is **VERY** important for you to:

1. Complete, sign, and date the four forms following all instructions.
2. Have the affidavit completed by a notary public.
3. Return the properly completed forms by the date shown above.
4. Pay all undisputed bills that you owe or receive from the company.

If you have any questions concerning the complaint process, please call the Bureau of Consumer Services office at 1-800-782-1110.

Very truly yours,

Janet E. Patrick
Supervisor
Document Filing Section

JEP

cc: Consumer Services
Duquesne Light

REQUEST FOR APPEAL FORM

I want to file a formal complaint and have a hearing with the Commission.
Please send me formal complaint forms at the following address
(Please print information below):

not
timely

Name David P Boyce S. I. Number 0223698
Street 5608 Ellsworth Ave #7 (Area Code) Telephone Number (412) 362-8362
City Pittsburgh Pa State Pa Zip Code 15232
Utility Company Duquesne Light

THIS SLIP MUST BE RETURNED WITHIN TWENTY DAYS OF THIS DATE: OCT 08 1993
YOU DO NOT NEED A LAWYER TO FILE A FORMAL COMPLAINT AND HAVE A HEARING!!

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

NOV 05 1993

D.L.



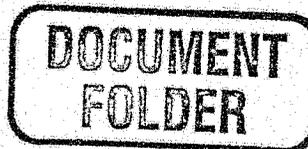
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17103-3265

November 30, 1993

IN REPLY PLEASE
REFER TO OUR FILE

Z-00223698

Wesley W. Von Schack, Pres. & CEO
Duquesne Light Company
One Oxford Centre
301 Grant Street
Pittsburgh, PA 15279



A complaint has been filed against you before the Pennsylvania
Public Utility Commission by DAVID P. BOYCE
(the complaining party)

To defend yourself against the claims stated in the following pages, you
must act within twenty (20) days, by filing in writing with the Commission,
either personally or through your attorney, your defenses or objections to
the claims stated against you. Or, you may satisfy the complaint by
settling the matter with the Complainant and submitting proof of settle-
ment to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS THE CASE MAY GO
FORWARD IN YOUR ABSENCE AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE
COMMISSION WITHOUT FURTHER NOTICE.

AN ADMINISTRATIVE LAW JUDGE MAY REVOKE OR SUSPEND ANY CERTIFICATE
OR PERMIT HELD BY YOU, OR IMPOSE A FINE, OR ANY OTHER APPROPRIATE PENALTY
OR REMEDY AUTHORIZED BY THE PUBLIC UTILITY CODE. YOU MAY LOSE MONEY OR
PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

Detailed instructions on how to proceed are contained in the attached
pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed
without a lawyer. However, if you want a lawyer and do not have one or
cannot afford one, the office listed below can tell you where you can
get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, Pennsylvania 17108
(800) 692-7375

Very truly yours,

John G. Alford
Secretary

Attachment

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

November 30, 1993

<u>DAVID P. BOYCE</u>	:	
	:	
v.	:	Complaint Docket
	:	No. <u>Z-00223698</u>
<u>DUQUESNE LIGHT COMPANY</u>	:	

**DOCUMENT
FOLDER**

FORMAL COMPLAINT
NOTICE TO RESPONDENT
TO ANSWER OR SATISFY

DOCKETED
DEC 3 1993

TO: DUQUESNE LIGHT COMPANY

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. §702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code §5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code §1.56(a).

2. If you fail to either satisfy this complaint or to file an answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with

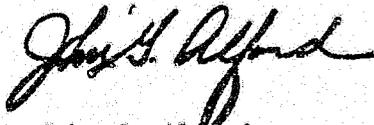
Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code §5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. §703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in this complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §101, et seq.; and, if you are a customer of a utility,

an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



John G. Alford
Secretary

(SEAL)

Certified Mail
Return Receipt Requested



Duquesne Light Company

Legal Unit
One Oxford Centre
301 Grant Street
Pittsburgh, Pennsylvania 15279
(412) 393-6000
FAX: (412) 393-6645

Writer's DIRECT DIAL Number:

412 393-6129

December 20, 1993

Certificate of Mailing

John G. Alford, Secretary
Pennsylvania Public Utility Commission
North Office Building
New Filing Section, Room B-18
P. O. Box 3265
Harrisburg, PA 17120

RECEIVED
DEC 20 1993
SECRETARY'S OFFICE
Public Utility Commission

Re: David P. Boyce v. Duquesne Light Company
Docket No. Z-00223698

Dear Mr. Alford:

Enclosed for filing in the above-referenced matter are an original and two copies of the Preliminary Motion and Answer of Duquesne Light Company. A copy of this Answer has been served upon the complainant in accordance with Commission rules.

Very truly yours,

Stephen R. Pelcher

Stephen R. Pelcher

DOC IEN
FOLDER

Enclosures (3)

c: David P. Boyce (w/enclosure)
Ann M. Strishock (w/enclosure)

DELIVERING
QUALITY
ENERGY

LDA

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
DEC 20 1993

SECRETARY'S OFFICE
Public Utility Commission

DAVID P. BOYCE,)
)
Complainant,)
)
vs.) Docket No. Z-0223698
)
DUQUESNE LIGHT COMPANY,)
)
Respondent.)

PRELIMINARY MOTION PURSUANT TO 52 PA. CODE §
5.101 IN THE NATURE OF A MOTION TO DISMISS A
PLEADING THAT FAILS TO JOIN AN INDISPENSABLE PARTY

TO THE HONORABLE COMMISSION:

AND NOW, this 20th day of December, 1993, comes the Respondent, Duquesne Light Company ("Duquesne Light"), by and through its attorney, Stephen R. Pelcher, Esquire, and files the within Preliminary Motion pursuant to 52 Pa. Code § 5.101, of which the following is a statement:

1. The Complainant, David P. Boyce, commenced this proceeding by filing a Formal Complaint against Duquesne Light with the Pennsylvania Public Utility Commission (the "Commission") on November 29, 1993.
2. The Commission served Duquesne Light with a copy of the Complaint on November 30, 1993.
3. Section 5.101(a) of the Commission's regulations, 52 Pa. Code § 5.101(a)(3), (relating to preliminary motions) provides in

DEC 30 1993

DOC MEN
FOLDER

pertinent part that a participant may file a preliminary motion in the nature of "[a] motion to dismiss a pleading . . . that fails to join an indispensable party."

4. In his Complaint, the Complainant avers that he has "repeatedly (to no avail) requested that the air conditioning unit --, which [Apartment 1] has sole control of, because it has the only thermostat control -- be detached from my meter and affixed to the apartment which controls the use of the air conditioning (A/C) unit." Additionally, in his prayer for relief, complainant requests that Duquesne Light remove from his electric meter the cable that runs the air conditioning in other units.

5. Duquesne Light is not required to rewire cable or air conditioning units at the Complainant's residence. In fact, Duquesne Light could not lawfully undertake such work without the landlord's permission and cooperation.

6. Duquesne Light believes Complainant's landlord is responsible for all rewiring at the Complainant's residence to the extent necessary and that therefore, the landlord is an indispensable party to this action since the relief contemplated by the Complaint would require such.

7. The Complainant has failed to join his landlord as a party-respondent in this action.

WHEREFORE, Duquesne Light requests that the Commission dismiss the Complaint for failure to join an indispensable party or in the alternative, require the Complainant to file an amended

complaint joining his landlord as a party-respondent to this proceeding.

Respectfully submitted,

Duquesne Light Company

Counsel for:

Stephen R. Pelcher
Stephen R. Pelcher, Esquire
One Oxford Centre (17-4)
301 Grant Street
Pittsburgh, PA 15279
(412) 393-6129

The averments of this paragraph concerning complainant's financial status, work history and education are denied, since, after reasonable investigation, Duquesne Light is without knowledge or information sufficient to form a belief as to the truth of these averments.

It is denied that Duquesne Light allowed the complainant's electric bill to accrue an arrearage. On the contrary, it is the complainant's responsibility to pay his bill by the indicated due date and it is he who allowed the electric bill to accrue an arrearage. Duquesne Light expects payment to be made on all bills by the indicated due dates and pursues appropriate termination and collection actions in accordance with its tariff and the law if payment is not made. Duquesne Light continually monitors its accounts and contacts customers for payment.

It is admitted that complainant applied for LIHEAP on several occasions. By way of further response, Duquesne Light's receipt of LIHEAP monies on behalf of the complainant were received on the following dates in the following amounts:

June 19, 1991	\$405.00
July 25, 1991	\$101.00
March 9, 1992	\$242.00
December 16, 1992	\$178.00
March 23, 1993	\$178.00
April 5, 1993	\$145.00

It is admitted that Duquesne Light's representative suggested to complainant that he borrow the money to pay his bill. By way of further answer, it is the responsibility of Duquesne Light's representatives to aggressively pursue payment of past due

electric bills, thereby avoiding termination of electric service. Duquesne Light expects payment to be made on all bills by the indicated due dates and pursues appropriate termination and collection actions in accordance with its tariff and law if payment is not made.

It is admitted that Duquesne Light refused to rewire the premises where complainant resides. By way of further response, it is not Duquesne Light's responsibility to rewire or tamper with wiring at private premises of third parties. Duquesne Light notified complainant as early as June 27, 1991, that the electricity supplied to the air conditioner compressor that cools three apartments is supplied from his electric meter. Yet complainant has made an informed decision to remain in this apartment.

It is specifically denied that Duquesne Light badgers or "strong-arms" people. On the contrary, Duquesne Light expects payment to be made on all bills by the indicated due dates and exercises appropriate termination and collection actions in accordance with its tariff and the law if payment is not made.

It is admitted that Duquesne Light refused to make a payment arrangement on a "partial catchup" amount in order to avoid termination of electric service. By way of further response, on September 15, 1993, complainant contacted Duquesne Light in response to a termination notice dated September 10, 1993, in order to make payment arrangements on a bill with a balance of \$358.30 and a partial catchup balance of \$278.00. Duquesne Light refused

to accept any payment less than \$278.00 in order to avoid termination of his electric service.

To the extent this paragraph includes a prayer for relief, no response is required.

4. This paragraph is neither admitted nor denied as it contains no averment of fact.

WHEREFORE, Duquesne Light requests that after reasonable investigation and hearing the complaint be dismissed.

Respectfully submitted,

DUQUESNE LIGHT COMPANY

By Counsel:

Stephen R. Pelcher

Stephen R. Pelcher, Esquire
One Oxford Centre, 17-4
301 Grant Street
Pittsburgh, PA 15279
(412) 393-6129
(412) 393-6645 Fax

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
December 30, 1993

In Re: Z-00223698

(See attached list)

David P. Boyce v. Duquesne Light Company

Billing Dispute

HEARING NOTICE

RECORDED
JAN 7 1994

This is to inform you that a hearing on the above-captioned case will be held as follows:

TYPE: Initial Hearing
DATE: Monday, February 7, 1994
TIME: 10:00 a.m.
LOCATION: 11th Floor Hearing Room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, Pennsylvania

DOCUMENT
FOLDER

PRESIDING OFFICER: Administrative Law Judge Michael A. Nemec
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, Pennsylvania 15222

ATTENTION CUSTOMER: YOU MAY LOSE THE CASE IF YOU DO NOT COME TO THIS HEARING AND PRESENT FACTS ON THE ISSUES RAISED IN YOUR COMPLAINT.

If you have any questions about this hearing, please call (717) 787-5633 on or before January 31, 1993.

Any questions concerning this procedure should be directed to the Administrative Law Judge.

IF YOU ARE A PERSON WITH A DISABILITY, AND WISH TO ATTEND THE HEARING SCHEDULED ABOVE, AND REQUIRE AN AUXILIARY AID, SERVICE OR OTHER ACCOMMODATION TO PARTICIPATE IN THE PROCEEDING, PLEASE CONTACT THE AT&T RELAY SERVICE NUMBER 1-800-654-5988 OR NORMA R. LEWIS (717) 787-1399 AT THE PENNSYLVANIA PUBLIC UTILITY COMMISSION (PUC) TO DISCUSS HOW THE PUC MAY BEST ACCOMMODATE YOUR NEEDS.

cc: Judge Nemec
John Frazier - BPL
Consumer Advocate
Law Bureau
Norma Lewis
Stephen Springer
Beth Plantz
Docket Room

Certified Mail
Receipt Requested &
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APPEARANCE SHEET

ALJ HEARING REPORT

PTI

DOCKET NO. Z-00223698

CASE NAME David P. Boyce v.
Duquesne Light Company

LOCATION Pittsburgh

DATE February 7, 1994

ALJ Nemec

CHECK THOSE BLOCKS WHICH APPLY:

Prehearing held **RECEIVED** YES NO

Hearing held 9:00 AM-10:59 YES NO

Testimony taken W. E. C. INFO. CONTROL DIV. YES NO

Hearing concluded YES NO

Further hearing needed YES NO

Estimated add'l days _____

RECORD CLOSED YES NO

DATE 2/28/94

Briefs to be Filed _____ NO

DATE _____

BENCH DECISION YES NO

RECEIVED

FEB 08 1994

Office of A. L. J.

Public Utility Commission

**DOCUMENT
FOLDER**

REMARKS:

RECEIVED

FEB 17 1994

By: E. L. PLATZ/ALJ

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
PLEASE PRINT CLEARLY
INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS	APPEARING FOR
REGINA M. SESTAK Telephone No. 393-4113	DUGUESNE LIGHT COMPANY ONE OXFORD CENTER City PITTSBURGH PA State Zip 15279	DUGUESNE LIGHT COMPANY
David P Boyce Telephone No. Doc	5608 Ellsworth Ave. #7 City Pittsburgh PA State Zip 15232	himself
FEB 28 1994		
Telephone No.	City State Zip	

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OR COUNSEL OF RECORD APPEAR ON BACK.

Cynthia P. Kerchner

REPORTER