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Melanie S. Kokenda  
v.  
West Penn Power Company

Docket No.:  
C-2023-3038774

Initial Call-In  
Telephonic Hearing  
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Judge's Chambers  
Piatt Place  
301 5th Avenue  
Suite 220  
Pittsburgh, PA

Wednesday, July 12, 2023  
Commencing at 10:03 a.m.

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Docket No. C-2023-3038774

Hearing Date: July 12, 2023

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Hearing Date: July 12, 2023

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**Docket No. C-2023-3038774**

**Melanie S. Kokenda v. West Penn Power Company**

**The Hon. Conrad A. Johnson**

**Hearing: Wednesday, July 12, 2023; 10:00 a.m.**

**Call-in Hearing No.: 1.866.566.0826; PIN: 76982683**

**PROPOSED EXHIBITS OF WEST PENN**

1. Property Record for Service Location
2. Photo of Service Location
3. Customer Verification Screen
4. Customer Call Notification #336136059, dated 7/30/16
5. Customer Call Notification #336133702, dated 7/30/16
6. Customer Call Notification #336158367, dated 8/1/16
7. Line Department DR Notification #336153999, dated 8/1/16
8. BCS Decision No. 3606394, closed 11/27/18
9. ~~Docket No. C-2019-3007105; 2019 Formal; Settlement Letter, dated 5/21/19~~
10. ~~Docket No. C-2019-3007105; 2019 Formal; CSAT, dated 5/21/19~~
11. Tariff Rule 4

**Official/Judicial Notice**

- Docket No. C-2019-3007105, First Interim Order
- Docket No. C-2019-3007105, Hearing Notice



**Search:** Public Records : Real Property  
**Terms:** street address(317 West Street) city(New Kensington) state(PA)

<u>No.</u>	<u>Name Information</u>	<u>Property Address</u>	<u>APN</u>	<u>Jurisdiction</u>
1	Owner  KOKENDA MELANIE 317 WEST ST  NEW KENSINGTON, PA 15068-5851	317 WEST ST  NEW KENSINGTON, PA 15068-5851	24-05-08-0-267	Assessment Record for WESTMORELAND, PA  Recording Date : 11/2012 Assessment Year : 2023 Data Source : B

**Terms:** street address(317 West Street) city(New Kensington) state(PA)  
**Date/Time:** Tuesday, June 20, 2023 4:29 PM  
**Permissible Use:** **Your DPPA Permissible Use: I have no permissible use**  
**Your GLBA Permissible Use: I have no permissible use**

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End of Document

RESPONDENT'S  
EXHIBIT  
2





Customer/Verification		Account Details		WestPennPower	
Partner: MELANIE S KOKENDA / ***-**-6539	<a href="#">8055535446</a>	Acct Class: Residential	Acct Status: ACTY		
Cust Contact: John Kokenda IV Son		Rate: WP-RS10F	Pay Terms: 30SN		
Password:		Risk: 1467-HighRisk	Dun Lock: E		
Prem Phone: (724)671-0784	BP Phone: (724)671-0784	Inv Prt Out:	Avg Mo Bill: <a href="#">Calculate</a>		
Acct Nbr: <a href="#">100100973856</a>	Nbr Accts: 2	Sched MR Date: 03/27/2023	Sched Bill Date: 03/28/2023		
Acct Name:					
Email Addr: <a href="#">jjeam4us@gmail.com</a>					
Web User: JACKSONISWHAT					
Service Address					
317 WEST ST					
NEW KENSINGTON PA 15068					
Mailing Address					
317 WEST ST					
NEW KENSINGTON PA 15068					
Service Details					
Dist Contract: <a href="#">18017321</a>					
Move-In Dt: 1/01/2012					
Disc Status:					
FE PTC: 0.08513700					
Move-Out Dt:					
Disc Doc Dt:					
Supplier: West Penn Power - Supply					
Type:					
Rsn: <a href="#">28761945</a>					

# CUSTOMER CALL NOTIFICATION

**WORK TYPE:** No Lights

**Notification:** 336136059 **Type:** CC  
**Work Request:**

**SM Order:**



**Short Text:**

**Malfunction Start:** 07/30/2016 @ 15:14:28

**Work Complete:**        /         
**(Malfunct. End) Date / Time**

**Reported by:** pete keller

**Phone:** (412)398-6229

**BUSINESS PARTNER**

**Business Partner No.:** 805535446

**Contract Acct. No.:** 100100973856

**PREMISE INFORMATION**

**Premise No.:** 7107757  
317 WEST ST  
NEW KENSINGTON PA 15068

**Phone:** (724)671-0784

**TECHNICAL INFORMATION**

**Pole Key:** 57108-WP45  
**Maintenance Group:** 601 (Arnold)  
**Tax District:** 00002452  
**Tax Location:** NEW KENSINGTON - PA  
**Tax County:** WESTMORELAND

**Meter:** 5000238053 1 Phase  
**Main Wrk Ctr:** RDO-WP  
**MRU-Seq:** W024516-N/A

**Long Text:**

\* tree pulled wires down

**Comments:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complete in: PRD(010)

\_\_\_\_\_  
Name (Please Print)

# CUSTOMER CALL NOTIFICATION



**WORK TYPE:** On - Safety Force On-Site

**Notification:** 336133702 **Type:** CC  
**Work Request:**

**SM Order:**

**Short Text:**

**Malfunction Start:** 07/30/2016 @ 09:42:39

**Work Complete:**        /         
**(Malfunct. End) Date / Time**

**Reported by:** westmoreland county 911 disp 1679

**Phone:** (724)836-1551

**BUSINESS PARTNER**

**Business Partner No.:** 805535446

**Contract Acct. No.:** 100100973856

**PREMISE INFORMATION**

**Premise No.:** 7107757  
317 WEST ST  
NEW KENSINGTON PA 15068

**Phone:** (724)671-0784

**TECHNICAL INFORMATION**

**Pole Key:** 57108-WP45  
**Maintenance Group:** 601 (Arnold)  
**Tax District:** 00002452  
**Tax Location:** NEW KENSINGTON - PA  
**Tax County:** WESTMORELAND

**Meter:** 5000238053 1 Phase  
**Main Wrk Ctr:** RDO-WP  
**MRU-Seq:** W024516-N/A

**Long Text:**

- \* 911 -tree fell down pulled wires down and meter is on fire on side of home. fire dept enroute. 317 west st new Kensington pa 15068
- \* 07/30/2016 09:44:07 EST T. Schulmeister (49036) Phone (800)633-4766 83..
- \* advised eta of 1 to 2 hours per dcc and ref #.

**Comments:**

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Complete in: PRD(010)

\_\_\_\_\_  
Name (Please Print)

# CUSTOMER CALL NOTIFICATION

RESPONDENT'S  
EXHIBIT

tabbles

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**WORK TYPE:** On - Miscellaneous

**Notification:** 336158367 **Type:** CC  
**Work Request:**

**SM Order:**

**Short Text:**

**Malfunction Start:** 08/01/2016 @ 17:16:26

**Work Complete:**        /         
**(Malfunct. End) Date / Time**

**Reported by:** JOHN KOKENDA

**Phone:** (724)994-9602

**BUSINESS PARTNER**

**Business Partner No.:** 805535446

**Contract Acct. No.:** 100100973856

**PREMISE INFORMATION**

**Premise No.:** 7107757  
317 WEST ST  
NEW KENSINGTON PA 15068

**Phone:** (724)671-0784

**TECHNICAL INFORMATION**

**Pole Key:** 57108-WP45  
**Maintenance Group:** 601 (Arnold)  
**Tax District:** 00002452  
**Tax Location:** NEW KENSINGTON - PA  
**Tax County:** WESTMORELAND

**Meter:** 5000238053 1 Phase  
**Main Wrk Ctr:** RDO-WP  
**MRU-Seq:** W024516-N/A

**Long Text:**

\* SW JOHN KOKENDA, 724-994-9602, READY TO RESTORE, CIC RECIVED. DR  
336153999 REVAMP.

**Comments:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complete in: PRD(010)

\_\_\_\_\_  
Name (Please Print)

# LINE DEPARTMENT DR NOTIFICATION

**Work Type:** RESU  
**Notification:** 336153999  
**Customer:** MELANIE S KOKENDA  
**Premise Address:**  
 317 WEST ST  
 NEW KENSINGTON PA 15068  
**Tax District:** NEW KENSINGTON - PA  
**Circuit:**  
**Substation:**  
**X\_St./Pole No:**  
**Designer:**  
**Reported by:** PETE KELLAR ELECTRICIAN  
**Description:** Residential Upgrade  
**Access Info:**  
**Special Instruction:**

**Residential Upgrades**  
**Notification Date:** 08/01/2016      **Order:**

**Structure Type:** HOUSE

**County:** WESTMORELAND  
**Voltage:**  
**Transformer Pole/Pad #:** 57108-WP45  
**Service Pole/Pad #:** \_\_\_\_\_  
**Project Lead:** WP Line - Arnold  
**Phone:** 412-673-5735  
**Crew Id:**  
**Zone Id:** ARURBANS  
**Work Request:** 058228217



## METER INFORMATION

**Activity Type:**  
**Connection Type:** OVERHEAD  
**Device Category No.:**  
**Device Category Desc:**  
**Phases:** 1 - SINGLE PHASE  
**Service Amps:** 100 AMPS  
**Service Voltage:** 120/240 VOLT SINGLE PHASE  
**Smart Meter:** Yes  
**Read Instruction:**

**Meter Location:** Outside Front  
**Rate Category:**  
**Heating Source:** EH  
**Register Type:** 03  
**Next Read Date:**  
**Voltage Level Desc:**  
**Function Class:** AM11

	Mfg/ Meter No.	PH	Register Code Index & Desc	Program Version	Display Code	Index	Load Read
Existing:	_____	_____	000 ___0	_____	_____	_____	_____
Install:	_____	_____	_____	_____	_____	_____	_____
Meter Blocked	_____	_____	_____	_____	_____	_____	_____

## COMPLETION

**Work Start:** 08/22/2016 /00:00:00      **Requested in Service:** \_\_\_\_\_  
 (Req. Start)      Date / Time      (Required End)      Date / Time

**Energized:** \_\_\_\_\_  
 (Malfunc. End)      Date / Time

**Number of Services:** Installed \_\_\_\_\_ Removed \_\_\_\_\_ Service Not Changed \_\_\_\_\_

\_\_\_ We built the job as designed. Update the records with the design.

\_\_\_ We made the following changes. Update the records with the changes made on the attached papers.

**Long Text:**

- \* \_\_\_\_\_
- \* \* 08/02/2016 03:02:28 EST ZEDBTCH (ZEDBTCH)
- \* PROCESSCODE P
- \* EX FREEZE Meter reads may be blocked. Review meter readings.
- \* \_\_\_\_\_
- \* \* 08/02/2016 03:02:25 EST ZEDBTCH (ZEDBTCH)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Completed by:** \_\_\_\_\_ **Employee No** \_\_\_\_\_ **Date:** \_\_\_\_\_  
 Name (Please Print)



Assigned To

Assigned Specialist  
Lash, Tammy L

Customer Information

Case Number

3606394

Account Number

100100973856

First Name

MELANIE

Last Name

KOKENDA

Service Address

Address1

317 WEST ST

Address2

Service City

NEW KENSINGTON

Service State

PA

Service Zip

15068-0

Service Class

Work Phone

Home Phone

(724) 6710784

Mailing Address

Address1

Address2

City

State

Mail Zip

Family

Family Size

0

Children

0

Age

Adults

0

General

PUC Date Opened

4/23/2018

PUC Date Prepared

4/23/2018

Received Date

4/23/2018

PUC Date Closed

11/27/2018

Case Information

Prior Case Number

3511862

Term Date

Arrearage

0

Case Origin

Universal Service

Income

TELEPHONE

No

Source

Business Name

SM

Reason For Contact

BILLING DISPUTES (# 18)

Case Problem

BILL DISPUTE

CUST SENT A LETTER TO THE PUC STATING THAT THE BILLING IS NOT MATCHING THE AMT DUE, BUDGET PLAN. CU STATES THAT SHE ASKED MONTHS AGO TO GO OFF THE BUDGET. CU STATES THAT SHE WANTED TO FILE A FORMAL COMPLAINT. CU STATES THAT CHARGES ON THE BILLING APPEAR TO BE ADDITIONAL DUE TO BUDGET PLAN AND THEY INSIST ON TO KEEP SVC. CU STATES THAT SHE IS REQUESTING TO HAVE THE OUSIDE UNIT MOVED WHER IT SHOULD HAVE BEEN ORIGINALLY MOUNTED. - RELIEF SOUGHT -

Company Position

Related Information

Misc. Info.

Hot Issue

PUC Investigator / Intaker

Investigator First Name	Investigator Last Name	Investigator Phone
BCS	CASE POOL	(717)
Intaker First Name	Intaker Last Name	
DENNIS	SCATTON	

Status

Status

Closed

History

Click To Expand ▼

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◀ ▶

Is Archived

Customer Information

---

## Case Number

3606394

## Customer First Name

MELANIE

## Customer Last Name

KOKENDA

## Account Number

100100973856

---

## Service Address

## Address 1

317 WEST ST

## Address 2

## City

NEW KENSINGTON

## Service State

PA

## Zip

15068

## Home Phone

(724) 6710784

## Work Phone

Mailing Address

---

## Address 1

## Address 2

## City

## State

## Zip

Family

---

## Adults

0

## Family Size

0

## Children

0

## Age

General

---

## PUC Date Opened

4/23/2018

## PUC Sent Date

11/27/2018

## PUC Date Closed

11/27/2018

## Case Type

Pa-Informal

Assigned To

---

## Assigned Specialist

Lash, Tammy L

Case Information

---

## PUC Violation

NO

## PUC Chapter

Section Rule

## Balance Date

5/11/2018

## Head Date

11/27/2018

Bill Date	PUC Service Continue Date	
Total Balance	PUC Service Restored Pay	PUC Special Budget Amount
151.39	0.00	0.00
Regular Budget Amount	PUC Service Continue Amount	Arrears Payment Plus
0.00	0.00	0.00
Final Monthly Payment	Current Monthly Payment	End Monthly Payment
0.00	0.00	0.00
Reconnect Amount	Pay Amount	
0.00	0.00	

PUC Terms

Letter Description

Resolution

DECISION ISSUED: CUSTOMER WAS REMOVED FROM BUDGET BILLING. CUSTOMER NEEDS TO CONTACT COMPANY ABOUT MOVING METER. DISMISSING CASE

Has Decision Issue	Response Time
--------------------	---------------

Other Information

Investigator First Name	Investigator Last Name
DEBRA	BARNHART
Investigator Area Code	Investigator Phone
717	
Investigator Fax Area Code	Investigator Fax

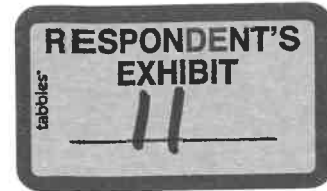
Intaker First Name	Intaker Last Name
DENNIS	SCATTON
Status	

Is SAP Completed	SAP Completion Date
<input checked="" type="checkbox"/>	11/27/2018

History

Click To Expand ▼

## GENERAL RULES AND REGULATIONS

**3. Right-of-Way**

An Applicant (and/or any existing Customer seeking additional service) requesting service from the Company, at the Applicant's/Customer's own expense, shall provide and grant to the Company a right-of-way, easement and/or permits satisfactory and acceptable to the Company, which by the Applicant/Customer has been cleared of trees and any other vegetation, as may be necessary for the erection and maintenance of the poles, wires and appurtenances, together with such tree and vegetation trimming and removal privileges as required per the Company's vegetation management policies to provide and maintain service.

Such right-of-way, easement and/or permits shall be granted to the Company without charge and shall permit the Company to permanently erect and maintain facilities over, under, through, across and/or along the property owned or controlled by the Applicant/Customer in order to provide electric service to the Applicant/Customer, provided, however, that no new right-of-way, easement and/or permits shall be required if a valid and continuing right-of-way, easement and/or permits with equivalent rights and privileges has already been granted to the Company by such Applicant/Customer or any predecessor in interest.

The Company shall not be obligated to provide any electric service to an Applicant/Customer until the Company has received and/or obtained satisfactory and acceptable to the Company rights-of-way, easements and/or permits from, but not limited to, the Applicant/Customer, applicable Government agencies, railroad owners or other property owners. Any right-of-way, easement or permit fees, either initial or recurring, or other charges in connection with rights-of-way, easements or permits for providing service to an Applicant/Customer, shall be paid for by the Applicant/Customer.

**4. Extension of Company Facilities: System Upgrades**

The standard service provided by the Company for delivery of electric energy to a Customer under this Tariff, regardless of delivery voltage, shall be from overhead Distribution Lines, except as noted in any Rate Schedule or other applicable provision of this Tariff. Subject to the requirements of this Tariff, the Company shall extend its Distribution and Transmission Lines to Applicants. Any request for electric service that requires the extension, removal, relocation or change of the Company's existing Distribution and Transmission Lines shall be provided as set forth in this Rule. Applicants requesting a Line Extension shall, at the Company's discretion, execute the Company's Line Extension contract. Any Customer served by a Line Extension completed before the effective date of this Rule 4 shall be subject to the terms and conditions of its existing Line Extension contract and the Company's then-applicable Line Extension tariff, rules and regulations.

## GENERAL RULES AND REGULATIONS

**a. Line Extensions****(1) Non-Speculative Single Phase Line Extension****Company Obligations**

As used in this Rule 4, a span of conductor is approximately equal to 180 feet. The Company shall construct, own and maintain all Line Extensions. The Company shall provide an Applicant, at no charge, up to three (3) spans of conductor, three (3) poles and related material on Public Right-of-Way for each Line Extension, including the Service Line. The Company shall provide an Applicant, at no charge, one (1) span of conductor and related material on Private Right-of-Way for each Line Extension, including the Service Line, to serve a Permanent Residential Customer. The number of spans provided to an Applicant/Customer at no charge shall be referred to in this Rule 4 as the span allowance. The Company's engineering layout shall be the sole basis used for determining the design of the Line Extension and/or Service Line. Any additional Line Extension and/or Service Line costs in excess of those costs assumed by the Company under this Tariff shall be borne by the Applicant/Customer.

The Company shall not commence construction of a Line Extension and/or Service Line until completion of all of the following:

- (a) The Company's receipt and acceptance of an application for electric service.
- (b) Execution by the Company and the Applicant/Customer of appropriate agreements for electric service and/or Line Extensions, and the payment by the Applicant/Customer of any and all associated costs or charges.
- (c) The Applicant/Customer requesting the Line Extension and/or Service Line has furnished to the Company rights-of-way, easements and/or permits on, over, across, under and/or through the Applicant's/Customer's property that are necessary for the construction, maintenance and operation of the Line Extension and/or Service Line in accordance with Rule 3 of this Tariff and which are in form and substance satisfactory and acceptable to the Company.

The Company shall be under no obligation to construct the Line Extension and/or Service Line in the event it is unable to acquire all necessary rights-of-way, easements and/or permits and other consents from any parties other than the Applicant/Customer, in such form and substance satisfactory and acceptable to the Company.

## GENERAL RULES AND REGULATIONS

## Rule 4 – Extension of Company Facilities: System Upgrades (continued)

**Applicant Obligations**

Where the Non-Speculative Line Extension and/or Service Line exceeds the span allowance, the Applicant/Customer shall make a CIAC or Cash Advance to the Company equivalent to the Company's estimated Direct Labor Costs and Direct Material Costs and/or Contractor Costs for construction of that portion of the Line Extension and/or Service Line which is in excess of the span allowance. All Line Extension and/or Service Line costs in excess of the span allowance shall be charged to the Applicant/Customer.

In the event that an Applicant/Customer makes a Cash Advance to the Company for construction costs in excess of the span allowance, refund(s) shall be made to the initial Line Extension Applicant/Customer for each new Permanent Residential Customer added to the initial Line Extension. The refund(s) shall be calculated by the average cost per foot of the Line Extension in excess of the span allowance. Refunds shall be made only for Customer additions made within five (5) years from completion of the initial Line Extension and the sum of any refund(s) shall never exceed the initial Line Extension Applicant's / Customer's Cash Advance. Any balance from the Cash Advance remaining after five (5) years shall be retained by the Company. In lieu of paying a Cash Advance to the Company, the Applicant/Customer may elect to pay a CIAC to the Company.

If the Applicant/Customer requests, and Company approves, Line Extensions and/or Service Lines may be installed underground. Where a Customer requests underground service from overhead distribution facilities, the Company shall install such service upon receipt of a contribution, in the form of a CIAC, from the Customer equal to the amount the underground service costs exceed the overhead service costs. These costs will not be part of any Cash Advance or refund to a Cash Advance. The Company shall own, operate and maintain such underground facilities. In such case, the Applicant/Customer shall provide all necessary conduit, conduit installation, trenching, excavation, backfilling and grading in accordance with Company specifications, and shall bear all costs thereof.

## GENERAL RULES AND REGULATIONS

## Rule 4 – Extension of Company Facilities: System Upgrades (continued)

The Applicant/Customer shall perform or arrange and pay for all Company-directed rough grading in accordance with the Company's specifications for underground lines and facilities, as said specifications shall be modified by the Company from time to time.

The Applicant/Customer shall pay the cost of all tree trimming, brush clearance and related activity associated with the establishment of the right-of-way, easement or permit for the Line Extension and/or Service Line in compliance with Rule 3.

If Applicant/Customer requests any deviation from the Company's specifications, the Company may, in its sole and exclusive discretion, approve such request. Any Company-approved deviations from its construction practices shall be at the Applicant's/Customer's sole expense.

**(2) Underground Electric Service in New Residential Developments****Company Obligations**

All Distribution Lines and Service Lines installed within a new residential Development shall be installed underground; shall conform to the Company's construction standards, the specifications set forth in the National Electric Safety Code (NESC), and shall be owned and maintained by the Company. The Company or its agent shall install the necessary service-related facilities that may include the installation of padmount transformers. The Company shall, at the request of the Developer, install underground street lighting lines at the time of the original request for service to the Development or thereafter within the same Development. All street lighting shall be provided in accordance with this Tariff.

The Company shall require for Developments which qualify under this Rule 4a(2) (Underground Electric Service in New Residential Developments) and Rule 4a(3), (Speculative Single Phase and All Three-Phase Line Extensions and Service Lines) a CIAC or Cash Advance from the Applicant covering the Company's total estimated direct and indirect costs associated with the Line Extension to the tract of land being developed or within 100 feet of the boundary of Development. After the connection of Customers, external to the Development, to the Line Extension, a refund of the Cash Advance shall be made to the Applicant in accordance with Rule 4a(3) (Speculative Single Phase and All Three-Phase Line Extensions and Service Lines).

GENERAL RULES AND REGULATIONS

Rule 4 – Extension of Company Facilities: System Upgrades (continued)

The Company shall have the right to perform its own excavating and backfilling. If the Company elects to perform its own excavating and backfilling, there shall be no other charges to the Developer or to any other utility sharing the same trench.

**Developer Obligations**

A Developer shall pay the cost of providing the Company with a copy of the recorded development plot plan identifying property boundaries and with rights-of-way, easements and/or permits satisfactory and acceptable to the Company for occupancy by distribution, service and street lighting lines and related facilities.

The Developer or its agent shall provide all conduit, conduit installation, excavating, rough grading and backfilling required by the Company and shall meet the Company's specifications as they may be in effect from time to time. The Company upon request shall provide copies of the specifications to the Developer.

A Developer shall pay the Company for any necessary and additional costs incurred by the Company as a result of the following:

- (a) Installation of underground facilities that deviate from the Company's underground construction standards and specifications if such deviation is requested by the Developer and is acceptable to the Company.

## GENERAL RULES AND REGULATIONS

## Rule 4 – Extension of Company Facilities: System Upgrades (continued)

- (b) A change in the plot plan by the Developer for electric service after the Company has completed engineering for the project and/or has commenced installation of its facilities.
- (c) Physical characteristics such as, but not limited to, oversized lots or lots with extreme setback.

A Subdivision is not required to have underground service. However, should the lot owner or owners in a subdivision desire underground service, such service shall be provided by the Company if such lot owner or owners, at their option, either comply with Rule 4a(1) (Non-Speculative Single Phase Line Extensions) or 4a(3) (Speculative Single Phase and All Three Phase Line Extensions and Service Lines).

If as a result of a Line Extension or any other request that results in an expansion of the Company's facilities, an increase in the Company's facilities, construction of a system upgrade or any other change to or the modification of the Company's electric system, the Applicant/Customer shall pay all costs for such work as specified in this Rule 4.

**(3) Speculative Single Phase and All Three-Phase Line Extensions and Service Lines**

When the Company is requested to increase capacity, expand facilities or construct Speculative Single Phase Line Extensions and/or Service Lines or Three-Phase Line Extensions and/or Service Lines, the Company shall determine from the circumstances of each case the nature and level of financing and/or guarantee of revenue required of the Applicant/Customer prior to construction or installation of Company facilities. The Company shall employ a five (5) year revenue guarantee in order to offset the initial construction costs. The five (5) year revenue guarantee includes five (5) years of forecasted distribution revenues less certain incremental delivery costs including, but not limited to, distribution operation and maintenance expenses, depreciation expenses, gross receipts taxes, state and federal income taxes, and a reasonable return component. The Company shall require the Applicant/Customer to make (i) a CIAC equivalent to the Company's total estimated costs associated with the construction of facilities necessary to render service in excess of the amount not covered by the revenue guarantee or (ii) a Cash Advance for the total construction costs to render service. The Company shall refund all or a portion of a Cash Advance previously provided by the Applicant in the event that the Company's revenue analysis for any newly connected Non-Residential Customer indicates that there are revenues in excess of the costs to provide service to that newly connected Non-Residential Customer, within five (5) years from the completion of the initial Line Extension.

## GENERAL RULES AND REGULATIONS

## Rule 4 – Extension of Company Facilities: System Upgrades (continued)

Where an application for an overhead Line Extension for a tract of land being developed or proposed to be developed, in whole or in part, for residential, commercial or industrial purposes, not covered by Rule 4a(2), (Underground Electric Service in New Residential Developments) is received from an entity that is not expected to be a Customer, the Company, prior to construction, shall require payment of a CIAC or a Cash Advance from the Applicant covering the Company's total estimated costs associated with the construction of said overhead extension (i) to the tract of land being developed and (ii) within the boundary of the tract of land necessary to serve prospective Customers in the tract.

After the connection of a Non-Residential Customer to the Line Extension, a refund of the Cash Advance shall be made to the Applicant in accordance with this Rule 4a(3) (Speculative Single Phase and All Three-Phase Line Extensions and Service Lines).

Applications for Speculative or Three-Phase Line Extensions and/or Service Lines shall be subject to the provisions of this Tariff.

In addition to the Line Extension costs described above, Customers shall also provide, install and pay for conduit, conduit installation, cable, metering conduit associated with their underground installation, including the Service Line, and such other costs specified in the Company's prevailing handbook.

The Applicant/Customer shall pay all costs as required for compliance with Rule 3.

**b. Temporary Service**

Temporary installations for Residential and Non-Residential Customers, requiring special service, meter or other work are made at the expense of the customer and shall provide electric service for a defined period, usually less than one (1) year ("Temporary Service"). Temporary Service, such as for construction purposes or exhibits of short duration, etc. shall be installed and removed at the Applicant's/Customer's expense. The Company shall provide the Temporary Service upon application from an Applicant/Customer. The Company shall provide the Temporary Service, provided that the Applicant/Customer reimburses the Company for all costs of installing and removing the service installation, including both material and labor, less the salvage recovered from all materials and equipment removed after

## GENERAL RULES AND REGULATIONS

## Rule 4 – Extension of Company Facilities: System Upgrades (continued)

termination of service. In all such cases, the Applicant/Customer shall make an advance payment to the Company sufficient to cover the estimated charges for installation and removal of the Temporary Service.

For Temporary Service for residential single-unit house construction where both the temporary Service Line and meter can be transferred to the completed building, the Temporary Service shall be provided by the Company upon the Applicant's/Customer's payment of the Company's estimated costs to provide this service.

**c. Relocation of, or Modification to, Company Facilities; Service Interruptions**

If as a result of a Line Extension or any other request that results in an expansion of the Company's facilities, an increase in the Company's facilities, construction of a system upgrade or any other change to or the modification of the Company's electric system, the Applicant/Customer shall pay all costs for such work as specified in this Rule 4.

**Company Obligations**

The Company shall remove, relocate or change the Company's facilities or temporarily interrupt service to a Customer's premises, upon the Customer's request, where such removal, relocation, change or interruption is acceptable to the Company.

The Company shall provide the Residential Customer with an estimate of the costs of removing, relocating, changing or interrupting the Customer's service, and the Residential Customer shall pay that amount to the Company prior to performing the work.

The Company shall bill the Residential Customer based upon the Contractor Costs and/or Direct Labor and Direct Material Costs associated with the removal, relocation or change of distribution facilities or interruption, less an amount equal to any maintenance expenses avoided as a result of such work.

The Company may request a Non-Residential Customer or other person or entity to pay to the Company in advance the estimated cost to perform such work. The Company shall bill Non-Residential Customers or other person or entity the total cost of the work, including the total direct and indirect costs.

GENERAL RULES AND REGULATIONS

Rule 4 – Extension of Company Facilities: System Upgrades (continued)

After completion of the work, the Company shall bill or refund to the Non-Residential Customer or other person or entity, the difference between the estimated cost and the total direct and indirect cost of such work.

**Customer Obligations**

A Customer desiring the removal, relocation or change of Company facilities or interruption shall submit a request to the Company.

The Company may accept or reject said request in its sole and exclusive discretion. If the Company accepts said request, the Customer shall pay in advance the Company's total estimated cost for any Customer requested temporary interruption in the Customer's service due to construction, maintenance or other activities.

All Customers or other parties that request the removal, relocation or change of Company facilities shall furnish, without expense to the Company, satisfactory and acceptable to the Company rights-of-way, easements and/or permits for the construction, maintenance and operation of the relocated facilities.

**Non-Residential Property Owner**

A non-residential property owner shall not be relieved or excused from paying all costs associated with the relocation or modification of the Company's facilities or temporarily interrupt electric service to a Non-Residential Customer's property under this Rule 4(c) if such relocation or modification of Company facilities or temporary service interruption is the result of any order, rule, regulation or other direction to said property owner from any governmental or public authority.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Melanie S. Kokenda :  
 :  
 v. : C-2019-3007105  
 :  
 West Penn Power Company :

**FIRST INTERIM ORDER**  
To Cancel and Reschedule  
Initial Telephonic Hearing

Melanie S. Kokenda (Complainant or Ms. Kokenda) filed two formal complaints with the Pennsylvania Public Utility Commission (Commission) against West Penn Power Company (West Penn or Respondent), which formal complaints are docketed at No. C-2019-3007105.

In the formal complaint filed on January 14, 2019, Complainant alleged West Penn provided her with electric and telephone services. Ms. Kokenda alleged West Penn had threatened to terminate electric service previously and the area where the outside unit was installed for the meter should be moved to the correct area. In the formal complaint filed on February 13, 2019, Complainant alleged West Penn provided her with electric, natural gas, telephone, mobile, and security systems services. Ms. Kokenda averred she wanted a payment agreement and was having a reliability, safety or quality problems with her services.

On October 15, 2018, West Penn filed an answer in which the public utility admitted a termination notice had been sent in July 2017 but was resolved through the establishment of a payment arrangement. West Penn denied its actions had been unreasonable or in violation of the Commission’s regulations or orders. West Penn asserted the formal complaint

was not a timely appeal of a decision issued by the Commission's Bureau of Consumer Services (BCS), and demanded proof of all factual allegations in the formal complaints

By Telephone Hearing Notice dated March 27, 2019, the Office of Administrative Law Judge notified the parties an initial telephonic hearing in this case was scheduled for Tuesday, April 30, 2019 at 10:00 a.m. On March 28, 2019, the presiding officer issued a Prehearing Order setting forth various procedural matters, including how parties may request a continuance.

On April 19, 2019, Respondent contacted the office of the presiding officer and requested a continuance. Respondent's attorney averred a medical appointment had been scheduled for his child on April 30, 2019 and he would be unable to attend the initial hearing. Counsel advised he contacted Complainant who indicated she did not object to the continuance request.

#### Discussion

Respondent's attorney cannot attend the hearing scheduled for April 30, 2019 due to a medical appointment scheduled recently for his child, which appointment is scheduled for the same morning as the hearing. Counsel requests the continuance because he needs to be present during the medical procedure. Counsel discussed the continuance request with Complainant who indicated Counsel was permitted to report that Ms. Kokenda has no objection to the continuance.

A review of the request for a continuance leads to the conclusion there is a justification for a continuance. Pursuant to 52 Pa.Code §§1.15, extensions of time may be granted by the presiding officer for good cause shown upon a motion filed by a party. Respondent's request for a continuance is reasonable and shows sufficient cause exists, under the circumstances. The request will be granted.

THEREFORE,

IT IS ORDERED:

1. That the request for a continuance submitted by Respondent is granted.
2. That the initial telephonic hearing scheduled for this case on Tuesday, April 30, 2019, is cancelled and continued.
3. That the parties will receive a new Hearing Notice from the Commission setting forth a new date for the Initial Telephonic Hearing.

Date: April 23, 2019

\_\_\_\_\_  
/s/  
Katrina L. Dunderdale  
Administrative Law Judge

**C-2019-3007105 - MELANIE KOKENDA v. WEST PENN POWER COMPANY**

MELANIE KOKENDA  
317 WEST STREET  
NEW KENSINGTON PA 15068  
**724.671.0784**

ARON J BEATTY ATTORNEY  
FIRSTENERGY SERVICE CO  
2800 POTTSVILLE PIKE  
PO BOX 16001  
READING PA 19612-6001  
**610.921.6202**  
**ACCEPTS E-SERVICE**



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
400 NORTH STREET, HARRISBURG, PA 17120  
April 26, 2019

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-2019-3007105

(SEE ATTACHED LIST)

**Melanie Kokenda v. West Penn Power Company**  
Miscellaneous/Other

**Cancel /Reschedule/Hearing Notice**

This is to inform you that the Hearing on the above captioned case previously scheduled for Tuesday, April 30, 2019 was cancelled.

The hearing has been rescheduled as follows:

Type: Initial Call-In Telephonic  
Date: Friday, May 17, 2019  
Time: 10:00 AM  
Presiding: Administrative Law Judge Katrina L. Dunderdale  
Piatt Place  
Suite 220  
301 5<sup>th</sup> Avenue  
Pittsburgh, PA 15222  
Telephone: 412.565.3550  
Fax: 412.565.5692

At the above date and time, you must call into the hearing. If you fail to do so, your case will be dismissed. You will not be called by the Administrative Law Judge.

To participate in the hearing,

- You must dial the toll-free Conference Number listed below
- You must enter a Passcode Participant Number when instructed to do so, also listed below
- You must speak your name when prompted
- The telephone system will connect you to the hearing

Toll-free Conference Number: 866.675.4411  
Passcode Participant Number: 23464163

If you have any witnesses you want to have present during the hearing, you must provide them with the Telephone Conference Number and Passcode Participant Number.

*Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.*

If you have any hearing exhibits to which you will refer during the hearing, three (3) copies must be sent to the Administrative Law Judge and one (1) copy each must be sent to every other party. All copies **must be received** at least five (5) business days **before** the hearing.

**You must serve the Presiding Officer with a copy of ANY document you file in this case.**

**Individuals** representing themselves are not required to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) **must** be represented by an attorney. An attorney representing you should file a Notice of Appearance **before** the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least five (5) business days prior to your hearing to submit your request.

If you require an interpreter to participate in the hearings, we will make every reasonable effort to have an interpreter present. Please call the scheduling office at the Public Utility Commission at least ten (10) business days prior to your hearing to submit your request.

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

The Public Utility Commission offers a free eFiling Subscription Service, which allows users to automatically receive an email notification whenever a document is added, removed, or changed on the PUC website regarding a specific case. Instructions for subscribing to this service are on the PUC's website at [http://www.puc.pa.gov/Documentation/eFiling\\_Subscriptions.pdf](http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf).

c: ALJ Dunderdale  
Eva Maki  
Calendar File  
File Room

**C-2019-3007105 - MELANIE KOKENDA v. WEST PENN POWER COMPANY**

MELANIE KOKENDA  
317 WEST STREET  
NEW KENSINGTON PA 15068  
**724.671.0784**

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