

-----  
 John Brumfield, |  
           v. |           Docket No.:  
 FirstEnergy Pennsylvania |   C-2025-3055061  
 Electric Company |  
 |  
 Initial Call-In Telephonic |  
Hearing
 Pages 1 - 58

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

Tuesday, August 5, 2025  
 Commencing at 10:00 a.m.

INDEX TO EXHIBITS

Docket No. C-2025-3055061

Hearing Date: August 5, 2025

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
West Penn Exhibit 1	29	48
LexisNexis Document		
West Penn Exhibit 2	30	48

Photo and Property Facts

West Penn Exhibit 3 31 48

Customer Verification Screen

West Penn Exhibit 4 32 48

Chapter 13 Petitions

West Penn Exhibit 5 33 48

Bankruptcy Court Dismissal

West Penn Exhibit 6 33 48

Customer Contacts

West Penn Exhibit 7 35 48

Account Statement

West Penn Exhibit 8 40 48

Monthly Bill 7/1/25

West Penn Exhibit 9 43 48

Rate Schedule RS

West Penn Exhibit 10 44 48

Rate GS Medium General

West Penn Exhibit 11 44 48

BCS Decision

BCS Decision

**Docket No. C-2025-3055061**

**John Brumfield v. FirstEnergy Pennsylvania Electric Company**

**The Hon. Emily DeVoe**

**Hearing Date: Tuesday, August 5, 2025 at 10:00 AM**

**Call-In Hearing No.: 888.547.8922; PIN: 74903461#**

**PROPOSED HEARING EXHIBITS OF FE PA (WEST PENN RATE DISTRICT)**

1. Public Ownership Record
2. Photo of Service Location
3. Customer Verification Screen
4. Chart of Chapter 13 Bankruptcy Petitions
5. Docket No. 24-22078, Bankruptcy Order dismissing Chapter 13 Petition
6. Customer Contacts
7. Statement of Account
8. Monthly Bill, dated 7/1/25
9. Tariff RS Rate - Residential
10. Tariff GS Rate - Medium (General Service Secondary-Demand Metered)
11. BCS Decision No. 4059529, closed 5/8/25

**Judicial Notice**

- *John Brumfield v PA American Water Company*, Docket No. F-2022-3030428, Initial Decision and Final Order entered 8/12/22



Search: Public Records : Real Property  
Terms: street address(125 Standard Avenue) city(Butler) state(PA)

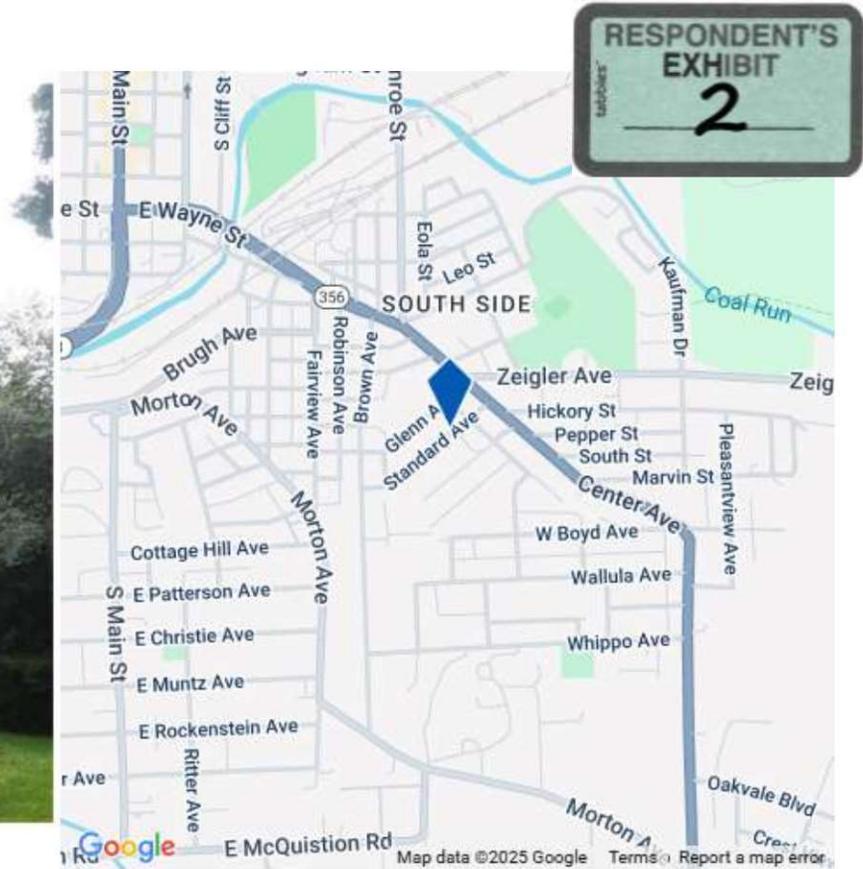
No.	Name Information	Property Address	APN	Jurisdiction
2	Owner BRUMFIELD JOHN	125 STANDARD AVE BUTLER, PA 16001-6463	561-29-176-0000	Assessment Record for BUTLER, PA  Recording Date : 04/27/2012 Assessment Year : 2025 Data Source : A
	Seller NEYMAN JOHN E JR			

Terms: street address(125 Standard Avenue) city(Butler) state(PA)  
Date/Time: Friday, May 23, 2025 4:37 PM  
Permissible Use: Your DPPA Permissible Use: I have no permissible use  
Your Secondary DPPA Permissible Use: None  
Your GLBA Permissible Use: I have no permissible use

Copyright © 2025 LexisNexis, a division of Reed Elsevier Inc. All Rights Reserved.

---

End of Document



## PROPERTY FACTS

No. Units	8	Building Class	C
Property Type	Multifamily	Lot Size	0.37 AC
Property Subtype	Apartment	Building Size	6,492 SF
Apartment Style	Low-Rise	No. Stories	3
Zoning	R2		



### Customer Verification Screen

John Brumfield  
125 Standard Ave  
Butler, PA 16001  
[REDACTED]

**Customer/Verification**

**Partner:** JOHN BRUMFIELD / [REDACTED]  
**Cust Contact:** benjamin bell  
**Password:**  
**Prem Phone:** (412)689-1247      **BP Phone:** (412)689-1247  
**Acct Nbr:** [REDACTED]      **Nbr Accts:** 9  
**Acct Name:**  
**Email Addr:** jbrumfield7@gmail.com  
**Web User:** JOHN777

---

**Service Address**      **Mailing Address (Fixed)**  
125 STANDARD AVE      125 STANDARD AVE  
BUTLER PA 16001      BUTLER PA 16001

**Account Details** **WestPennPower**  
A West Penn Company

**Acct Class:** Non Residential      **Acct Status:** ACTV  
**Rate:** WP-GP30SF      **Pay Terms:** 15DY  
**Risk:** 6438-HighRisk      **Dun Lock:** 3  
**Inv Prt Out:**      **Avg Mo Bill:** Calculate  
**Sched MR Date:** 07/30/2025      **Sched Bill Date:** 07/31/2025

---

**Service Details**

**Dist Contract:** [REDACTED]      **FE PTC:** 0.10482700  
**Move-In Dt:** 08/24/2024      **Move-Out Dt:**  
**Disc Status:**  
**Disc Doc Dt:**      **Type:**      **Rsn:**  
**Supplier:** West Penn Power - Supply

**Alerts**

**\*\*ROCC ALERT - 04/28/2025-12/31/9999\*\***  
**\*\*WRITEOFFS EXIST - OTHER ACCTS\*\***  
**\*\*OWNER 0805748374 JOHN BRUMFIELD\*\***  
**\*\*OPEN POST PETITION DEPOSIT\*\***  
**\*\*Shared Metering/Edgerton Rule\*\***  
**Payment and Reg Pgms**

---

**Technical Data**

**Premise(s):**  
[REDACTED]  
5000225189 DMD  
Bill Cert/Intrvl



**Docket No. C-2025-3055061**

**John Brumfield v. FirstEnergy Pennsylvania Electric Company (West Penn Rate District)  
Bankruptcy History**

**Case# 18-23559**

Filed: 09/07/2018

Chapter 13 – Dismissed (03/19/2020)

Debtor: John M. Brumfield

Liabilities: \$100,001 - \$500,000

**Case# 20-22644**

Filed: 09/10/2020

Chapter 13 – Dismissed (12/05/2022)

Debtor: John M. Brumfield

Liabilities: \$100,001 - \$500,000

**Case# 23-21729**

Filed: 08/14/2023

Chapter 13 – Dismissed (04/04/2024)

Debtor: John M. Brumfield

Liabilities: \$100,001 - \$500,000

**Case# 24-22078**

Filed: 08/24/2024

Chapter 13 – Dismissed (06/04/2025)

Debtor: John M. Brumfield

Liabilities: \$0 - \$50,000

Form 309

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA



IN RE:

**John M. Brumfield**  
*Debtor(s)*

:  
:  
:  
:  
:  
:  
:  
:

Case No. 24-22078-GLT  
Chapter: 13

Related to Docket No. 43

**ORDER DISMISSING CASE WITHOUT PREJUDICE AND  
TERMINATING WAGE ATTACHMENT**

*AND NOW*, this *The 4th of June, 2025*, after notice and the Debtor(s) having failed to comply with the requirements of the *Bankruptcy Code*, the *Local Rules* of this Court and/or an Order of Court, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

(1) The above-captioned case is **DISMISSED, without prejudice**. The Debtor(s) remain legally liable for all his/her/their debts as if the bankruptcy petition had not been filed. Creditor collection remedies are reinstated pursuant to *11 U.S.C. §349*. Creditors are directed to *11 U.S.C. §108(c)* for time limits on filing a lawsuit to collect. **Generally, a creditor's lawsuit must be filed either before the time deadline imposed by state law for filing runs, or (30) thirty days after date of this Order, whichever is later.**

(2) Each income attachment issued in this case is now terminated. So that each employer and entity subject to an attachment Order knows to stop the attachment, the Debtor(s) shall immediately serve a copy of this order on each such employer and entity.

(3) The Court retains jurisdiction over the Trustee's Report of Receipts and Disbursements and Final Report and Account. Upon submission of the UST Form 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account, the Trustee is discharged from her duties in this case and this case will be closed without further order of Court.

(4) The Clerk shall give notice to all creditors of this dismissal.

  
\_\_\_\_\_  
Gregory L. Taddonio, Chief Judge  
United States Bankruptcy Court

Case Administrators to serve:  
All Creditors and All Parties In Interest

Customer: JOHN BRUMFIELD / [REDACTED]  
 Contract Acct: [REDACTED]  
 Service Address: 125 STANDARD AVE,BUTLER PA 16001

Created On: 07/22/2025  
 Date Range: 09/20/2024 to 07/22/2025

### Customer Contact History



Contact Date	Created Date	Contract Acct	Created By	Description
12/31/9999 10:23:02	04/28/2025	[REDACTED]	Heidi Dautrich	ROCC Alert
<p>ROCC ALERT: This is a LL/TN account. If tenant calls, we are only to discuss the last 30 day bill and their tenant rights. Do not make payment arrangements or take F/S info from the tenant. Landlord should be the only one that provides us with income and agreement information. Always get rental income from the landlord if there is more than one property involved for the Business Partner. PCAP is only available to a Landlord for their primary residence, but not for a rental property account in their name.</p> <p>If a tenant is paying the last 30 day bill, DO NOT take the payment until proof related to residency has been received. (Driver's License, Photo Identification, Medical assistance or food stamp identification or similar documents issued by any public agency which show the tenant's name/address) Provide the tenant with fax # 330-315-9587 or email address move@firstenergycorp.com. If the tenant calls back to confirm they faxed/emailed their information, transfer the call to PA AMIP queue. If no proof is provided, termination will continue.</p>				
05/09/9999 13:47:41	05/09/2025	[REDACTED]	Alison Walker	PUC/BPU Complaint-Written
<p>Formal PUC complaint docket# C-2025-3055061 received. Cust wants a new payment agreement. awalker</p>				
06/30/2025 01:31:24	06/30/2025	[REDACTED]	B2BEALOGIN	Pending One-Time Bank Payment
<p>Payment Date: 06/30/2025   Payment Time: 01:26:26          Payment Amount: 500.00   Payment Type: Electronic Check Acceptance (ECA / ACH / POP)          Vendor ID: AD   Receipt Number: 25223232</p>				
06/16/2025 08:43:56	06/16/2025	[REDACTED]	Natalie Allard	Form Letter
<p>Printed to \\WCORRES01P\THQ1045-P on 06/16/2025 at 8:45:45</p>				
06/16/2025 08:41:25	06/16/2025	[REDACTED]	Natalie Allard	Transfer Posting
<p>Created Automatically. See the Business Objects tab for more information.</p>				
06/16/2025 08:39:51	06/16/2025	[REDACTED]	Natalie Allard	Transfer Posting
<p>transfer \$42,751.15 from [REDACTED] to [REDACTED] due to dismissal 24-22078</p>				
05/13/2025 08:59:40	05/13/2025	[REDACTED]	Gerald E Stevens Jr	Personal Data Changed
<p>Old BP Phone:(724)422-1409          New BP Phone:(412)689-1247          s/w JOHN BRUMFIELD - updated phone number          Created By: Gerald E Stevens Jr</p>				
05/09/2025 11:49:24	05/09/2025	[REDACTED]	Elizabeth Cottrill	PUC/BPU Complaint-Written
<p>Dunning Lock Reason:Utility Commission Dispute          Start Date: 05/09/2025   End Date: 06/08/2025          We received a VM from Pa PUC Secretary's Bureau to report they processed          Formal Complaint at Docket No C-2025-3055061          Created By: Elizabeth Cottrill</p>				
05/09/2025 11:09:08	05/09/2025	[REDACTED]	Willow R Koch	General Inquiry

## Customer Contact History

Contact Date	Created Date	Contract Acct	Created By	Description
				s/w Benjamin Bell, tenant. Adv there is not currently an active term on the acct. However, a notice did go out on 3/20/2025 stating the term date is 5/07/2025 for \$4871.06. The current bill amt is \$6258.18 due on 05/16/2025. Adv that if tenant were to pay on the acct, proof of residency would need to be sent in. Adv we take cards, bank info, and checks to make pymts. Adv that since this is a LL/tenant acct, no pymt arrangements can be set up.
05/08/2025 09:54:56	05/08/2025		Angela Lambert	Change Dunning Lock
				Dunning Lock Reason:Utility Commission Dispute New Start Date: 05/08/2025   New End Date: 05/19/2025 Created By: Angela Lambert
05/08/2025 09:54:29	05/08/2025		Angela Lambert	PUC/BPU Complaint-Written
				PUC case 4059529 CASE CLOSED. NO DECISION. THIS IS A NON-RESIDENTIAL ACCOUNT. THE PUC DOES NOT ISSUE PARS ON NON-RESIDENTIAL ACCOUNTS. ALambert/Compliance
04/30/2025 10:25:17	04/30/2025		Angela Lambert	PUC/BPU Complaint-Written
				PUC case 4059529 received 4/30/25. Commercial PAR requested ALambert/Compliance
04/30/2025 10:24:58	04/30/2025		Angela Lambert	Create Dunning Lock
				Dunning Lock Reason:Utility Commission Dispute Start Date: 04/30/2025   End Date: 04/30/2026 Created By: Angela Lambert
04/28/2025 10:44:25	04/28/2025		Jessica F Heisey	General Inquiry
				VAI- JOHN BRUMFIELD calling to see what he can do to stop shut off notice on the account. customer asked about ip and med cert option but since the acct is non res. i cannot approve them and notified customer of landlord/ tenant terms. advised of shut off amount for 4871.06 that customer is unable to pay at this time
04/28/2025 10:40:17	04/28/2025		Jessica F Heisey	Personal Data Changed
				Old Authorized Contact: New Authorized Contact:benjamin bell Old BP Phone:(412)689-1247 New BP Phone:(724)422-1409 adding cust contact per bp request Created By: Jessica F Heisey
04/28/2025 10:08:47	04/28/2025		Jessica F Heisey	Create Dunning Lock
				Dunning Lock Reason:Dispute Rights Start Date: 04/28/2025   End Date: 05/12/2025 Created By: Jessica F Heisey
04/28/2025 09:23:38	04/28/2025		EAILOGINWM7	Register for Website
				John777 Jbrumfield7@gmail.com Site Registration John777
04/24/2025 12:29:06	04/24/2025		Raeann Ringler	30 Day Shut Off Notice - Agency Notification
				emailed pdf of agency letter to RA-DHClericalSED@pa.gov Printed to \\WCORRES01P\PIKE1167-P on 04/24/2025 at 12:35:3
03/19/2025 22:18:03	03/19/2025		CS General Purpose Batch	Disconnection Notice - PA Landlord/Tenant

### Customer Contact History

Contact Date	Created Date	Contract Acct	Created By	Description
Mailed CERT TN notice 3/20/25 , tenant notice approx. 3/27/25 , bal due \$4,871.06				
10/24/2024 08:47:37	10/24/2024		Raeann Ringler	Create Dunning Lock
Dunning Lock Reason:F/S Income Verification (does not waive LPC) Start Date: 10/24/2024   End Date: 03/01/2025 F Lock added per Rev Ops Management. Moratorium protected Created By: Raeann Ringler				
10/23/2024 22:25:16	10/23/2024		CS General Purpose Batch	Disconnection Notice - PA Landlord/Tenant
09/20/2024 14:18:19	09/20/2024		Natalie Allard	Bankruptcy Deposit
Printed to \\WCORRES01P\FCC1077-P on 09/20/2024 at 14:20:20				
09/20/2024 14:17:00	09/20/2024		Natalie Allard	Security Deposit Created
09/20/2024 14:12:36	09/20/2024		Natalie Allard	Move-In of Unmetered Services

**DETAILED STATEMENT OF ACCOUNT**

Customer Name: JOHN BRUMFIELD

Account Number: [REDACTED]

Service Address:  
125 STANDARD AVE  
BUTLER PA 16001

Entry Date	Read Date	Cons Type	Meter Reading	Cons Usage	Nbr Days	Daily Average	Read Type	FE Billing Amt	Supplier Billing Amt	Total Billing Amt	Budget Billing Amt	Due Date	Payment Amt	Adj Amt	Adj Type	Account Balance
09/20/24														1,058.00	SDREQ	1,058.00
09/30/24	09/29/24	KWH	431,136	2,818	37	76	Act	352.68		352.68		10/17/24				1,410.68
		ONKW		5.90	37											
		OPKW		6.40	37											
		BILL KW		5.90												
10/30/24	10/29/24	KWH	434,324	3,188	30	106	Act	394.46		394.46		11/18/24		5.29	LPC	1,810.43
		ONKW		9.40	30											
		OPKW		8.10	30											
		BILL KW		9.40												
11/30/24	11/28/24	KWH	438,080	3,756	30	125	Act	459.69		459.69		12/18/24		11.21	LPC	2,281.33
		ONKW		10.60	30											
		OPKW		10.40	30											
		BILL KW		10.60												
12/31/24	12/30/24	KWH	444,561	6,481	32	203	Act	799.42		799.42		01/21/25		18.10	LPC	3,098.85
		ONKW		13.20	2											
		OPKW		13.70	2											
		BILL KW		13.20												
01/29/25	01/28/25	KWH	451,214	6,653	29	229	Act	873.54		873.54		02/18/25		30.09	LPC	4,002.48
		ONKW		16.80	1											
		OPKW		16.20	1											
		BILL KW		16.80												
03/01/25	02/27/25	KWH	457,477	6,263	30	209	Act	825.38		825.38		03/19/25		43.20	LPC	4,871.06
		ONKW		16.00	30											
		OPKW		15.10	30											
		BILL KW		16.00												
03/31/25	03/30/25	KWH	463,305	5,828	31	188	Act	769.13		769.13		04/17/25		55.58	LPC	5,695.77
		ONKW		14.70	31											
		OPKW		14.90	31											
		BILL KW		14.70												

Entry Date	Read Date	Cons Type	Meter Reading	Cons Usage	Nbr Days	Daily Average	Read Type	FE Billing Amt	Supplier Billing Amt	Total Billing Amt	Budget Billing Amt	Due Date	Payment Amt	Adj Amt	Adj Type	Account Balance
04/29/25	04/28/25	KWH	467,386	4,081	29	141	Act	556.41		556.41		05/16/25				6,252.18
		ONKW		13.00	1											
		OPKW		11.40	1											
		BILL KW		13.00												
05/29/25	05/28/25	KWH	470,500	3,114	30	104	Act	427.27		427.27		06/17/25				6,679.45
		ONKW		9.00	30											
		OPKW		8.20	30											
		BILL KW		9.00												
06/16/25														42,751.15	TRAN	49,430.60
								Transfer From Account [REDACTED]								
06/28/25	06/26/25	KWH	473,742	3,242	29	112	Act	455.97		455.97		07/16/25				49,886.57
		ONKW		7.80	3											
		OPKW		7.90	3											
		BILL KW		8.40												
06/30/25													-500.00			49,386.57



Bill Based On: Actual Meter Reading, Prorated  
Bill

Page 1 of 2  
W04

July 01, 2025

Account Number: [REDACTED]

Amount Due: \$49,886.57

Due Date: July 16, 2025

Billing Period: May 29 to Jun 26, 2025 for 29 days  
Bill For: JOHN BRUMFIELD  
125 STANDARD AVE  
BUTLER PA 16001

To report an emergency or an outage, call 24 hours a day 1-888-544-4877.  
Bill issued by: West Penn Power, 341 White Pond Dr., Akron, OH 44320-1119  
To enroll in eBill or pay your bill online, scan the QR code on the right of this bill from your mobile device or go to www.firstenergycorp.com.  
For Customer Service, call 1-800-686-0021. For Payment Options, call 1-800-736-3404.



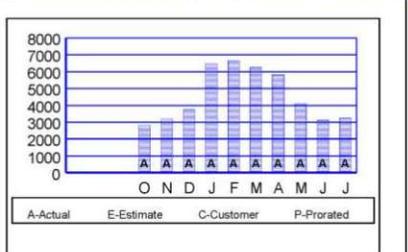
Shopping Information		Account Summary		Amount Due
Customer Number	Rate Category	Previous Balance		6,679.45
[REDACTED]	General Power Service WP-GP30F	Payments/Adjustments		42,751.15
<b>Messages</b>		<b>Balance at Billing on Jul 01, 2025</b>		<b>49,430.60</b>
<b>** REMINDER NOTICE **</b>		West Penn Power - Consumption		455.97
When this bill was prepared, your account had an unpaid balance. If you have already made this payment, thank you. If not, please promptly pay the overdue amount. Call us if you have questions or for information on payment arrangements.		<b>Amount Due by Jul 16, 2025</b>		<b>\$49,886.57</b>

Usage Information for Meter Number 5000225189				
Jun 26, 2025 KWH Reading (Actual)				473,742
May 29, 2025 KWH Reading (Actual)				470,500
KWH used				3,242
OnPeak Load in KW/KVA				7.8
OffPeak Load in KW/KVA				7.9
Billed Load in KW/KVA				8.4

Charges From West Penn Power				
Customer Number:	[REDACTED]			
Rate: General Power Service WP-GP30F				
Price to Compare Default Service	2,907 KWH	x	0.105360	306.28
	335 KWH	x	0.100130	33.54
Customer Distribution Charge				24.14
Distribution Charge	3,242 KWH	x	0.005310	17.22
	8.4 KW	x	3.480000	x 0.103448
	8.4 KW	x	3.460000	x 0.896552
Energy Efficiency Charge Phase IV	335 KWH	x	0.003300	1.11
Default Service Support Charge	2,907 KWH	x	0.002000	5.81
	335 KWH	x	0.002880	0.96
LED Conversion Charge	2,907 KWH	x	0.004070	11.83
State Tax Surcharge	3,242 KWH	x	0.000050	0.16
State Sales Tax				0.04
State Sales Tax				25.81
<b>Current Consumption Bill Charges</b>				<b>455.97</b>

Detail Payment and Adjustment Information				
06/16/25	Trans fr	[REDACTED]	/ 125 STANDARD AVE	42,751.15

Additional messages, if any, can be found on back.  
Usage History



This Year	
Average Daily Use (KWH)	112
Average Daily Temperature	71
Days in Billing Period	29
Last 10 Months Use (KWH)	45,424
Average Monthly Use (KWH)	4,542

Return this part with a check or money order payable to West Penn Power

West Penn Power  
341 White Pond Dr  
Akron, OH 44320-1119

JOHN BRUMFIELD  
125 STANDARD AVE  
BUTLER PA 16001-6463

Account Number: [REDACTED]

Amount Paid	[REDACTED]
Amount Due	\$49,886.57
Due Date	Jul 16, 2025

WEST PENN POWER  
PO BOX 37-422  
PITTSBURGH PA 15250-7422



**Messages (Continued)**

use and peak demand for electricity as mandated by the state, has been adjusted.

Effective June 1, 2025, the Solar Photovoltaic Requirement charge, which recovers the company's cost to acquire Solar Photovoltaic Alternative Energy Credits in compliance with the Alternative Energy Portfolio Standards Act has been adjusted.

Tree branches and shrubs -- and insects that nest in vegetation -- can make it difficult and, at times, unsafe for our employees to read your meter. Please be sure your meter is easily accessible by clearing the path to it and the area around it.

**Explanation of Terms**

**Basic Charges** - Charges for services necessary for the delivery of electric service, including generation, transmission and distribution.

**Customer Distribution Charge** - Fixed charge for meter reading, billing, service line maintenance, equipment, and assessing and deploying Smart Meter Technology.

**Default Service Support Charge** - Charge to recover new and deferred costs associated with serving customers in a competitive market.

**Distribution Charge** - Charge for the use of local wires, transformers, substations and other equipment used to deliver electricity to consumers from high-voltage transmission lines.

**Distribution System Improvement Charge** - This charge recovers costs incurred to repair, improve or replace infrastructure that the Company uses to deliver electricity to its customers.

**Energy Efficiency Charge(s)** - Charge to fund the utility's programs designed to reduce customers' annual electric use and peak demand for electricity mandated by Act 129 of 2008.

**Estimated Reading** - On the months we do not read a meter, we calculate the bill based on past electrical usage.

**KWH (Kilowatt Hour)** - A unit of measure for electricity usage equal to 1,000 watts used for one hour.

**Late Payment Charge** - A charge added to the bill on balances owed after the Due Date.

**Non-Basic Charges** - Charges for services not required for the delivery of electric service.

**Price to Compare Default Service** - Charges for costs to provide energy, capacity, compliance with Alternative Energy Portfolio Standards, transmission and ancillary services for customers receiving Default Service.

**Prorated Reading** - Reading calculated by multiplying the daily average electric usage between two recent readings by the number of days in the billing period.

**TCJA Voluntary Surcharge** - This surcharge adjusts customer rates for the reduction to corporate federal income tax under the Tax Cuts and Jobs Act.

**General Information**

If you have billing questions or complaints about your West Penn Power account, please contact us before the due date.

**Call Customer Service** at 1-800-686-0021 Monday - Friday, from 8 a.m. - 6 p.m.

**Call Payment Options** at 1-800-736-3404 Monday - Friday, from 8 a.m. - 6 p.m.

**Visit our website** at [www.firstenergycorp.com](http://www.firstenergycorp.com)

**Write to us** at West Penn Power, 341 White Pond Dr., Akron, OH 44320-1119

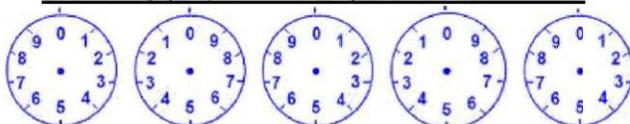
**Customers with hearing or speech impairments** can contact the Telecommunications Relay Service (TRS) at 711.

For your protection, all of our employees wear Photo I.D. badges.

**Electronic Check Conversion** - Your check authorizes us either to make a one-time electronic funds transfer (EFT) from your account or process a check. If you have questions about this program, call 1-866-283-8081.

To provide a customer meter reading, use the dials provided and enter the reading on-line at [www.firstenergycorp.com/aboutyourbill](http://www.firstenergycorp.com/aboutyourbill) or by calling 1-800-686-0021. Say "Meter Reading" when asked "Which of these can I help you with today?" Have the date you took the reading available. If this is to avoid a scheduled estimate, please check the front of the bill for entry dates.

**Provide reading by telephone or on-line only: DO NOT MAIL**



Draw hands on the dials exactly as they appear on your electric meter. When reading your meter, if the hand falls between two numbers, always report the lower number.

If you have a DIGITAL METER write the numbers here:

**RATE SCHEDULES**

**RATE RS  
RESIDENTIAL SERVICE**



**AVAILABILITY:**

**Met-Ed and Penelec**

This Rate is available to Residential Customers using the Company's standard, single-phase service through a single meter including not more than 2,000 watts of non-residential connected load served through the same meter.

**Penn Power**

Available for Residential Service using the Company's standard, single-phase service, to installations served through one meter for each family unit in a residence or apartment. When service is used through the same meter for both residential and commercial purposes the General Service rate schedule shall apply.

**West Penn**

Available for single-phase service to a single-family residence served through one meter. Combination residential and commercial service may be taken on this Rate when the entire service is taken through one meter and the total commercial connected load does not necessitate upgrade of service facilities. This Rate is available for single-phase service to farms when supplied along with service for the residence through one meter.

**GENERAL MONTHLY CHARGES:**

The Distribution Charges are applicable to Delivery Service Customers:

Rate District	Met-Ed	Penelec	Penn Power	West Penn
Customer Charge	\$11.25	\$11.25	\$11.00	\$9.00 (I)
Per kWh for all kWh	5.138 cents per kWh	6.815 cents per kWh	5.480 cents per kWh	4.306 cents per kWh

(I)

**RIDERS:**

The Riders included in this Tariff that apply to this Rate Schedule are listed in the Rider Matrix on page 181.

**DEFAULT SERVICE CHARGES:**

For Customers receiving Default Service from the Company, the Price to Compare Default Service Rate Rider, Residential Customer Class rate applies.

(I) Increase

**RATE SCHEDULES, RATE RS (continued)**

**MINIMUM CHARGE:**

The monthly Minimum Charge shall be the applicable Rate District Customer Charge listed in the General Monthly Charges section of this rate schedule plus distribution energy charges and charges related to applicable riders.

**PAYMENT TERMS:**

As per Rule 11, Payment of Bills.

**EQUAL PAYMENT PLAN:**

As per Rule 10b(4), Equal Payment Plan.

**SPECIAL MONTHLY CHARGES FOR LOADS IN EXCESS OF 25 KILOWATTS:**

The Company shall install a suitable demand meter to determine the maximum 15-minute integrated demand when (i) a Customer’s service requires the installation of an individual transformer, (ii) a Customer’s total monthly consumption exceeds 10,000 kilowatt-hours for two (2) consecutive months, or (iii) when the Customer’s service entrance requirements exceed 600 amperes.

If the demand so determined under this provision exceeds twenty-five (25) kilowatts, a monthly distribution demand charge, as outlined in the chart below, per kW for all kW shall apply to such excess as set forth in this provision, in addition to the General Monthly Charges. In no event shall the demand charge be based upon less than seventy-five percent (75%) of the highest excess demand during the preceding eleven (11) months.

Rate District	Met-Ed	Penelec	Penn Power	West Penn
Demand Charge	\$2.95 per kW	\$3.26 per kW	\$2.25 per kW	\$3.05 per Kw

(I)

**GENERAL PROVISIONS:**

	General Provision Matrix							
	A (1)	A (2)	A (3)	B (1)	B (2)	B (3)	C	D
Met-Ed	X			X				
Penelec		X						
Penn Power					X		X	
West Penn			X			X		X

(I) Increase

**RATE SCHEDULES, RATE RS (continued)**

**A. SERVICE TO EXISTING STRUCTURES CONVERTED FOR MULTIPLE OCCUPANCY:**

- (1) May be supplied through a single meter at the Company's option provided that the Company's prior consent has been obtained. This provision shall be limited to no more than eight (8) apartments or dwelling units continually served as such prior to September 18, 1978 and no more than two (2) apartments or dwelling units after September 18, 1978.
- (2) May be supplied through a single meter provided that the Company's prior consent has been obtained. This provision shall be limited to no more than five (5) apartments or dwelling units continually served as such prior to January 27, 1979.
- (3) When two or more residential units up to a maximum of five units are supplied through a single meter, each shall be classed as a single-family residence, and the above appropriate Monthly Rate shall apply to each.

**B. RESIDENTIAL FARM CUSTOMERS:**

- (1) Customers using the Company's service to a farm residence for residential purposes and, at the Customer's option, using such service for associated incidental "general farm uses" (including milk production) outside the dwelling unit shall be considered Residential Farm Customers. Where the Company has made a commitment to existing Customers prior to January 13, 1986, electric service through the farm residence meter may be used for "specialized farm operations" such as broiler raising, egg-laying houses, hatcheries, mushroom growing, greenhouses and similar specialized operations which produce items for sale or produce items for others on a contract basis. Those Customers who choose an EGS and then return to the Company for their energy supply shall be billed under the appropriate General Service Rate. Electric service used in storing, processing, preparing or distributing products not raised on that farm shall not be considered as Residential Service and shall be separately metered and billed on the applicable Rate GS Rate Schedules.
- (2) This rate schedule shall also apply for service to a farm for residential purposes and the usual farm uses outside the dwelling unit, but not if the use extends to operations of a commercial nature, such as stores, restaurants, gasoline stations, automobile service stations, repair shops or any other nonfarming operation. Where a portion of the farm is used in the processing, preparing or distribution of products not raised on that farm, or for a hatchery, dairy, greenhouse or any other specialized operation, unless such operation is incidental to the usual residential and farm uses, the customer may, at his option, provide separate circuits so that the service used in that portion may be metered and billed separately under the applicable schedule. If such separate circuits are not provided, the entire service will be billed under the General Service rate schedule. Additional dwelling units on the farm shall be metered separately or shall be supplied under the terms of this rate schedule which provide that for multifamily installations the energy blocks shall be multiplied by the number of family units served.
- (3) This schedule is available for single-phase service to farms when supplied along with service for the residence through one meter.

**RATE SCHEDULES, RATE RS (continued)**

- C. **MULTIPLE METERING:** Certain residential usage may be separately metered as a result of legal requirements (e.g., Act 54 of 1993) but not be associated with a family unit (e.g., common furnace in multiple family dwelling). In such instances the usage may be considered as residential service for billing purposes. Additional residential service that, due to wiring restrictions, requires a separately metered service and is located on the same property as the residential customer's dwelling unit but is not associated with a family unit (e.g., detached garage) may also be considered as residential service for billing purposes.
- D. **COMPENSATING FOR TRANSMISSION AND DISTRIBUTION LOSSES:** Multiplying Customers' on-peak metered energy by 1.09333 and off-peak metered energy by 1.04808 produces the generation energy that must be delivered to the system within the West Penn Rate District.

**RULES AND REGULATIONS:**

The Company's Standard Rules and Regulations shall apply to the installation and use of electric service. Motors and equipment served under this rate schedule shall have electrical characteristics so as not to interfere with service supplied to other customers of the Company.

**RATE SCHEDULES**

**RATE GS-MEDIUM  
GENERAL SERVICE SECONDARY – DEMAND METERED**



**AVAILABILITY:**

Available to Non-Residential Customers that use electric service through a single delivery location for lighting, heating and/or power service up to 400 kW demand. Secondary voltage shall be supplied to Customers at a single transformer location when load does not require transformer capacity in excess of 2,500 KVA. Upon a Customer’s request, the Company may, at its option, provide transformers having a capacity of greater than 2,500 KVA.

New Customers requiring transformer capacity in excess of 2,500 KVA and existing Customers whose load increases such that a transformer change is required (over 2,500 KVA) shall be required to take untransformed service.

If an existing Customer’s total consumption is less than 1,500 kWh per month for twelve (12) consecutive months, the Customer is no longer eligible for service under this Rate Schedule GS- Medium. Based upon the Company’s then estimate of the Customer’s usage, the Customer shall be placed on Rate Schedule GS-Small or such other Rate Schedule for which such Customer most qualifies. (C)

If an existing Customer’s registered demand is equal to or greater than 400 kW for two (2) consecutive months in the most recent twelve-month period, the Customer is no longer eligible for service under this Rate Schedule GS-Medium and shall be placed on Rate Schedule GS-Large or such other Rate Schedule for which such Customer most qualifies. (C)

**GENERAL MONTHLY CHARGES:**

The Distribution Charges are applicable to Delivery Service Customers:

Rate District	Met-Ed		Penelec		Penn Power	West Penn
	Single	Three	Single	Three	All	All
Customer Charge	\$26.01	\$46.50	\$21.91	\$44.07	\$32.02	\$23.29
Per kW for all billing kW	\$5.51	\$5.51	\$6.99	\$6.99	\$4.13	\$3.46
Per kVAr of reactive billing demand		\$0.22		\$0.22	\$0.24	\$0.22
Energy: cents per kWh for all kWh						0.531

**RIDERS:**

The Riders included in this Tariff that apply to this Rate Schedule are listed in the Rider Matrix on page 181.

(C) Change  
(I) Increase

**RATE SCHEDULES, RATE GS-MEDIUM (continued)**

**DEFAULT SERVICE CHARGES:**

For Rate Schedule GS-Medium (PTC) Customers receiving Default Service from the Company, the Price to Compare Default Service Rate Rider, Commercial Customer Class rate applies unless the Customer elects to receive Default Service from the Company under the Hourly Pricing Default Service Rider. For Rate Schedule GS-Medium (HP) Customers receiving Default Service from the Company, the Hourly Pricing Default Service Rider rates apply.

**DETERMINATION OF RATE SCHEDULE GS-MEDIUM (PTC) AND GS-MEDIUM (HP):**

Rate Schedule GS-Medium (PTC): Customers receiving service under this Rate Schedule with a kW Demand less than 100 kW.

Rate Schedule GS-Medium (HP): Customers receiving service under this Rate Schedule with a kW Demand equal to or greater than 100 kW.

The Customer's demand used for the determination of the default service rider that the customer should be billed under if receiving Default Service from the Company shall be determined as follows: effective June 1st of each year, a review of the measured demand for the period April 1st of the preceding year to March 31st of the current year will be conducted. Based on the review, if the measured demand in any twelve months is less than 100 kW, then the Customer shall receive Default Service under the provisions of the Price to Compare Default Service Rate Rider. Otherwise, the Customer will receive Default Service under the provisions of the Hourly Pricing Default Service Rider.

**DETERMINATION OF BILLING DEMAND:**

The Company shall install suitable demand meters to determine 15-minute to a maximum of an hourly integrated demand when (i) the connected load being served equals fifteen (15) kilowatts or more, or (ii) the Company estimates that a demand greater than five (5) kilowatts will be established. The Company may install a demand meter on new or upgraded electric services. (C)

A determination of connected load or estimated demand may be made by the Company at any time and shall be made when the Customer's total consumption exceeds 1,500 kWh per month for two (2) consecutive months in the most recent twelve-month period.

(C) Change

**RATE SCHEDULES, RATE GS-MEDIUM (continued)**

A Customer's demand shall be measured by indicating or recording instruments. The billing demand in the current month shall be the greatest of: (i) the maximum measured demand established in the month during On- Peak Hours, as stated herein, (ii) forty percent (40%) of the maximum measured demand established in the month during off-peak hours, or (iii) contract demand or (iv) fifty percent (50%) of the highest billing demand established during the preceding eleven (11) months. The on-peak and off-peak hour provisions of this definition are only applicable for those customers who have installations of Time-of-Use demand meters. (C)

Pending the installation of a demand meter, Customer's Demand shall be a formula demand determined by dividing the kilowatt-hour consumption by 200.

**REACTIVE BILLING DEMAND:**

Reactive Billing Demand, measured in kVAr, shall be the integrated reactive demand occurring coincident with the Billing Demand.

**MINIMUM CHARGE:**

The monthly Minimum Charge shall be the applicable Rate District Customer Charge plus the demand charge at current rate levels times the Billing Demand, plus Distribution Charges plus any charges stated in or calculated by any applicable Rider.

**PAYMENT TERMS:**

As per Rule 11, Payment of Bills.

(C) Change

**RATE SCHEDULES, RATE GS-MEDIUM (continued)**

**GENERAL PROVISIONS:**

General Provision Matrix						
	A	B (1)	B (2)	C (1)	C (2)	D
Met-Ed	X	X		X		
Penelec	X		X	X		
Penn Power	X					
West Penn Power	X				X	X

**A. TERMS OF CONTRACT:**

Each Customer shall be required to enter into a Delivery Service contract with the Company for a minimum one (1) year term. If the Delivery Service contract is terminated by the Customer prior to its expiration, the Minimum Charge provisions of this Rate Schedule shall apply. If the Customer's capacity or service requirements increase, the Company, in its sole and exclusive judgment, may at any time require the Customer to enter into a new Delivery Service contract.

**B. COMBINED BILLING:**

- (1) THIS PROVISION HAS BEEN RESTRICTED TO PRESENT LOCATIONS SINCE SEPTEMBER 18, 1978. Only one standard single-phase metered service and one standard three-phase metered service, each in excess of five (5) kW measured demand for each service, shall be supplied at one contract location, and when so supplied the energy and demand registrations of the separate meters shall be determined separately and may be added for billing purposes when the use of capacity on each service will remain in excess of five (5) kW for each month of the contract year. Each separate and non-contiguous point of delivery or service installation shall be considered a contract location and shall be metered and billed under a separate service contract.
- (2) THIS PROVISION IS RESTRICTED AS OF JUNE 18, 1976, to existing Customers and loads at existing locations. Combined Billing will not be permitted except where Customers are supplied with single-phase and three-phase service at secondary voltages at a single location. In such instances, only one (1) single-phase and one (1) three-phase service may be combined for billing purposes. Customer locations and loads may not continue to be billed under this Provision B (2) (i) if the Customer increases the capacity of either service entrance wiring, or (ii) the Customer increases the electrical load in the facility necessitating a change in the Company's facilities. Billing demand shall be the sum of the individual demands of each metered service. The individual demand of each metered service shall be determined separately.

(C) Change

**RATE SCHEDULES, RATE GS-MEDIUM (continued)**

**C. SERVICE AT PRIMARY VOLTAGE:**

- (1) Customers served at Primary Voltage shall have the option to be billed under this Rate GS-Medium for any of the following conditions:
  - (a) A Customer with an estimated maximum demand of 1,000 kW or less and requiring Primary Service at a voltage less than the nearest Primary Voltage system.
  - (b) Customer's maximum billing demand does not exceed 100 kW for more than two (2) consecutive months in any 12-month period and service is supplied through a Customer-owned transformer at the nearest available Primary Voltage System.
- (2) Customers serviced at Primary Voltage shall have the option to be billed under this Rate Schedule if the Customer's maximum billing demand does not exceed 400 kW for two (2) consecutive months and service is supplied through a Customer-owned transformer at the available Primary Voltage.

- D. FLUCTUATING LOAD:** When Company installs local transformer capacity to supply a highly fluctuating load, a facility charge of 2.1% net per month of the cost of additional transformer capacity required by the highly fluctuating load shall be made.

**RULES AND REGULATIONS:**

The Company's Standard Rules and Regulations shall apply to the installation and use of electric service. Motors and equipment served under this rate schedule shall have electrical characteristics so as not to interfere with service supplied to other customers of the Company.

Hold

Compliance Hold?

Legal Hold?



Assigned To

Assigned Specialist  
Lambert, Angela R

Customer Information

Case Number

4059529

Account Number

[REDACTED]

First Name

JOHN

Last Name

BRUMFIELD

Service Address

Address1

125 STANDARD AVE

Address2

Service City

BUTLER

Service State

PA

Service Zip

16001-0

Service Class

Work Phone

Home Phone

Mailing Address

Address1

Address2

City

State

Mail Zip

Family

Family Size

3

Children

0

Age

Adults

3

General

PUC Date Opened

4/30/2025

PUC Date Prepared

4/30/2025

Received Date

4/30/2025

PUC Date Closed

5/8/2025

Case Information

Prior Case Number

0

Term Date

5/7/2025

Arrearage

4781

Case Origin            Universal Service  
TELEPHONE            Yes  
Source                 Business Name

Income  
A1 WAGES - \$1400  
A2 NONE - \$0  
A3 NONE - \$0

Reason For Contact  
ON - PAR NEEDED (# 61)

Case Problem

Company Position

04/28/2025 4781.00 NEEDED TO MAINTAIN SERVICE

Related Information

61 – PAYMENT ARRANGEMENT REQUEST. - RELIEF SOUGHT - PAR THE CELL PHONE NUMBER (412) 689 - 1247 HAS BEEN ALLOWED TO BE SHARED. THE EMAIL ADDRESS JBRUMFIELD7@GMAIL.COM HAS BEEN ALLOWED TO BE SHARED.

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	
ANGELA	ELLIS	

Status

Status

Closed

History

Click To Expand ▼

---

◀ ▶

Is Archived

Customer Information

---

Case Number

4059529

Customer First Name

JOHN

Customer Last Name

BRUMFIELD

Account Number

██████████

Service Address

---

Address 1

125 STANDARD AVE

Address 2

City

BUTLER

Service State

PA

Zip

16001

Home Phone

Work Phone

Mailing Address

---

Address 1

Address 2

City

State

Zip

Family

---

Adults

3

Family Size

3

Children

0

Age

General

---

PUC Date Opened

4/30/2025

PUC Sent Date

5/8/2025

PUC Date Closed

5/8/2025

Case Type

Commercial PAR

Assigned To

---

Assigned Specialist

Lambert, Angela R

Case Information

---

PUC Violation

NO

PUC Chapter

Section Rule

Balance Date

4/30/2025

Head Date

5/9/2025

Bill Date	PUC Service Continue Date	
Total Balance	PUC Service Restored Pay	PUC Special Budget Amount
6252.18	0.00	0.00
Regular Budget Amount	PUC Service Continue Amount	Arrears Payment Plus
509.00	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

SHORT BLANK LETTER

Resolution

CASE CLOSED. NO DECISION. THIS IS A NON-RESIDENTIAL ACCOUNT. THE PUC DOES NOT ISSUE PARS ON NON-RESIDENTIAL ACCOUNTS.

Has Decision Issue

Response Time

Other Information

---

Investigator First Name

RICKY

Investigator Last Name

WIJAYA

Investigator Area Code

717

Investigator Phone

Investigator Fax Area Code

Investigator Fax

Intaker First Name

ANGELA

Intaker Last Name

ELLIS

Status

---

Is SAP Completed



SAP Completion Date

5/8/2025

History

---

Click To Expand ▼

◀
▶

**JUDICIAL NOTICE**

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265**

John Brumfield :  
 :  
 v. : F-2022-3030428  
 :  
 Pennsylvania-American Water Company :

**FINAL ORDER**

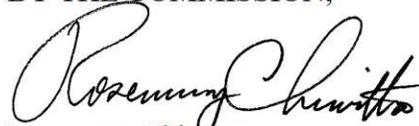
In accordance with the provisions of Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), the decision of Deputy Chief Administrative Law Judge Mark A. Hoyer dated June 28, 2022, has become final without further Commission action;

THEREFORE,

IT IS ORDERED:

1. That the complaint of John Brumfield against Pennsylvania-American Water Company at Docket No. F-2022-3030428 is dismissed for failure to meet the burden of proof.
2. That the record at Docket No. F-2022-3030428 is marked closed.

BY THE COMMISSION,



Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ENTERED: August 12, 2022

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

John Brumfield	:	
	:	
v.	:	F-2022-3030428
	:	
Pennsylvania-American Water Company	:	

**INITIAL DECISION**

Before  
Mark A. Hoyer  
Deputy Chief Administrative Law Judge

**INTRODUCTION**

This Initial Decision dismisses the formal complaint filed by John Brumfield alleging incorrect water bills and inaccurate water meter at his service address for failure to meet the burden of proof.

**HISTORY OF THE PROCEEDING**

On December 10, 2021, John Brumfield (Complainant) filed a formal complaint with the Pennsylvania Public Utility Commission (Commission) against Pennsylvania-American Water Company (Respondent or PAWC) alleging high water bills and that his meter was defective.<sup>1</sup> Mr. Brumfield requested a review of his meter reading and an up-to-date meter reading. He avers there may be leaks somewhere and that the leaks are not his fault. PAWC filed an answer to the complaint on February 4, 2022. PAWC avers that there are no incorrect

---

<sup>1</sup> Mr. Brumfield timely appealed the decision rendered with respect to his informal complaint filed with the Commission’s Bureau of Consumer Services (BCS) at BCS Case No. 3805334.

charges on Mr. Brumfield's bills and that his bills are based on actual meter readings. PAWC requests that the complaint be dismissed.

On February 8, 2022, an Initial Call-In Telephone Hearing Notice was mailed to Mr. Brumfield and PAWC scheduling a hearing for March 15, 2022. On February 10, 2022, a Prehearing Order for Telephone Hearing was issued providing information regarding the scheduled hearing and setting forth procedural rules to be followed by the parties.

The initial telephonic hearing was held as scheduled on March 15, 2022. Complainant appeared self-represented and testified on his own behalf. He did not present any additional witnesses or exhibits. Michael A. Gruin, Esquire, represented PAWC at the hearing. PAWC presented the testimony of Nancy Smeltz, Ronald Delisio and Daniel Reilly. PAWC also offered five exhibits that were marked and admitted into the record as PAWC Exhibits 1 through 5. The resulting hearing record consists of a transcript containing 53 pages and PAWC Exhibits 1 through 5. No briefs were requested. The record was closed by an Interim Order Closing the Hearing Record dated April 7, 2022. This matter is now ripe for decision.

#### FINDINGS OF FACT

1. Complainant, John Brumfield, resides at 125 Standard Avenue, Apartment 1B, Butler, Pennsylvania 16001 (Tr. 12).
2. Pennsylvania- American Water Company provides water utility service to Mr. Brumfield at 125 Standard Avenue, Butler, Pennsylvania (the service address) (Tr. 12).
3. The service address is an 8-unit apartment building served by one water meter located in the basement of the building (Tr. 13, 15 and 18).
4. Mr. Brumfield owns the apartment building in addition to residing in the building (Tr. 23-24; Exhibit 2).

5. Each of the eight apartment units at the service address has a toilet, sink, bathtub and shower (Tr. 16).

6. Three of the apartment units at the service address were occupied on March 15, 2022, and the building occupancy rate fluctuates between 2 and 4 units (Tr. 16).

7. The service address shared a water service line with a property not owned by Complainant, located at 125 ½ Standard Avenue, Butler, Pennsylvania (125 ½ Standard Avenue) and, before February 8, 2022, the water meter for 125 ½ Standard Avenue was located in the basement of the apartment building at the service address (Tr. 44).

8. The shared water service line between the service address and 125 ½ Standard Avenue split into two separate lines before terminating at the individual meters located in the basement of the service address (Tr. 44-45).

9. The service line for 125 ½ Standard Avenue extended from the water meter in the basement of the apartment building located on the service address to 125 ½ Standard Avenue (Tr. 44).

10. In late January 2022, the service line for 125 ½ Standard Avenue froze (Tr. 44).

11. The frozen service line for 125 ½ Standard Avenue did not contribute to water usage amounts recorded at the service address (Tr. 46).

12. On February 8, 2022, the meter for service to 125 ½ Standard Avenue was removed and relocated from the basement of the apartment building at the service address (Tr. 13 and 31).

13. On February 8, 2022, PAWC service technician Ronald Delisio removed Mr. Brumfield's water meter from the basement of the apartment building and replaced it with a new meter (Tr. 31-35).

14. On February 8, 2022, Mr. Delisio placed a data logger on the new meter he installed at the service address for the purpose of recording consumption information for the apartment building (Tr. 31-34; Exhibit 4).

15. A data logger records water usage in one-hour intervals over a period of time (Tr. 31-33; Exhibit 4).

16. The data logger provided consumption data for the service address to PAWC for the time period from February 8, 2022 - March 2, 2022 (Tr. 37; Exhibit 4).

17. Mr. Delisio reviewed the information provided by the data logger and concluded there is a continuous water leak or leaks at the service address (Tr. 33-34, 37; Exhibit 4).

18. Mr. Delisio personally tested the old meter he removed from the service address (Tr. 34-35, 37; Exhibit 5).

19. The old 5/8 of an inch water meter removed from the service address basement registered 102.4 % when tested with water passing through it at 6 gallons per minute (Tr. 34-37; Exhibit 5).

20. The shared service line in place before February 8, 2022 had no impact on the water consumption at the service address because the shared service line split into two lines before the meters for the service address and 125 ½ Standard Avenue in the apartment basement (Tr. 45-46).

21. Both the old meter and the new meter installed on February 8, 2022 are radio frequency meters that do not require access to the apartment basement to read the meter (Tr. 27-28).

22. The water meter at the service address is read with a handheld device from a touch pad on the outside wall of the apartment building (Tr. 27-28).

23. Before February 8, 2022, when the meter for 125 ½ Standard Avenue was located in the apartment building basement, there was a separate touchpad for that meter on the outside wall of the apartment building (Tr. 28).

24. Mr. Brumfield's account for water service was established on September 11, 2020 (Tr. 21-23; Exhibit 1).

25. All of Mr. Brumfield's bills for water service are based on actual meter readings (Tr. 21-23; Exhibit 1).

26. On February 8, 2022, Mr. Brumfield owed \$11,952.46 to PAWC for water service provided to the apartment building (Tr. 21; Exhibit 1).

27. Mr. Brumfield has made only one payment in the amount of \$114.00 on May 13, 2021, since the account was established in September 2020 (Tr. 21-23; Exhibit 1).

### DISCUSSION

Complainant in this proceeding has the burden of proof to show that Respondent is responsible or accountable for the problem described in the complaint. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa. P.U.C. 196 (1990) (*Patterson*); *Feinstein v. Phila. Suburban Water Co.*, 50 Pa. P.U.C. 300 (1976) (*Feinstein*). Complainant must establish his case by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa. Cmwlth. 1990), *alloc. den.*, 602 A.2d 863 (Pa. 1992). To meet his burden of proof, Complainant must present evidence more

convincing, by even the smallest amount, than that presented by the Respondent. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

Mr. Brumfield claims his bills for water service are incorrect. He claims that a frozen service line in January 2022 for the property adjacent to his may have impacted his water bill. He also claims that because the water meter for a neighboring property was previously located in the basement of the apartment building on the service address, he may have been billed for his neighbor's service prior to February 8, 2022. He also claims that there may be water leaks at the service address, but the leaks are not his responsibility.

Despite having an extremely high balance, Mr. Brumfield did not request a payment arrangement in his formal complaint or request to have one at the evidentiary hearing. He did not present any evidence regarding his income. Mr. Brumfield did receive a payment arrangement from BCS on October 26, 2021, at BCS Case No. 3805334. He timely appealed the BCS decision and subsequently filed the instant formal complaint.

Mr. Brumfield has the burden of proof regarding his claims that his water bill is incorrect. *Patterson; Feinstein*. He failed to present any evidence at the hearing that the frozen service line for the property at 125 ½ Standard Avenue caused his water bill for the service address to be incorrect. He failed to present any evidence that he was billed for usage next door at 125 ½ Standard Avenue. He also failed to explain why he would not be responsible for any water leaks in the apartment building.

PAWC presented evidence in response to Mr. Brumfield's claim that his bills for service are incorrect. The shared service line between Mr. Brumfield's service address and the property next door was split into two lines *before* terminating at the meters. Each property had a separate meter. Mr. Brumfield's water meter was not recording usage for 125 ½ Standard Avenue even though the meter for that property was located in his basement prior to February 8, 2022. Additionally, PAWC presented credible testimony that the frozen service line in late January 2022 for the adjacent property would not affect the recorded usage on Mr. Brumfield's meter.

PAWC tested the water meter it removed from Mr. Brumfield's property. The meter registered 102.4 % when tested in accordance with the applicable regulation. The Commission's regulation provides that a 5/8 of an inch water meter which has an error in registration of more than 4% when water is passing through it at 6 gallons per minute cannot be allowed to remain in service. *See* 52 Pa. Code § 65.8.

PAWC attached a data logging device to the new meter it installed at the service address on February 8, 2022. The data logger reported the gallons of water passing through the meter at one-hour intervals from February 8, 2022 through March 2, 2022. PAWC presented the results of the data logging in an exhibit and offered testimony explaining the results. PAWC established that there is a water leak or there are water leaks at the service address on Mr. Brumfield's side of the meter. Mr. Brumfield's meter is registering continuous usage. He is responsible for the paying PAWC the bill for water usage recorded on the meter.

Mr. Brumfield has the burden of proving that his bills for water service are incorrect. 66 Pa.C.S § 332(a). He did not provide any evidence to support his claims. Assertions, personal opinions or perceptions do not constitute evidence. *Pa. Bureau of Corr. v. City of Pittsburgh*, 532 A.2d 12 (Pa. 1987).

PAWC presented evidence and proved the claims of incorrect billing contained in the complaint should be dismissed. The reason Mr. Brumfield's bills are high is because a leak is causing water to pass through his meter continuously. Mr. Brumfield questioned the accuracy of the meter removed on February 8, 2022. PAWC presented a meter test as an exhibit and testimony related to the meter test. PAWC's meter test found that the meter removed from the service location was operating within the Commission's guidelines set forth in 52 Pa. Code § 65.8. Additionally, PAWC presented evidence establishing that the shared service line between Mr. Brumfield's property and the neighboring property did not result in incorrect billing. The fact that two meters were located in the basement of the apartment building did not result in incorrect billing. There were separate touchpads for each meter on the outside of the building. All of Mr. Brumfield's bills are based on actual meter readings from the touchpad assigned to his meter. Accordingly, the complaint is dismissed in the ordering paragraphs below.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and parties to this proceeding. 66 Pa.C.S. §701.

2. Pursuant to 66 Pa.C.S. § 332(a), the burden of proof in this proceeding is on the Complainant.

3. The Complainant has not met his burden of proving that he is entitled to relief. 66 Pa.C.S. § 332(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the complaint of John Brumfield against Pennsylvania-American Water Company at Docket No. F-2022-3030428 is dismissed for failure to meet the burden of proof.

2. That the record at Docket No. F-2022-3030428 is marked closed.

Dated: June 28, 2022

\_\_\_\_\_  
/s/  
Mark A. Hoyer  
Deputy Chief Administrative Law Judge