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Michelle Planessi, |  
v. | Docket No.:  
Duquesne Light Company | F-2024-3052638  
|  
Initial Call-In |  
Telephonic Hearing

Pages 1 - 37

Judge's Chambers  
Piatt Place  
301 5th Avenue  
Suite 220  
Pittsburgh, PA

Friday, March 14, 2025  
Commencing at 10:05 a.m.

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Docket No. F-2024-3052638

Hearing Date: March 14, 2025

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Proposed Policy Statement

**DLC EXHIBIT NO. 1**



### Duquesne Light Company - Statement Of Account

Prepared: March 14, 2025

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Account #:	[REDACTED]
Name:	PLANESSI, MICHELLE

Paid Deposit Amount:	\$0.00
Disputed Amount:	\$0.00

Premise ID	Service Address
[REDACTED]	353 GRACE ST FLR 2, PITTSBURGH, PA 15211

**Residential**

Transaction Date	Prepared Date	Transaction	Premise ID	Bill Due Date	Meter Read Date	Days in Billing Period	Meter Reading	KWh Usage	Bill, Payment, Adjustment Amount	Amount Due	Actual Amount	Account Balance
07/24/24	08/13/24	Transfer Adjustment - Printed							\$3,193.35	\$3,193.35	\$3,193.35	\$3,193.35
08/13/24	08/13/24	Bill - Actual	[REDACTED]	09/03/24	08/13/24	22	68,053.72	1,154.91	\$238.17	\$3,431.52	\$238.17	\$3,431.52
09/09/24	09/15/24	Late Payment Charge							\$42.90	\$3,474.42	\$42.90	\$3,474.42
09/15/24	09/15/24	Bill - Actual	[REDACTED]	10/07/24	09/15/24	33	69,172.94	1,119.22	\$249.50	\$3,723.92	\$249.50	\$3,723.92
10/14/24	10/14/24	Late Payment Charge							\$46.01	\$3,769.93	\$46.01	\$3,769.93
10/14/24	10/14/24	Bill - Actual	[REDACTED]	11/04/24	10/14/24	29	70,000.63	827.69	\$197.80	\$3,967.73	\$197.80	\$3,967.73
10/20/24	10/20/24	Bill - Actual	[REDACTED]	11/11/24	10/18/24	4	70,083.47	82.84	\$20.66	\$3,988.39	\$20.66	\$3,988.39
10/25/24	10/25/24	Billing - Cancel Transaction	[REDACTED]	11/11/24	10/18/24	4	70,083.47	82.84	-\$20.66	\$3,520.43	-\$20.66	\$3,520.43
10/25/24	10/25/24	Billing - Cancel Transaction	[REDACTED]	11/04/24	10/14/24	29	70,000.63	827.69	-\$197.80	\$3,541.09	-\$197.80	\$3,541.09
10/25/24	10/25/24	Billing - Cancel Transaction	[REDACTED]	10/07/24	09/15/24	33	69,172.94	1,119.22	-\$249.50	\$3,738.89	-\$249.50	\$3,738.89
10/25/24	10/25/24	Bill - Actual	[REDACTED]	11/15/24	09/03/24	21	68,820.45	766.73	\$170.55	\$3,690.98	\$170.55	\$3,690.98
10/31/24		Late Payment Charge - Cancel Transaction							-\$88.91	\$3,602.07	-\$88.91	\$3,602.07
11/11/24		Late Payment Charge							\$42.90	\$3,644.97	\$42.90	\$3,644.97
11/15/24		Payment							-\$408.72	\$3,236.25	-\$408.72	\$3,236.25



### Duquesne Light Company - Statement Of Account

Prepared: March 14, 2025

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Residential												
Transaction Date	Prepared Date	Transaction	Premise ID	Bill Due Date	Meter Read Date	Days in Billing Period	Meter Reading	KWh Usage	Bill, Payment, Adjustment Amount	Amount Due	Actual Amount	Account Balance
11/18/24		Late Payment Charge							\$37.78	\$3,274.03	\$37.78	\$3,274.03
11/21/24		Late Payment Charge							\$39.92	\$3,313.95	\$39.92	\$3,313.95
12/23/24		Dispute							-\$3,313.95	\$0.00	\$0.00	\$3,313.95
03/12/25		Late Payment Charge - Cancel Transaction							-\$111.06	-\$111.06	-\$111.06	\$3,202.89
03/13/25		Late Payment Charge - Cancel Transaction							-\$9.54	-\$120.60	-\$9.54	\$3,193.35
03/13/25		Dispute - Cancel Transaction							\$3,313.95	\$3,193.35	\$0.00	\$3,193.35
03/14/25		PUC Settlement Write Off							-\$133.00	\$3,060.35	-\$133.00	\$3,060.35

**DLC EXHIBIT NO. 2**

Person ID [redacted] 🔍 PLANESSI,MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] 🔍 PLANESSI,MICHELLE, Residential, \$0.00, [redacted]  
Premise ID [redacted] 🔍 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method [dropdown]  
Contact Date/Time 07-23-2024 / 10:04AM  
Contact Class Field Work [dropdown]  
Contact Type FWINFO 🔍 Field Work Informational  
Comments [redacted] Foreign Wiring Found 7/17/2024 @ 353 Grace St Flr 2 PGH 15211. \*\*Plug in bedroom is not on this meter. Wiring needs to be corrected. Plug outlet on left furnace in common area basement laundry room needs to be eliminated\*\* Placed service into P/O name with request to backdate to 7/17/2024. Rfrd Billing / 9.5 for DEP code. Mailed Foreign wiring Found Letter to 2023 Junewood Ave San Jose CA 95132 & emailed (meplanessi@gmail.com) to P/O

Person ID [redacted] 🔍 PLANESSI,MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] 🔍 PLANESSI,MICHELLE, Residential, \$0.00 [redacted]  
Premise ID [redacted] 🔍 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method [dropdown]  
Contact Date/Time 07-24-2024 / 12:38PM  
Contact Class General Customer Contact [dropdown]  
Contact Type GCC 🔍 General Customer Contact  
Comments [redacted] MICHELLE P/O RECVD FOREIGN WIRING FOUND AT HER 353 GRACE ST FLR 1,2 HSE MTR 15211 SHE WANTED TO KNOW WHO REPORTED IT ADV NO RECORDS OF THAT SHE WANTED TO KNOW HOW DID DLCO GET ACCESS TO THE BLDG AND WHY IS SHE RESPONSIBLE FOR THE BILLS FROM 7/17/24 AND WASN'T TOLD ABOUT THIS UNTIL 7/23/24 C/S

Person ID [redacted] 🔍 PLANESSI,MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] 🔍 PLANESSI,MICHELLE, Residential, \$0.00 [redacted]  
Premise ID [redacted] 🔍 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method [dropdown]  
Contact Date/Time 07-24-2024 / 02:58PM  
Contact Class Billing / Payment [dropdown]  
Contact Type BILL INQ 🔍 Billing Inquiries  
Comments [redacted] TRANSFERRED \$3193.35 BAL FROM ACCT [redacted] DUE TO FOREIGN WIRING.

Person ID [redacted] PLANESSI, MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] PLANESSI, MICHELLE, Residential, \$0.00, [redacted]  
Premise ID [redacted] 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method [dropdown]  
Contact Date/Time 07-25-2024 / 11:36AM  
Contact Class Field Work  
Contact Type FWINFO Field Work Informational  
Comments [redacted] mailed & emailed (meplanessi@gmail.com) Foreign Wiring UR (FIR 2) & SOA to P/O Michelle Planessi. Called & spoke with Michelle because I saw she called after she received FW found letters. Clarified no w/a needed. Has House meter. Call to schedule LL/Tenant F/A once wiring corrected

Person ID [redacted] PLANESSI, MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] PLANESSI, MICHELLE, Residential, \$0.00, [redacted]  
Premise ID [redacted] 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method Not Applicable  
Contact Date/Time 08-03-2024 / 03:46PM  
Contact Class Field Work  
Contact Type FWINFO Field Work Informational  
Comments [redacted]--RECEIVED 7/25/2024--EMAIL VIA UWF CONCERNING FW PREMISE , 353 GRACE ST FLR 2 PGH PA 15211 .PER F/A "PLUG IN THE BEDROOM NEEDS SWITCHED TO APARTMENT 2. DOWN IN COMMON AREA BASEMENT, LAUNDRY ROOM, THE PLUG OUTLET ON THE LEFT FURNACE NEEDS ELIMINATED"

Person ID [redacted] PLANESSI, MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] PLANESSI, MICHELLE, Residential, \$0.00, [redacted]  
Premise ID [redacted] 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method Phone Primary Phone: [redacted], Cellular Phone [redacted] Cellular Phone: [redacted]  
Contact Date/Time 08-03-2024 / 04:23PM  
Contact Class Field Work  
Contact Type FWINFO Field Work Informational  
Comments [redacted]--CALLED P/O MICHELLE PLANESSI BACK ABT FW FOUND, ACCT BAL, CORRECTION PROCESS. SHE SAID SHE WAS NOT ADVISED TO CONTACT NEW BUS . GV NEW BUS HRS & PHONE TO GET WORK ORDER NUMBER REQUIRED FOR REWIRE OR (ADDL HSE MTR). TENANT BAL INCLUDES F/W. OFR'D P/A. SHE SAID SHE CLD PUC. CUSTOMER RECEIVED UR/SOA, WIRING INVESTIGATION LTR BUT WAS NOT INSTRUCTED TO CONTACT NEW BUS TO START THE WIRING CORRECTION PROCESS. ALSO ADVISED TO CONTACT DLCO CUSTOMER SVC TO SCHEDULE APPT TO CONFIRM CORRECTION FOR UNITS OF BLDG.

Person ID [redacted] PLANESSI, MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] PLANESSI, MICHELLE, Residential, \$0.00 [redacted]  
Premise ID [redacted]  
Preferred Contact Method Phone Primary Phone [redacted] Cellular Phone: [redacted] Cellular Phone:  
Contact Date/Time 08-05-2024 / 03:02PM  
Contact Class General Customer Contact  
Contact Type GCC General Customer Contact  
Comments [redacted] SET APPT FOR 08/22 11 AM TO CK TO SEE F/W CORRECTED FOR 353 GRACE FLR 1&2..CONTACT CRISTIAN, PH 412-334-3485 FOR METER ACCESS, CNS, GAVE PUC PH# IN HARRISBURG



Person ID [redacted] PLANESSI, MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] PLANESSI, MICHELLE, Residential, \$0.00 [redacted]  
Premise ID [redacted]  
Preferred Contact Method [redacted]  
Contact Date/Time 08-05-2024 / 05:41PM  
Contact Class Legal / Regulatory  
Contact Type PUC ISSUE PUC Complaint / Issue  
Comments [redacted] F/W COMPLAINT 4007853 FILED 08/05/24 BY MICHELLE PLANESSI



Person ID [redacted] PLANESSI, MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] PLANESSI, MICHELLE, Residential, \$0.00, [redacted]  
Premise ID [redacted] 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method [redacted]  
Contact Date/Time 08-06-2024 / 01:48PM  
Contact Class Field Work  
Contact Type FWINFO Field Work Informational  
Comments [redacted] To do from Lisa Reed stating customer claims did not receive email with New Bus instructions. Refer to my prior notes. \*\*\*\* House meter here\*\*\*\*\* spoke with P/O about this in notes and that electrician needs to correct wiring. Advised shouldn't need wo# or wa#. Just need LL Tenant F/A once corrected. Verfd no F/A regarding wiring from New business after Lisa transferred customer. Not needed



Person ID [redacted] [magnifying glass] PLANESSI,MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] [magnifying glass] PLANESSI,MICHELLE, Residential, \$0.00, [redacted]  
Premise ID [redacted] [magnifying glass] 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method Phone [dropdown] Primary Phone: [redacted] Cellular Phone: [redacted] Cellular Phone: [redacted]  
Contact Date/Time 08-23-2024 / 02:51PM  
Contact Class General Customer Contact [dropdown]  
Contact Type GCC [dropdown] [magnifying glass] General Customer Contact  
Comments [redacted] ADV MICHELLE (P/O) PER F/A NOTES ACT 54 NOT CORRECTED-- SHE ADV ELECTRICIAN AT PREM AND HAS CORRECTED-- SER ADDR 353 GRACE ST FLR 2, 15211--CREATED TENANT/LANDLORD F/A--APPT SET FOR 09-03 AT 11:00 --CONTACT PERSON KRISTI [redacted] SHE ADV FILED PUC COMPLAINT AND STILL REC'D BILL FOR \$3431.52-- CONTACT 9.5 WHO WILL REACH OUT TO REGULATORY TO INQ IF BAL NEEDS TO BE MOVED INTO DISPUTE SA UNTIL DECISION MADE FROM PUC....CS

Person ID [redacted] [magnifying glass] PLANESSI,MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] [magnifying glass] PLANESSI,MICHELLE, Residential, \$0.00, [redacted]  
Premise ID [redacted] [magnifying glass] 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method [dropdown]  
Contact Date/Time 10-17-2024 / 01:37PM  
Contact Class Billing / Payment [dropdown]  
Contact Type BILL INQ [dropdown] [magnifying glass] Billing Inquiries  
Comments [redacted] MICHELLE (P/O) STATES DLC TECH CONFIRMED F/W WAS CORRECTED ON 09/03..NO NOTES IN FA FROM TECH CONFIRMING THAT FA IS CORRECTED..ADV'D CUST I WILL FURTHER REVIEW AND FOLLOW UP WITH HER..SENT EMAIL TO J. BOSTON TO REVIEW..CS

Person ID [redacted] [magnifying glass] PLANESSI,MICHELLE - Primary Phone: [redacted]  
Account ID [redacted] [magnifying glass] PLANESSI,MICHELLE, Residential, \$0.00, [redacted]  
Premise ID [redacted] [magnifying glass] 353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537  
Preferred Contact Method [dropdown]  
Contact Date/Time 10-17-2024 / 04:17PM  
Contact Class Billing / Payment [dropdown]  
Contact Type BILL INQ [dropdown] [magnifying glass] Billing Inquiries  
Comments [redacted] REVIEWED W/ J. BOSTON..CONFIRMED DLC TECH VERIFIED FW WAS CORRECTED ON 09/03..CALLED MICHELLE BACK TO ADV ACCT IS BEING HANDLE AND WILL BE BACKDATED TO 09/03

Person ID  [REDACTED]  PLANESSI,MICHELLE - Primary Phone [REDACTED]


Account ID  [REDACTED]  PLANESSI,MICHELLE, Residential, \$0.00 [REDACTED]

Premise ID  [REDACTED]  353 GRACE ST FLR 2, PITTSBURGH, PA, 152111563537



Preferred Contact Method



Contact Date/Time  /



Contact Class

Contact Type   Field Work Informational

Comments [REDACTED] GOT NOTES FROM THE FIELD LANDLORD/TENANT WAS COMPLETED AND FOREIGN WIRING CORRECTED, PLACED SERVICE BACK IN TO TENANT'S NAME, SENT FOREIGN WIRING CORRECTED LETTER

Person ID  [REDACTED]  PLANESSI,MICHELLE - Primary Phone: [REDACTED]


Account ID  [REDACTED]  PLANESSI,MICHELLE, Residential, \$0.00, [REDACTED]

Premise ID  [REDACTED]  353 GRACE ST FLR 1, PITTSBURGH, PA, 152111563537



Preferred Contact Method



Contact Date/Time  /


Contact Class

Contact Type   General Customer Contact

Comments [REDACTED] PLANESSI,MICHELLE CALLED REGARDING FORIEGN WIRING. ADVSD THAT THIS ACCOUNT WAS TO HAVE BEEN STOPPED 09-03. CONTACTED J BOSTON CONFIRMED BACKDATE TO 09-03. SENT BILLING TO DO TO BACKDATE STOP/ CS

Person ID  [REDACTED]  PLANESSI,MICHELLE - Primary Phone: [REDACTED]


Account ID  [REDACTED]  PLANESSI,MICHELLE, Residential, \$0.00, [REDACTED]

Premise ID 

Preferred Contact Method

Contact Date/Time  /

Contact Class

Contact Type   General Customer Contact

Comments [REDACTED] PLANESSI,MICHELLE CONFIRMED LPC WAS REMOVED. DISPUTING FORIEGN WIRING CHARGES THAT WERE BILLED BACK TO HER. ISSUE WIRING NOW FIXED BUT DISPUTING LARGE BALANCE. WANTS TO SPEAK W/ SUPERVISOR. EXPLAINED COMPANY POSITION. SENT TO DO FOR CALLBACK CS

Person ID	<input type="text" value="██████████"/>	<input type="text" value="PLANESSI,MICHELLE - Primary Phone: ██████████"/>
Account ID	<input type="text" value="██████████"/>	<input type="text" value="PLANESSI,MICHELLE, Residential, \$0.00, ██████████"/>
Premise ID	<input type="text" value=""/>	<input type="text" value=""/>
Preferred Contact Method	<input type="text" value=""/>	
Contact Date/Time	<input type="text" value="11-13-2024"/> / <input type="text" value="06:18PM"/>	
Contact Class	<input type="text" value="Legal / Regulatory"/>	
Contact Type	<input type="text" value="PUC ISSUE"/>	<input type="text" value="PUC Complaint / Issue"/>
Comments	<input type="text" value="██████████ - PUC CASE 4007853 DISMISSED 11/13/24 - DECISION ISSUED: AND COMPANY POSITION IS UPHELD"/>	

**DLC EXHIBIT NO. 3**

(w\_informal\_complaint\_sheet) Informal Complaint For

General/Open Final Report Departments Disputes, Holds, Notices & PUC Audit Investigative Contacts Attachments Closing

Date(s) Sent: 08/21/24 DUQ [REDACTED].xml Double-click on file name to view...

Status: Receipt of PUC Decision Date Closed: 11/13/24 Closing Data Received: 11/13/24 11:50:02

Justified:  Internal Justification: No Reason Justified: Error Code:

Decision:  Written  Oral Decision Balance: \$3,602.07 Balance Date: 10/31/24

Lump  
Requested: Awarded: \$0.00 Difference: Date Awarded: 00/00/00

Budget Payments: Regular: \$214.00 Arrears Plus: \$0.00 Special: \$0.00 Monthly Payments: Current: \$0.00 Final: \$0.00 End: \$0.00

Decision Type:  
Terms:

Resolution: DECISION ISSUED: CASE IS DISMISSED, AND COMPANY POSITION IS UPHELD. A FOREIGN LOAD WAS LOCATED THAT THE SERVICE ADDRESS, THE ACCOUNT FROM APT. 2, WHICH INCLUDED A PAST DUE BALANCE WAS PLACED IN THE PROPERTY OWNER'S NAME UNTIL IT WAS CONFIRMED THAT THE FOREIGN LOAD WAS REPAIRED. THE COMPANY CONFIRMED THAT THE FOREIGN LOAD WAS REPAIRED ON 9/3/2024 AND ALL BILLS WERE BACKDATED TO THAT DATE. LATE PAYMENT CHARGES WERE ALSO WAIVED. SERVICE WAS THEN PLACED BACK INTO THE TENANT'S NAME. CUSTOMER WAS ISSUED A FINAL BILL. THE COMMISSION IS NOT AUTHORIZED TO PROVIDE PAYMENT ARRANGEMENTS ON FINAL BILLED ACCOUNTS. THE CUSTOMER IS RESPONSIBLE FOR THE OUTSTANDING BALANCE OF \$3,602.07.

**DLC EXHIBIT NO. 4**



### FOREIGN LOAD INVESTIGATION REPORT

PREPARED BY: JEFF OSIECKI PH #: [REDACTED]

DATE & TIME INVESTIGATED: 07/17/2024 1:00  AM  PM

DEPARTMENT AND DISTRICT: FIELD METERING/NEW MANCHESTER

ADDRESS INVESTIGATED: 353 GRACE ST, FLR 2

CITY: PITTSBURGH ST: PA ZIP: 15211

ACCOUNT #: [REDACTED]

METER #: [REDACTED]

NO FOREIGN LOAD FOUND

FOUND FOREIGN LOAD

DESCRIBE FOREIGN LOAD FOUND:

THE PLUG IN THE BED ROOM NEEDS SWITCHED  
TO FLOOR 2, DOWN IN COMMON AREA  
BASEMENT, LAUNDRY ROOM, THE PLUG <sup>OUTLET</sup> ON THE  
LEFT FURNACE NEEDS ELIMINATED.

UNABLE TO IDENTIFY PROPERTY OWNER INFO WHILE ON SITE

PROPERTY OWNER INFO OBTAINED WHILE ON SITE

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_

FOR QUESTIONS OR ADDITIONAL INFO, CONTACT: PAUL PIETROPAOLO @ 412-393-8713

EMAIL COMPLETED REPORT TO: [Disputes@duqlight.com](mailto:Disputes@duqlight.com)

### FOREIGN LOAD INVESTIGATION REPORT

PREPARED BY: JEFF OSIECKI PH #: [REDACTED]

DATE & TIME INVESTIGATED: 07/17/2024 1:00  AM  PM

DEPARTMENT AND DISTRICT: FIELD METERING / NEW MANCHESTER

ADDRESS INVESTIGATED: 353 GRACE ST. FIR 1

CITY: PITTSBURGH ST: PA ZIP: 15211

ACCOUNT #: [REDACTED]

METER #: [REDACTED]

NO FOREIGN LOAD FOUND

FOUND FOREIGN LOAD

DESCRIBE FOREIGN LOAD FOUND:

WALL PLUG OUTLET IN LIVING ROOM NEEDS TO BE PUT ON FIRST FLOOR APARTMENT METER.

UNABLE TO IDENTIFY PROPERTY OWNER INFO WHILE ON SITE

PROPERTY OWNER INFO OBTAINED WHILE ON SITE

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_

FOR QUESTIONS OR ADDITIONAL INFO, CONTACT: PAUL PIETROPAOLO @ 412-393-8713

EMAIL COMPLETED REPORT TO: [Disputes@duqlight.com](mailto:Disputes@duqlight.com)

**DLC EXHIBIT NO. 5**



July 25, 2024

#BWNHBYB

MICHELLE PLANESSI  
2023 JUNEWOOD AVE.  
SAN JOSE, CA 95132

Service Address:  
353 GRACE ST. FLR. 2  
PITTSBURGH, PA 15211

RE: Account ID [REDACTED]

Dear Customer,

On 7/17/2024, we visited your premise and discovered foreign wiring to your meter. Foreign wiring is unapproved electric consumption billed to the tenant. In 1992, a law was passed which is titled Act 54 of 1993. Act 54 requires that when a utility discovers foreign wiring for a tenant, the utility is required to advise the landlord that they are responsible for the tenant's account until the foreign wiring problem is corrected.

Enclosed is the Company Utility Report that details our findings and explains your customer rights as set forth by the Pennsylvania Public Utility Commission.

If you need further assistance, please call our Customer Care Department at 412-393-7100 or visit our website at [www.duquesnelight.com](http://www.duquesnelight.com).

Sincerely,

Customer Care Department

**DUQUESNE LIGHT COMPANY  
UTILITY REPORT  
411 Seventh Avenue  
Pittsburgh, PA 15219**

**NAME OF CUSTOMER:** MICHELLE PLANESSI  
**FOR SERVICE AT:** 353 Grace St. Flr. 2, Pittsburgh, PA 15211  
**MAILING ADDRESS:** 2023 Junewood Ave., San Jose, CA 95132  
**ACCOUNT NUMBER:** [REDACTED]

**1. CUSTOMER CONCERN:**

On 7/1/2024, a Duquesne Light customer contacted us with a billing inquiry.

**2. DUQUESNE LIGHT COMPANY'S POSITION:**

Based on our investigation, Duquesne Light Company is required to bill the landlord for electric usage in this premise. **The landlord will continue to be responsible for the electric usage until the corrections are made to remove the foreign wiring.**

**3. INVESTIGATION:**

On 7/17/2024, Duquesne Light visited your premise and discovered a foreign wiring condition.

**4. ACCOUNT STATEMENT/SUMMARY:**

Attached is a statement of your account.

**5. BALANCE, DUE DATE, EXTENDED PAYMENTS:**

The Statement of Account shows your current bill, account balance and due date. You may pay the optional amount, the balance due, **or make arrangements for extended payments.** We will consider your account delinquent if we do not receive payment by your next bill due date which should be on or around **9/3/2024.**

When making a payment by mail, please allow enough time so we may receive it by the due date. You can also make a payment by calling 412-393-7100.

**6. APPEAL RIGHTS:**

If you are not satisfied with our response, you may file an informal complaint with the Pennsylvania Public Utility Commission. To ensure the preservation of your rights, you must file the informal complaint by **8/8/2024.** Until all appeals that you may file are determined, you are not required to pay the portion of your bill that you are disputing.

Further, if you follow all requirements of the Commission, Duquesne Light will not terminate your service until the formal or informal complaint process is resolved. Please call 412-393-7100 if you need additional information, or if you have any questions or concerns. If Duquesne Light does not hear from you by **8/8/2024,** we will assume that you are satisfied and that you do not need further assistance.

## PROCEDURES FOR FILING AN INFORMAL COMPLAINT

The nearest regional office of the Pennsylvania Public Utility Commission where an informal complaint may be filed is ***P.O. Box 3265, Harrisburg, PA 17120***. The telephone number is: **1-800-692-7380**.

An informal complaint may be filed verbally or in writing. It must include the following information:

- A. The name and telephone number of the ratepayer.
- B. The address of the ratepayer, and if different, the address at which service is provided.
- C. The account number of the ratepayer, if applicable.
- D. The name of the utility.
- E. A brief statement of the dispute.
- F. Whether the dispute formerly has been the subject of a utility company investigation and report.
- G. Whether the dispute formerly has been the subject of a Commission informal or formal complaint.
- H. The date, if any, or proposed termination.
- I. The relief sought.

**DLC EXHIBIT NO. 6**



Duquesne Light Company  
Customer Service

DATE 10 / 18 / 2024

<p>SERVICE ADDRESS_353 Grace St Flr 2 _____</p> <p>CITY, STATE, ZIP CODE Pittsburgh, PA 15211 _____</p>	<p>PROPERTY OWNER Michelle Planessi _____</p> <p>OWNER ADDRESS_2023 Junewood Ave _____</p> <p>CITY, STATE, ZIP CODE San Jose, CA 95132_____</p>
---	---

**WIRING INVESTIGATION NOTICE:  
Building Wiring Corrected**

We have determined that the building wiring has been corrected to direct electric consumption at:353 Grace St Flr 2 to the appropriate electric meter.

Therefore, we will reinstate this account in the Tenant's name October 18, 2024, unless the Property Owner asks for service to remain in his/her name. Account balances previously transferred to the Property Owner will remain the Property Owner's responsibility.

If you live at this address but are not the Tenant listed at the top of this letter, please contact us to establish electric service in your name.

Please call us at 412-393-7100 if you have any questions.

Sincerely,

Duquesne Light Company

**DLC EXHIBIT NO. 7**

Premise ID		Service Address		
[REDACTED]		353 GRACE ST FLR 2 PITTSBURGH, PA 15211		
Transaction Date	Transaction	Premise ID	KWh Usage	Actual Amount
07/18/21	Bill - Actual	[REDACTED]	1,234.36	\$328.08
08/16/21	Bill - Actual	[REDACTED]	1,044.53	\$279.65
09/15/21	Bill - Actual	[REDACTED]	946.43	\$254.61
10/14/21	Bill - Actual	[REDACTED]	583.36	\$159.51
11/14/21	Bill - Actual	[REDACTED]	551.09	\$115.24
12/14/21	Bill - Actual	[REDACTED]	776.35	\$156.97
01/17/22	Bill - Actual	[REDACTED]	1,191.97	\$230.04
02/15/22	Bill - Actual	[REDACTED]	708.86	\$149.04
03/16/22	Bill - Actual	[REDACTED]	600.39	\$128.15
04/17/22	Bill - Actual	[REDACTED]	635.82	\$134.94
05/16/22	Bill - Actual	[REDACTED]	421.97	\$93.76
06/15/22	Bill - Actual	[REDACTED]	498.67	\$107.53
07/17/22	Bill - Actual	[REDACTED]	1,079.56	\$396.40
08/15/22	Bill - Actual	[REDACTED]	1,392.82	\$507.79
09/15/22	Bill - Actual	[REDACTED]	1,085.95	\$138.00
10/16/22	Bill - Actual	[REDACTED]	667.09	\$159.65
11/14/22	Bill - Actual	[REDACTED]	773.85	\$183.19
12/14/22	Bill - Actual	[REDACTED]	1,308.71	\$301.19
01/17/23	Bill - Actual	[REDACTED]	1,863.28	\$428.03
02/15/23	Bill - Actual	[REDACTED]	1,534.96	\$358.97
03/16/23	Bill - Actual	[REDACTED]	1,280.82	\$301.61
04/17/23	Bill - Actual	[REDACTED]	822.02	\$198.14
05/16/23	Bill - Actual	[REDACTED]	262.00	\$70.07
06/15/23	Bill - Actual	[REDACTED]	504.70	\$99.39
07/17/23	Bill - Actual	[REDACTED]	1,531.18	\$203.78
08/15/23	Bill - Actual	[REDACTED]	1,784.84	\$226.33
09/14/23	Bill - Actual	[REDACTED]	1,567.06	\$280.20
10/15/23	Bill - Actual	[REDACTED]	522.53	\$120.60
11/13/23	Bill - Actual	[REDACTED]	711.97	\$147.50
12/13/23	Bill - Actual	[REDACTED]	1,199.81	\$234.64
01/16/24	Bill - Actual	[REDACTED]	1,603.98	\$300.74
02/15/24	Bill - Actual	[REDACTED]	1,304.65	\$246.90
03/14/24	Bill - Actual	[REDACTED]	1,053.35	\$219.64
04/15/24	Bill - Actual	[REDACTED]	890.51	\$188.14
05/14/24	Bill - Actual	[REDACTED]	772.74	\$151.84
06/13/24	Bill - Actual	[REDACTED]	1,543.50	\$291.25
07/15/24	Bill - Actual	[REDACTED]	1,754.68	\$330.61
			<b>TOTAL</b>	<b>\$8,222.12</b>
			<b>PAYMENTS</b>	<b>-\$5,028.77</b>
			<b>UNPAID BALANCE TRANSFER</b>	<b>\$3,193.35</b>

**DLC EXHIBIT NO. 8**



**MICHELLE PLANESSI**  
**2023 JUNEWOOD AVE**

**Account #** [REDACTED]

Due Date	Amount Due
11/11/2024	\$3,988.39

**Bill Summary**

**Final Bill**

**Bill ID: 110673340817** **Date Prepared: 10/20/2024**

Previous Account Balance	\$3,967.73
Payment(s) Received	\$0.00
<b>Balance Forward</b>	<b>\$3,967.73</b>
DLC Charges	\$10.16
Supply Charges	\$10.50
<b>AMOUNT DUE BY 11/11/2024</b>	<b>\$3,988.39</b>



**Message Center**

Looking for ways to save on your bills? Download the DLC Mobile App or visit our website to review your home's energy usage and find tips to save. We also have easy to use tools, rebates, incentives and a store of energy-efficient products. Get started today by visiting [DuquesneLight.com/home-energy-center](http://DuquesneLight.com/home-energy-center).

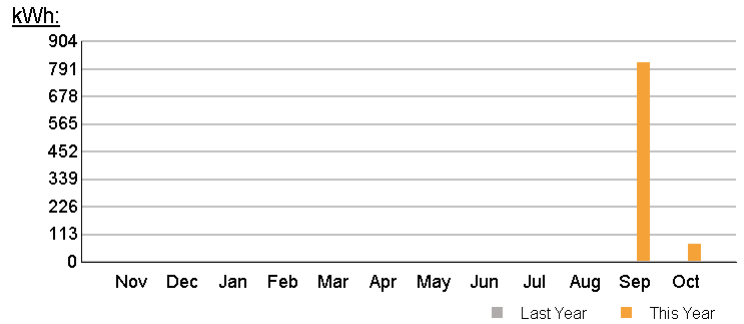
Signing up for our paperless program is fast and easy! Enroll today at [DuquesneLight.com/paperless](http://DuquesneLight.com/paperless) and you'll receive an email each month when your bill is available.

Duquesne Light Company partners with Dollar Energy Fund to provide assistance to customers who struggle to pay their electric bill. If you would like to support the Dollar Energy Fund and your neighbors in need, make a tax deductible monthly pledge at [DuquesneLight.com/dollar](http://DuquesneLight.com/dollar).



**Usage Comparison Chart**

Period	Total kWh Usage	Avg Daily kWh Usage	# of Days	Avg Daily Temp (F)
Current Month	83	21	4	47
Last Month	828	29	29	68
Same Month Last Year	0	0	0	0



Average Monthly Usage for the last 2 months: 455 kWh  
 Total Annual Usage for the last 2 months: 911 kWh

BI\_POSTAL\_20241020PRD.xml

*Billing and meter reading details on page 3*

**Online:** [www.DuquesneLight.com](http://www.DuquesneLight.com)

**Phone:** 888-393-7100



Please return this portion with your payment. Please enclose check facing forward. Make payment payable to Duquesne Light Company in US Currency.

*A late charge of 1.25% may be assessed after 2024-11-11*

**Account #** [REDACTED]

Due Date	Amount Due
11/11/2024	\$3,988.39

\$ [REDACTED]

USD Amount Enclosed

MICHELLE PLANESSI  
 2023 JUNEWOOD AVE  
 SAN JOSE CA 95132

**Please mail payment to:**

DUQUESNE LIGHT COMPANY  
 PO BOX 371324  
 PITTSBURGH PA 15250-7324




 MICHELLE PLANESSI


Account # 

### General Information

Visit us online or call to learn about payment options, or for a copy of our rate schedules. For questions about your bill, please contact us before the bill due date.

 **Online:** [www.DuquesneLight.com](http://www.DuquesneLight.com)

 **Phone:** 888-393-7100 **TTY Users:** 711

 **Mail:** Dept 6-1  
411 7<sup>th</sup> Ave Ste 3  
Pittsburgh, PA 15219-1942

### Billing and Service Options

Sign up online for any of the following services:


- **Phone:** 888-393-7100 **TTY Users:** 711
- **Budget Billing** - Levels out payments across the year
- **Start/Stop Service** - If you're moving and need to have your service turned on or off, you must call Customer Service at 888-393-7100 or visit our website
- **Double Notice Protection** - Sends a payment reminder to you and a person you designate

### Dollar Energy Fund

Give to Dollar Energy Fund to help people in our community without heat or light. There are several easy ways to donate and your gift is tax deductible.

 **Text:** Make a one-time donation of \$5 by texting POWER to 50000

 **Online:** Visit [www.DuquesneLight.com](http://www.DuquesneLight.com) and select "Payment Options" from the Account & Billing menu

 **Phone:** 888-393-7100

 **Mail:** Make a donation by mailing a check to:

Duquesne Light Hardship Fund Donations  
Dept 14-1  
411 7<sup>th</sup> Ave Ste 3  
Pittsburgh, PA 15219-1942

### Understanding Your Bill

- **Customer Charge** – A monthly basic service charge that includes costs for meter reading, customer billing, service equipment, and other expenses. These expenses are incurred even in months when customers do not use electricity.
- **Distribution Charges** – Basic service charges for delivering electricity over a distribution system to the home or business from the transmission system.
- **Distribution System Improvement Charge (DSIC)** – A charge for company investment to improve service quality and increase safety by repairing, improving, or replacing eligible infrastructure used to deliver electricity.
- **DLC Charges** – Services necessary for the physical delivery of electricity service, such as supply, including default service, transmissions and distribution.
- **Kilowatt-Hour (kWh)** – The basic unit of electric energy for which most customers are charged. It equals the amount of electricity used by 10, 100-watt light bulbs left on for one hour.
- **Meter Reading** – An actual (Act) reading is a reading taken from the meter. An estimated (Est) reading is used when no actual reading is available and is based on past electric usage.
- **Non-Basic Service Charges** – Any category of service not related to basic service.
- **Smart Meter Charge** – Charges for advanced metering technology and related infrastructure that will provide the ability for features such as two-way communication and interval usage data.
- **Supply Charges** – Basic service charges for generation supply to retail customers.
- **Transmission Charges** – Basic service charges for the cost of transporting electricity over high voltage wires from the generator to the distribution system.

### Customer Assistance Program (CAP)

CAP is Duquesne Light Company's discount program for residential customers whose total household income is at or below 150% of the Federal Poverty Guidelines. Customers who enroll in CAP are eligible for a reduced monthly payment based on their verified household income. The CAP Program also includes an opportunity to have existing debt forgiven. Please call a CAP Specialist at 888-393-7600 with any questions or for information on how to enroll in the program.



## Understand Your Consumption Habits

Download the DLC Mobile App or use our online tool to review your usage.

Get started at [DuquesneLight.com/my-electric-use](http://DuquesneLight.com/my-electric-use)

SCAN HERE to register for **AutoPay**.



[DuquesneLight.com/autopay](http://DuquesneLight.com/autopay)



 MICHELLE PLANESSI

Account # [REDACTED]

**Account Detail**

 **353 GRACE ST FLR 2**

**Supplier Agreement ID:** [REDACTED]

**Meter Reading Usage Information**

Meter Number	<span style="background-color: black; color: black;">[REDACTED]</span>
Present 10/18/2024 Act	70,083.4660
Prior 10/14/2024 Act	70,000.6280
Difference	82.8380
Your Meter Multiplier	1
Total kWh Used	82.8380

**Current Bill Details**

DLC Rate	RS-Residential Service	
Price to Compare	\$0.1185 / kWh	
<b>DLC Charges</b>		<b>\$10.16</b>
Customer Charge		\$1.67
Distribution	82.8380 kWh@ \$0.089463	\$7.41
DSIC Surcharge	5%	\$0.45
Pennsylvania Tax Adjustment		-\$0.03
Sales Tax		\$0.66
		-----
<b>Supply Charges</b>		<b>\$10.50</b>
Supply	82.8380 kWh@ \$0.094438	\$7.82
Transmission	82.8380 kWh@ \$0.024048	\$1.99
Sales Tax		\$0.69
		-----

**Total kWh Used** **82.8380**

**Service Charges** **\$20.66**

**Shopping and Supplier Information**

When shopping for electricity with an Electric Generation Supplier, please provide the following information:

**Supplier Agreement ID:** [REDACTED]

**Rate Schedule: RS-Residential Service**

The current Price to Compare is listed above in Account Detail and will change every June and December. For more information & supplier offers visit [www.PAPowerSwitch.com](http://www.PAPowerSwitch.com) and [www.oca.state.pa.us](http://www.oca.state.pa.us).

**Additional Notifications**

- A change in the Distribution System Improvement Charge, effective October 1, will increase your monthly bill by about \$0.66, or less than 1%.
- With market changes impacting all regional electric companies, the Default Service Supply rates will increase the monthly bill of an average residential customer using 600 kWh by about \$8 or 6%, effective 9/25/24. [DuquesneLight.com/changing-rates](http://DuquesneLight.com/changing-rates)
- DLC offers energy efficiency programs to help customers save money by conserving energy and reducing demand. To participate or learn more about these programs, visit [WattChoices.com](http://WattChoices.com)
- Sign up for AutoPay and learn about other convenient payment options by visiting [DuquesneLight.com](http://DuquesneLight.com)
- Your bill contains \$1.32 in estimated PA State Taxes, of which \$1.14 is PA Gross Receipts Tax.



**MICHELLE PLANESSI**  
**2023 JUNEWOOD AVE**

**Account #** [REDACTED]

Due Date	Amount Due
11/15/2024	\$3,690.98

**Bill Summary**

**Corrected Final Bill**

**Bill ID:** [REDACTED] **Date Prepared:** 10/25/2024

Previous Account Balance	\$3,988.39
Payment(s) Received	\$0.00
<b>Balance Forward</b>	<b>\$3,988.39</b>
DLC Charges	\$84.98
Supply Charges	\$85.57
Miscellaneous Adjustments	-\$467.96
<b>AMOUNT DUE BY 11/15/2024</b>	<b>\$3,690.98</b>



**Message Center**

Looking for ways to save on your bills? Download the DLC Mobile App or visit our website to review your home's energy usage and find tips to save. We also have easy to use tools, rebates, incentives and a store of energy-efficient products. Get started today by visiting [DuquesneLight.com/home-energy-center](http://DuquesneLight.com/home-energy-center).

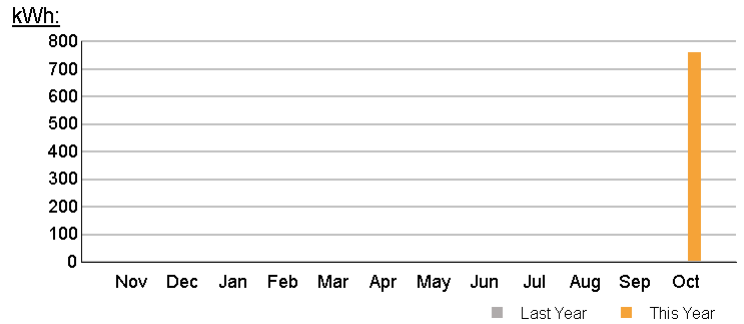
Signing up for our paperless program is fast and easy! Enroll today at [DuquesneLight.com/paperless](http://DuquesneLight.com/paperless) and you'll receive an email each month when your bill is available.

Duquesne Light Company partners with Dollar Energy Fund to provide assistance to customers who struggle to pay their electric bill. If you would like to support the Dollar Energy Fund and your neighbors in need, make a tax deductible monthly pledge at [DuquesneLight.com/dollar](http://DuquesneLight.com/dollar).



**Usage Comparison Chart**

Period	Total kWh Usage	Avg Daily kWh Usage	# of Days	Avg Daily Temp (F)
Current Month	767	37	21	0
Last Month	0	0	0	0
Same Month Last Year	0	0	0	0



Average Monthly Usage for the last 1 months: 767 kWh  
 Total Annual Usage for the last 1 months: 767 kWh

BI\_POSTAL\_20241027PRD.xml

**Online:** [www.DuquesneLight.com](http://www.DuquesneLight.com)

**Phone:** 888-393-7100

*Billing and meter reading details on page 3*

Please return this portion with your payment. Please enclose check facing forward. Make payment payable to Duquesne Light Company in US Currency.

*A late charge of 1.25% may be assessed after 2024-11-15*



**Account #** [REDACTED]

Due Date	Amount Due
11/15/2024	\$3,690.98

\$ [REDACTED]

USD Amount Enclosed

MICHELLE PLANESSI  
 2023 JUNEWOOD AVE  
 SAN JOSE CA 95132

**Please mail payment to:**

DUQUESNE LIGHT COMPANY  
 PO BOX 371324  
 PITTSBURGH PA 15250-7324





 MICHELLE PLANESSI


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 **Phone:** 888-393-7100 **TTY Users:** 711

 **Mail:** Dept 6-1  
411 7<sup>th</sup> Ave Ste 3  
Pittsburgh, PA 15219-1942


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- **Budget Billing** - Levels out payments across the year
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Give to Dollar Energy Fund to help people in our community without heat or light. There are several easy ways to donate and your gift is tax deductible.

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 **Phone:** 888-393-7100

 **Mail:** Make a donation by mailing a check to:

Duquesne Light Hardship Fund Donations  
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Pittsburgh, PA 15219-1942

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- **DLC Charges** – Services necessary for the physical delivery of electricity service, such as supply, including default service, transmissions and distribution.
- **Kilowatt-Hour (kWh)** – The basic unit of electric energy for which most customers are charged. It equals the amount of electricity used by 10, 100-watt light bulbs left on for one hour.
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SCAN HERE  
to register for **AutoPay**.



[DuquesneLight.com/autopay](http://DuquesneLight.com/autopay)



MICHELLE PLANESSI

Account # [REDACTED]

**Account Detail**

353 GRACE ST FLR 2

Supplier Agreement ID: [REDACTED]

**Meter Reading Usage Information**

Meter Number	[REDACTED]
Present 09/03/2024 Act	68,820.4470
Prior 08/13/2024 Act	68,053.7200
Difference	766.7270
Your Meter Multiplier	1
Total kWh Used	766.7270

**Current Bill Details**

DLC Rate	RS-Residential Service	
Price to Compare	\$0.1185 / kWh	
<b>DLC Charges</b>		<b>\$84.98</b>
Customer Charge		\$8.75
Distribution	766.7270 kWh@ \$0.089463	\$68.59
DSIC Surcharge	4.01%	\$3.10
Pennsylvania Tax Adjustment		-\$0.28
Sales Tax		\$4.82
		-----
<b>Supply Charges</b>		<b>\$85.57</b>
Supply	766.7270 kWh@ \$0.081229	\$62.28
Transmission	766.7270 kWh@ \$0.024048	\$18.44
Sales Tax		\$4.85
		-----
<b>Miscellaneous Charges</b>		<b>-\$467.96</b>
Cancel / Rebill	Bill ID: 110673340817	-\$20.66
Cancel / Rebill	Bill ID: 110478999834	-\$249.50
Cancel / Rebill	Bill ID: 110105309384	-\$197.80

**Total kWh Used 766.7270**

**Service Charges -\$297.41**

**Shopping and Supplier Information**

When shopping for electricity with an Electric Generation Supplier, please provide the following information:

**Supplier Agreement ID:** [REDACTED]

**Rate Schedule: RS-Residential Service**

The current Price to Compare is listed above in Account Detail and will change every June and December. For more information & supplier offers visit [www.PAPowerSwitch.com](http://www.PAPowerSwitch.com) and [www.oca.state.pa.us](http://www.oca.state.pa.us).

**Additional Notifications**

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- DLC offers energy efficiency programs to help customers save money by conserving energy and reducing demand. To participate or learn more about these programs, visit [WattChoices.com](http://WattChoices.com)
- Sign up for AutoPay and learn about other convenient payment options by visiting [DuquesneLight.com](http://DuquesneLight.com)
- Your bill contains \$10.94 in estimated PA State Taxes, of which \$9.49 is PA Gross Receipts Tax.

**DLC EXHIBIT NO. 11**

## Title 66

Text Size: A A A  [Print](#)

**§ 1529.1. Duty of owners of rental property.**

(a) **Notice to public utility.**--It is the duty of every owner of a residential building or mobile home park which contains one or more dwelling units, not individually metered, to notify each public utility from whom utility service is received of their ownership and the fact that the premises served are used for rental purposes.

(b) **History of account.**--Upon receipt of the notice provided in this section, if the mobile home park or residential building contains one or more dwelling units not individually metered, an affected public utility shall forthwith list the account for the premises in question in the name of the owner, and the owner shall thereafter be responsible for the payment for the utility services rendered thereunto. In the case of individually metered dwelling units, unless notified to the contrary by the tenant or an authorized representative, an affected public utility shall list the account for the premises in question in the name of the owner, and the owner shall be responsible for the payment for utility services to the premises.

(c) **Failure to give notice.**--Any owner of a residential building or mobile home park failing to notify affected public utilities as required by this section shall nonetheless be responsible for payment of the utility services as if the required notice had been given.

(July 2, 1993, P.L.379, No.54, eff. 60 days)

**1993 Amendment.** Act 54 added section 1529.1.

# JOHN KURUTZ ELECTRIC

4031 Greensburg Pike ❖ Pittsburgh, PA 15221 ❖ 412-889-9447



**Exhibit A**

## INVOICE

### JOHN KURUTZ

4031 Greensburg Pike  
Pittsburgh, PA 15221  
412-889-9447

**CUSTOMER:** Kefalos & Associates

**ADDRESS:** 717 S Trenton St

**CITY:** Pittsburgh                      **STATE:** PA

**ZIP:** 15221

**Invoice # 1      JOB:** 353 Grace Street 15211

**Date:** 9-1-24

### WE HEREBY PROPOSE/AND OR RECOMMEND THE FOLLOWING:

- ◆ Correct all issues reported by Duquesne Light on multiple visits which produced new problems each visit
- ◆ **Remove outlet in 2<sup>nd</sup> fl apartment powered by 1<sup>st</sup> fl panel by removing wire form circuit breaker and junction box so it can't be reconnected**
- ◆ Rewire outlet in 1<sup>st</sup> fl apartment and remove from house panel
- ◆ 1<sup>st</sup> fl hall and stairs as well as exterior light were on 1<sup>st</sup> fl panel. Easiest solution was to remove existing lighting and switching with blank covers
- ◆ Rewire all common area lighting via conduit and motion sensing LED lighting to maximize savings
- ◆ After 2<sup>nd</sup> Duquesne Lt inspection it was found that a 1<sup>st</sup> floor rear entry light was on house panel
- ◆ Wiremold and wiremold boxes were installed to get power since rear of building was inaccessible due to limited crawl space area
- ◆ Next inspection is scheduled for 9-15-24
- ◆ Any issues that could possibly arise after going through the building with Duquesne light and by my own electricians will be done at no charge up to and including \$1000 of work because I stand by the fact that we went through the building with a fine tooth comb and after 4 visits there is no possible way that there will be an issue

ALL WORK WILL BE GUARANTEED FOR A PERIOD OF ONE YEAR FROM THE COMPLETION DATE. ALL WORK IS PERFORMED IN A WORKMANLIKE MANNER, ACCORDING TO THE N.E.C. ALL PAYMENTS WILL BE DUE UPON COMPLETION OF THE WORK.

**Payment Due**

**\$3275.00**

# STATEMENTS OF POLICY

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 69]

[28 Pa.B. 5497]

[L-980137]

### Resolution of Complaints Involving 66 Pa.C.S. § 1529.1 (Relating to Duties of Owners of Rental Property)

The Pennsylvania Public Utility Commission (Commission) adopted a proposed policy statement for comment. The proposed policy statement sets forth generic policy determinations that will be applied to resolve issues common to many foreign load complaints. The proposed policy also sets forth Commission notice and service procedures for processing informal and formal foreign load complaints. Foreign load is utility service usage that is registered by a customer's meter, but is provided to another dwelling unit, or a common area of a building. The contact persons are Patricia Krise Burket, Law Bureau, (717) 787-3464 and David Lewis, Bureau of Consumer Services, (717) 783-5187.

**Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; David W. Rolka; Nora Mead Brownell; Aaron Wilson, Jr.**

Public Meeting held  
September 17, 1998

*Resolution of Issues Common to Complaints Involving 66 Pa.C.S. § 1529.1 (relating to duty of owners of rental property); Doc. No. L-00980137*

### Proposed Policy Statement

*By the Commission:*

The term "foreign load" describes a situation where a ratepayer's meter registers usage for utility service provided to another person or other persons, or for use in a common area shared by others, for example, hallway lighting, furnace fan, laundry room appliances. Consequently, a ratepayer whose meter registers foreign load usage may be billed and pay for utility service that he or she did not use.

Cases involving foreign load are not new to this Commission. Typically, a customer who files a complaint alleging the existence of foreign load has first called the utility questioning a high bill, and upon investigation, the utility discovers the foreign load wired to the customer's meter.

Prior to 1993, these complaints were generally resolved by the Commission's directing the utility to remove the charges attributable to the foreign load from the bill, and to issue a bill for the foreign load in the building owner's name until the foreign load situation was corrected. The direction was given by the Commission under its statutory power to reform contracts under 66 Pa.C.S. § 508 (relating to power of the Commission to vary, reform and revise contracts). See *Columbia Gas of Pennsylvania, Inc. v. Pa. Public Utility Commission*, 535 A. 2d 1246 (Pa. Cmwlth. 1988). Under this arrangement, the tenant had the responsibility to contact the utility to discover a possible foreign load, and to prosecute a Commission complaint to have the charges attributable to the foreign load removed from his or her bill.

In 1993, the Public Utility Code was amended to include section 1529.1, 66 Pa.C.S. § 1529.1<sup>1</sup>. This section transfers the responsibility for foreign load from the tenant to the building owner<sup>2</sup>. This is accomplished by placing a duty on the building owner to disclose to the utility the existence of foreign load. This is a more equitable arrangement as a building owner is in a better position to know about the existence of a foreign load situation than a tenant in the building. Section 1529.1 reads as follows:

#### § 1529.1. Duty of owners of rental property.

(a) **Notice to public utility.**--It is the duty of every owner of a residential building or mobile home park which contains one or more dwelling units, not individually metered, to notify each public utility from whom utility service is received of their ownership and the fact that the premises served are used for rental purposes.

(b) **History of account.**--Upon receipt of the notice provided in this section, if the mobile home park or residential building contains one or more dwelling units not individually metered, an affected public utility shall forthwith list the account for the premises in question in the name of the owner, and the **owner shall thereafter be responsible for payment for the utility services rendered thereunto**. In the case of individually metered dwelling units, unless notified to the contrary by the tenant or an authorized representative, an affected public utility shall list the account for the premises in question in the name of the owner, and the owner shall be responsible for the payment for utility services to the premises.

(c) **Failure to give notice.**--Any owner of a residential building or mobile home park failing to notify affected public utilities as required by the section shall nonetheless be responsible for payment of the utility services as if the required notice had been given.

Numerous complaints involving foreign load have been filed since the enactment of section 1529.1. Because the complaints involve recurring issues, we believe that it is appropriate to develop a policy statement to provide guidance to interested parties on these issues<sup>3</sup>.

#### ***I. Proposed Policy Defining "A Dwelling Unit, Not Individually Metered" To Exclude Situations Involving Minimal Foreign Load.***

Since the enactment of section 1529.1, the Commission has been faced with several cases where there was more than one dwelling unit in a building, and although each dwelling unit was individually metered, there was foreign load attached to the meter of one dwelling unit. Although in some cases, the foreign load was characterized as de minimis<sup>4</sup>, the ultimate resolution was to place that account in the building owner's name. Two reasons support this resolution: (1) the difficulty of developing a definition of de minimis foreign load that can be readily applicable to all situations; and (2) the adverse effect on one or more of the building's other tenants resulting from termination of service to the foreign load.

Such a strict interpretation of the law has proven harsh for small building owners who have been forced to rewire or replumb an entire building to separately meter such things as hall lights, an electric fan on a furnace, a water pump, and the like, to remove foreign load from an individual dwelling unit. This can be onerous where a building owner has already rewired a building to provide an individual meter for each dwelling unit.

The Commission's Bureau of Consumer Services (BCS) has employed in its informal proceedings a policy whereunder a dwelling unit would be considered to be individually metered where only minimal foreign load is registered by that unit's meter. Under this policy, wiring and piping for a unit would not need to be reconfigured to remove foreign load where, after a reasonable investigation of all circumstances, the foreign load was found to be minimal. Also, under this policy, where after a reasonable investigation the amount of foreign load is found to be minimal, the utility or BCS may determine that the account does not need to be transferred into the building owner's name. A customer who did not want to be responsible for the foreign load could file civil suit against the building owner or could file a formal Commission complaint against the utility.

**The Commission believes that under specific circumstances allowing minimal foreign load to be recorded by the meter (without affecting a dwelling unit's status of being individually metered) is not contrary to the intent of the statute. Therefore, the Commission proposes adopting a broader definition of "an individually metered dwelling unit."**

consistent with BCS usage, so as to include those units with meters that register minimal foreign load<sup>5</sup>.

## **II. Proposed Policy Allowing a Tenant To Notify the Utility of Willingness to Accept Financial Responsibility for Foreign Load Service.**

Under section 1529.1(b), a utility is not required to place an account for an individually metered dwelling unit in the name of the building owner where the tenant has notified the utility to the contrary. Thus, the operation of the statute is effectively superseded by the tenant's notifying the utility of a willingness to accept financial responsibility for a utility account even if charges for foreign load are billed to the account.

Accordingly, for purposes of applying section 1529.1(b), the Commission proposes to adopt a policy expressly recognizing the tenant's prerogative to agree to be billed for foreign load.

This policy is consistent with past decisions where the Commission has recognized that a tenant may agree to accept financial responsibility for a foreign load that was disclosed. See *Kim Blackwell v. Equitable Gas Company*, 55 Pa. PUC 647 (1982) (tenant, who was listed as the account holder and collected from other tenants moneys to pay the building's utility account, was financially responsible for a joint utility bill for three apartments). Compare *Bureau of Consumer Services and Hannah Rebel v. Pennsylvania Gas & Water Company*, 67 Pa. PUC 380 (1988) (residential tenant who was the utility account holder was not responsible for natural gas service provided to two storefronts and a water heating system for the entire building as she did not have notice, nor agree to accept responsibility for the commercial foreign load).

A problem could arise when a tenant who is financially responsible for the foreign load service wanted to move or discontinue service, thereby jeopardizing the benefits enjoyed by all tenants. However, this problem would be remedied by the utility treating the tenant's account as the building owner's account for purposes of providing notice of a termination of service to other tenants consistent with 66 Pa.C.S. § 1523 (notices before service to landlord terminated). There would be no additional burden on the utility as the notice that is statutorily required to be given would be the same as if the building owner<sup>6</sup> had requested to discontinue service. Furthermore, if the tenant requested discontinuance of service or if the account is threatened with termination for nonpayment, the foreign load account should be placed back into the building owner's name so as to avoid the loss of service to any other tenants.

## **III. Proposed Policy On the Transfer of the Tenant's Account and the Date of Transfer of Financial Responsibility for the Account.**

To remove any uncertainty as to the procedure expected for the transfer of utility accounts that include charges for foreign load, the Commission expects that upon discovery of a foreign load that had not been disclosed to the tenant and for which the tenant had not accepted financial responsibility, the utility will notify the building owner and place the utility account for that dwelling unit in the building owner's name. The account is to remain in the building owner's name until the foreign load is removed, or until the tenant notifies the utility of an agreement to accept responsibility for the account.

The building owner has the responsibility of notifying both the utility and the tenant when the foreign load is removed from the tenant's meter. At that time the account may be placed back into the tenant's name. A tenant who wishes to dispute the matter may file a claim against the building owner in civil court in accordance with appropriate landlord/tenant laws, or can pursue Commission dispute resolution processes through Chapter 56.

## **IV. Proposed Policy Requiring the Same Tariff Rate to Be Charged for a Residential Account Transferred into the Name of the Building Owner.**

The situation has arisen in Commission cases where a building owner that had a tenant's individually metered residential account transferred into his name because of the presence of foreign load charges on the account was charged for service at a commercial rate.<sup>7</sup> The Commission believes that under these circumstances, it is unfair for the building owner to be charged the higher commercial rate rather than the lower residential rate for service. Charging the higher rate imposes a financial hardship on the building owner who will more than likely charge the tenant higher rent to compensate for the higher utility rate. No one is benefited by this action. Accordingly, the Commission proposes that where an individually metered residential account contains charges for foreign load and the service is placed in the name of the building's owner, service should be billed at the residential, not the commercial rate.

## **V. Proposed Policy Regarding Refunds to Tenants; Responsibility for Unpaid Tenant Balance on an Account Transferred to Building Owner; Responsibility for Account When a Building is Sold to a New Owner; and Establishment of a Date for Backbilling Building Owner.**

Issues relating to billing, customer refunds and back billing of owners of buildings have also been a source of much Commission litigation. ALJ Allison K. Turner in her Initial Decision in *Metropolitan Edison Co. v. Elizabeth Santos*, C-00967757, formulated rules at the request of utility complainant Metropolitan Edison Company and intervenor Pennsylvania Power & Light Company. In our proposed policy statement, the original text of the ALJ's rules has been expanded to limit the rules so that it is clear that they are not applicable to factual situations that do not involve foreign load.

Under the statute and Commission expectations, the utility is relieved of the duty to refund amounts paid by a tenant to the utility for service that was rightfully the responsibility of the building owner because of the presence of foreign load charges. This also eliminates the need for the utility to rebill and attempt to collect these same amounts from the building owner. In the case of the sale of the involved building, the possibility that a new building owner would be held responsible for foreign load that he himself is unaware of until a utility investigation discovers it is eliminated. The Commission will use a reasonableness standard in applying this policy as it would be incredible, except under extraordinary circumstances, for a long-term building owner not to be aware of the existence of a foreign load until the utility discovers it.

The Commission believes that this fairly balances the competing interests of the parties involved and proposes to adopt them as policy that will be applied in all such cases. Under this policy, the utility can transfer unpaid balances to the building owner from the date that the building owner had effective constructive notice of the foreign load.

## **VI. Proposed Policy Requiring Notice of a BCS Informal or Formal Complaint to Be Sent to Essential Parties.**

In his Initial Decision in *Reber v. UGI Utilities, Inc.*, Dkt. No. C-00967802, Order dated January 15, 1997, ALJ Michael C. Schnierle expressed concern over the lack of notice to the building owner when a tenant had filed an informal complaint with the BCS. The Commission agrees that the outcome of an informal complaint involving foreign load may adversely affect a building owner who may be held responsible for a tenant's utility account. Fairness dictates that the building owner should be provided with notice of the informal complaint filed by the tenant and that the building owner be afforded the opportunity to be included in the complaint's investigation.

Accordingly, whenever an informal or formal complaint alleging the presence of foreign load is submitted, the proposed policy statement provides that the complainant must provide the name, address and telephone number of his or her building owner so that a copy of the complaint can be provided to the building owner. Upon petition, a building owner will be granted intervenor status as an essential party to the complaint. Documents provided to the Commission are served on or provided to the building owner regardless of whether the building owner has requested to participate in the Commission proceeding. The Commission will provide copies of a BCS determination on an informal complaint, and all orders issued in a proceeding to all parties including the building owner.

These procedures apply equally to notification to the tenant where a building owner initiates the complaint process.

## **VII. Policy Issues Related to the Restructuring of the Electric and Gas Industries.**

With the enactment of Chapter 28 electric industry restructuring, and the possibility of gas industry restructuring, consideration must be given to the mechanics of identifying foreign load, and assigning financial responsibility for the residential account where the utility service is unbundled. When electric or natural gas service is unbundled, the consumer purchases electric generation or natural gas from a supplier and that generation or natural gas is transported or delivered by an electric or natural gas distribution company.

To stimulate comment on these issues, the proposed policy statement includes provisions for the processing of foreign load complaints where the tenant has been receiving unbundled utility service. These provisions include, inter alia, the identification of start dates for building owner financial responsibility for the natural gas or electric generation and transmission and distribution accounts, the preservation of the tenant's choice of supplier if responsibility for the accounts are returned to the tenant, and the establishment of building owner responsibility for unpaid balances on a tenant's unbundled service accounts.

The Commission encourages comment on the proposed policy statement following this order as Annex A and invites interested parties to provide alternative interpretive language. The Commission recognizes that it may not have addressed all of the issues that are commonly raised in foreign load complaint proceedings. However, to the extent that other generic issues can be resolved as policy, comments should identify these issues and offer appropriate policy solutions; *Therefore*,

*It is Ordered that:*

1. The proposed policy statement re: resolution of issues common to complaints involving 66 Pa.C.S. § 1529.1 (relating to duty of owners of rental property) as set forth in Annex A to the order is hereby promulgated for comment.
2. This order and Annex A shall be published in the *Pennsylvania Bulletin*, as written under 45 Pa.C.S. § 727 (relating to matter not required to be published). Interested persons may submit written comments, an original and 15 copies, to Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, and shall have 30 days from the date that the order and Annex are published in the *Pennsylvania Bulletin* to submit comments. Commentators are strongly encouraged, if suggesting changes or additions to the proposed policy statement, to supply alternative interpretive language. A diskette containing the comments in electronic format should also be provided to the Commission.
3. A copy of this order and Annex A, and any accompanying statements of the Commissioners, be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, all jurisdictional electric distribution companies, all jurisdictional natural gas and Class A water utilities, all licensed electric generation suppliers, the Public Utility Law Project, the Pennsylvania Gas Association, the Pennsylvania Electric Association, the National Association of Water Companies, the Pennsylvania Residential Property Owners Association and be made available to all other interested parties.
4. The Secretary submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.

JAMES J. MCNULTY,  
Secretary

**Fiscal Note:** 57-199. No fiscal impact; (8) recommends adoption.

