

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17105-3265**

**DANA BAKER
V.
PECO ENERGY COMPANY**

**PUBLIC MEETING
October 8, 2009
2062344-ALJ
Docket No. C-2008-2062344**

MOTION OF COMMISSIONER KIM PIZZINGRILLI

Before the Commission for consideration is the Initial Decision (ID) of an Administrative Law Judge (ALJ) dismissing a billing dispute complaint for failure, of the complainant, to sustain her burden of proof. I agree with the ALJ's disposition of this case, however, I believe that the portion of the ID requiring respondent to issue a bill to complainant and giving the complainant 15 days, after issuance of the bill, to pay her account balance should be modified.

Under the facts presented by this case, it is reasonable to require the complainant to pay all amounts owing, pursuant to the bill issued by respondent, within 30 days of the bill issue date, rather than the 15 days provided for by the ALJ.¹ Therefore, the respondent shall issue a bill to complainant within 15 days of entry of the Commission Order and complainant shall remit the amount due indicated on the bill within 30 days thereafter. I also believe that the respondent should provide consumer education materials to complainant so that she may be informed of the program requirements and benefits of the respondent's budget billing and customer assistance programs.

THEREFORE, I MOVE THAT:

1. The Initial Decision be modified consistent with this Motion.
2. The respondent issue a bill to complainant reflecting the current overdue account balance within 15 days of entry of the Commission Order.
3. The complainant shall remit the account balance reflected on the bill issued by the respondent within 30 days of the bill issue date.
4. The respondent shall provide complainant with consumer education materials relating to its budget billing and customer assistance programs.
5. The Office of Special Assistants prepare an Order consistent with this Motion.

October 8, 2009
Date

**_____
KIM PIZZINGRILLI, COMMISSIONER**

¹ This modification results in the deletion of Conclusion of Law #4 of the ID.