



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

IN REPLY PLEASE
REFER TO OUR FILE

M-2013-2398153
M-2014-2434791
M-2014-2444323
M-2014 -2444322

December 22, 2014

To: Electric Utilities, Natural Gas Distribution Companies, Water and Wastewater Service Providers, and Telecommunications Providers

Re: Electronic Service of Formal Complaints

Docket Nos: M-2013-2398153, M-2014-2434791, M-2014-2444323, and M-2014-2444322

The purpose of this Secretarial Letter is to announce that the Pennsylvania Public Utility Commission (Commission) is permanently allowing jurisdictional utilities to request waiver of the Commission's formal service requirements set forth at 66 Pa. C.S. § 702 which requires, *inter alia*, that the Commission serve copies of complaints against public utilities "by registered or certified mail." The Commission previously issued secretarial letters to electric utilities, natural gas distribution companies, water and wastewater service providers, and telecommunications providers requesting these groups to (1) waive the requirement for the Commission to serve formal complaints by certified mail and (2) agree to accept electronic service (eService) of all formal complaints served upon them. As of the date of this letter, approximately 57 jurisdictional utilities have submitted a completed Waiver of Formal Service Requirements form to waive the Commission's formal service requirements.

As the waiver of the Commission's formal service requirements has been a resounding success, the Commission will now allow for permanent waiver of such requirement. The Commission has identified that a vast majority of utility respondents prefer eService of formal complaints and that eService of these complaints has resulted in more efficient operations for the Commission. Specifically, waiving the Commission's formal service requirements has not only given utility respondents more time to review and respond to formal complaints during a proceeding, but has also resulted in direct savings of time and resources for the Commission by eliminating certified mail costs.

Please note that such permanent waiver will be effectuated based on the previously submitted Waiver of Formal Service Requirements forms. **As such, utility respondents which have already submitted this waiver form to the Commission DO NOT need to resubmit another form.**

For those utilities which have not already submitted the waiver form, you may complete the attached Waiver of Formal Service Requirements form and return **ONE** original paper version of the form to the Secretary's Bureau at:

PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

or

PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Please note that in order for you to receive formal complaints by eService, you MUST HAVE AN EFILING ACCOUNT with the Commission. To establish an eFiling account, please visit the Commission's website at www.puc.pa.gov, select the tab "Filing and Resources," then select "Efiling and Create Account." The website also contains an eFiling FAQ's page which is available to answer any questions or concerns you may have. If you still need assistance with establishing an eFiling account please call 717-772-4945.

Please note that if a complaint involves a complainant that is a party to a protection from abuse (PFA) order, the Commission cannot eServe that complaint through our eFiling system. As such, although a utility may waive the certified mail service requirement and agree to accept eService of formal complaints, the utility will still receive a paper version of formal complaints involving a PFA complainant via certified mail. Additionally, please note that if you elect to waive the certified mail service requirement and agree to accept eService of formal complaints, you will no longer receive the Commission's standard Notice Form that typically accompanies formal complaints.

We continue to emphasize that it is the utilities' responsibility to maintain accurate and current contact information with the Commission to ensure that eService is properly made to the appropriate contact. Also, we note that utilities are not required to waive the certified mail service requirement or to accept eService of formal complaints. If you do not wish to waive the certified mail service requirement, do not return the attached Waiver of Formal Service Requirements form to the Commission.

At this point, the Commission is extending the option to accept eService by waiving the requirement for the Commission to serve formal complaints by certified mail to the utility groups listed above. The Commission will continue to evaluate whether to extend eService to other utility groups. Any questions about this Secretarial Letter should be directed to Secretary Chiavetta at 717-772-7777.

Sincerely,



Rosemary Chiavetta
Secretary

cc: Chairman's Office
Vice Chairman's Office
Commissioners' Offices
Bohdan R. Pankiw, Chief Counsel
Office of Consumer Advocate
Office of Small Business Advocate

Attachment

WAIVER OF FORMAL SERVICE REQUIREMENTS

Section 702 of the Public Utility Code, 66 Pa. C.S. § 702, provides that the Commission must serve a copy of all formal complaints filed with the Commission upon the respondent by registered or certified mail as follows:

§ 702. Service of complaints on parties.

Upon the filing of a complaint, the Commission shall cause to be served upon each party named in the complaint a copy of the complaint and notice from the commission calling upon such party to satisfy the complaint, or to answer the same in writing, with such time as is specified by the commission in the notice. Service in all hearings, investigations and proceedings pending before the commission **shall be made by registered or certified mail.**

Section 5.21(c) of the Commission's regulations, 52 Pa. Code § 5.21, similarly provides that a copy of each formal complaint filed with the Commission must be served by the Commission by certified mail upon the respondent as follows:

§ 5.21(c). Formal complaints generally.

(c) A copy of the complaint will be served by the Commission, **by certified mail**, upon the respondent.

By completing and signing this form, the undersigned utility hereby agrees to (1) waive the certified mail service requirements contained in 66 Pa. C.S. § 702 and 52 Pa. Code § 5.21 and (2) accept electronic service (eService) of all formal complaints served upon such utility. In addition to waiving the certified mail service requirements and agreeing to accept eService, the undersigned also waives receipt of the Commission's standard Notice Form (attached) that typically accompanies formal complaints. By completing and signing this form, the undersigned also states that the utility will maintain accurate and current eService contact information with the Pennsylvania Public Utility Commission.

Please note that if a complaint involves a complainant that is a party to a protection from abuse (PFA) order, the undersigned utility will still receive formal complaints involving a PFA complainant via certified mail (even though the utility has waived the certified mail service requirements for receiving formal complaints generally).

Name of Utility: _____ **Trade Name:** _____

PUC Authority Number A- _____

eService Contact Name: _____ **eService Contact User Name:** _____

eService Contact Phone Number: _____

This form must be completed and signed by all partners of the utility (if a partnership), the President or Secretary of the utility (if a corporation) or other authorized signatory.

(Print Name and Title)

(Signature)