

Legal Department

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September 2, 2009

James McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

Re: Sergey Kremlev v. PECO Energy Company
PUC Docket No. F-2009-2124513

Dear Mr. McNulty:

Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

___	Answer (E-filed and 1 original)
___	Motion to Consolidate (original and 3 copies)
___	Motion for Judgment on the Pleadings (original and 3 copies)
<u>X</u>	Preliminary Objection (E-filed and 1 original)
___	Exceptions (original and 9 copies)
___	Reply Exceptions (original and 9 copies)
___	Brief (original and 9 copies)
___	Reply Brief (original and 9 copies)

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,


Tishkia E. Williams
Counsel for PECO Energy Company

TEW/zr

Enc.

Scheduling recommendation: ___ CALL OF THE DOCKET X NON-CALL OF THE DOCKET

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SERGEY KREMLEV

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2009-2124513

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§ 5.101, you are hereby notified that, if you do not file a written response denying or correcting the enclosed Preliminary Objection of PECO Energy Company, within 10 days from service of this notice, a decision may be entered against you. All pleadings, such as Reply to the Preliminary Objection, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Tishekia E. Williams, and where applicable, the Administrative Law Judge presiding over the issue.

File with:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

With a copy to:

Tishekia E. Williams, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, September 2, 2009



Tishekia E. Williams
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841

**BEFORE THE
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PECO ENERGY COMPANY

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DOCKET NO. F-2009-2124513

PECO ENERGY COMPANY’S PRELIMINARY OBJECTION TO THE COMPLAINT

Respondent, PECO Energy Company (“PECO Energy”), pursuant to 52 Pa. Code § 5.101(3) respectfully petitions this Honorable Commission to order Complainant to amend his Complaint to provide more specificity.

1. On August 4, 2009, Complainant filed a formal Complaint with the Pennsylvania Public Utility Commission alleging incorrect charges on his account.
2. On or about August 13, 2009, PECO Energy was served the above-mentioned formal Complaint.
3. PECO avers that the Complaint does not conform to the requirements of 52 Pa.Code §5.22 (a)(5), which provides:

5.22. Content of formal complaint.

(a) A formal complaint must set forth the following:

...

(5) A clear and concise statement of the act or omission being complained of including the result of any informal complaint or informal investigation.

4. In the instant matter, Complainant did not provide any facts or assertions to support his complaint. Instead, under option 4A or the Formal Complaint form, Complainant marked “There are incorrect charges on my account.” No other information is provided other than this statement. Therefore PECO is left to speculate as to what charges or combination thereof are allegedly incorrect.

5. Additionally, Complainant is not a current PECO customer. Complainant formerly had service at 1840 Old Welsh Road, Abington PA 19001. This account was closed and finalized in May 2009.

6. Complainant lists 2029 Jason Drive, Apt B, Huntingdon Valley, PA 19006 as his address. Complainant is not the ratepayer of record at this address. Complainant did not indicate that his complaint involves service provided to a different address.

7. Therefore, it's also unclear whether Complainant has a dispute regarding his closed account, or the account listed on the complaint.

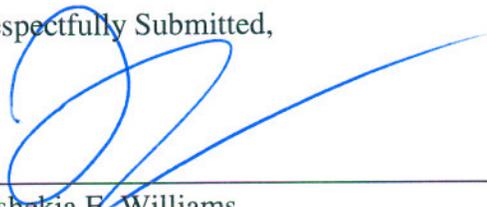
8. PECO has attempted to contact the customer to clarify the dispute without success.

9. Without additional information, PECO is unable to provide a meaningful Answer to the Complaint.

10. PECO therefore objects to this Complaint and requests the Complainant file a more specific pleading pursuant to 52 Pa. Code § 5.101 (a)(3) so that PECO may know what charges are allegedly in excess.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission orders the Complainant to amend her Complaint with more specificity so that PECO may Answer accordingly.

Respectfully Submitted,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Tishekia E. Williams
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Tishekia.Williams@exeloncorp.com
(215) 841-6841

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VERIFICATION

I, Tishekia E. Williams, hereby declare that I am an attorney representing PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.

Dated at Philadelphia, PA, September 2, 2009.



Tishekia Williams

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SERGEY KREMLEV

v.

PECO ENERGY COMPANY

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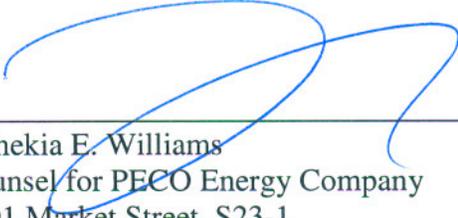
DOCKET NO. F-2009-2124513

CERTIFICATE OF SERVICE

I, Michael S. Swerling, hereby certify that I have this day served a copy of PECO Energy Company's Motion to Dismiss in the above matter upon all interested parties by mailing a copy properly addressed and postage prepaid to:

Sergey Kremlev
2029 Jason Drive, Apt B
Huntingdon Valley, PA 19006

Dated at Philadelphia, Pennsylvania, September 2, 2009



Tishekia E. Williams
Counsel for PECO Energy Company
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