

Legal Department

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March 31, 2010

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

**Re: Gary Delli Paoli v. PECO Energy Company
PUC Docket No. F-2010-2163630**

Dear Mr. McNulty:

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

<input type="checkbox"/>	Answer (E-filed and 1 original)
<input type="checkbox"/>	Motion for Continuance (e-filed and 1 original)
<input type="checkbox"/>	Motion for Judgment on the Pleadings (E-filed and 1 original)
<input checked="" type="checkbox"/>	Preliminary Objection (E-filed and 1 original)
<input type="checkbox"/>	Exceptions (E-filed and 1 original)
<input type="checkbox"/>	Reply Exceptions (E-filed and 1 original)
<input type="checkbox"/>	Brief (E-filed and 1 original)
<input type="checkbox"/>	Reply Brief (E-filed and 1 original)

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,



Tishekia Williams
Counsel for PECO Energy Company

TW/ads
Enc.

Scheduling Recommendation CALL OF THE DOCKET NON-CALL OF THE DOCKET

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GARY DELLI PAOLI

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v.

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DOCKET NO. F-2010-2163630

PECO ENERGY COMPANY

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, March 31, 2010



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

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PECO ENERGY COMPANY

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 instruct Complainant to amend his Complaint to provide more specificity.

1. On March 1, 2010, Complainant filed a formal Complaint with the Pennsylvania Public Utility Commission alleging incorrect charges on his bill. A copy of the complaint is attached as Exhibit 1.

2. On or about March 12, 2010, 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). Without additional information, PECO is unable to provide a meaningful answer to the complaint.

4. 52 Pa.Code §5.22 (a)(5) 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.

5. The formal complaint does not contain any specific factual averments as it relates to the alleged incorrect charges. Accordingly, PECO is unable to provide a meaningful response to these allegations. PECO is prejudiced in its ability to provide an adequate defense to the unspecified regulatory violation by the lack of information.

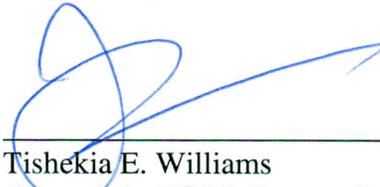
6. While PECO understands that the Complainant may not be able specify a legal theory, Complainant can certainly provide factual information about what charge, or combination thereof, is allegedly incorrect.

7. PECO has attempted to clarify the complaint informally without success. On March 23, 2010, PECO sent a letter to Complainant regarding his formal complaint. However, no response was received. A copy of the letter is attached as exhibit 2.

8. PECO therefore objects to the complaint and requests the Complainant file a more specific pleading pursuant to 52 Pa. Code § 5.101 (a)(3) so that PECO may know the source of the allegations and prepare an adequate defense if this matter is unable to be resolved without a hearing.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission order Complainant to amend his complaint to provide more specificity so that PECO may answer accordingly.

Respectfully Submitted,



Tishekia E. Williams
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
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Tishekia.Williams@exeloncorp.com
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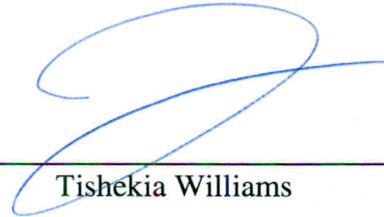
DOCKET NO. F-2010-2163630

PECO ENERGY COMPANY

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, March 31, 2010.



Tishekia Williams

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GARY DELLI PAOLI

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v.

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DOCKET NO. F-2010-2163630

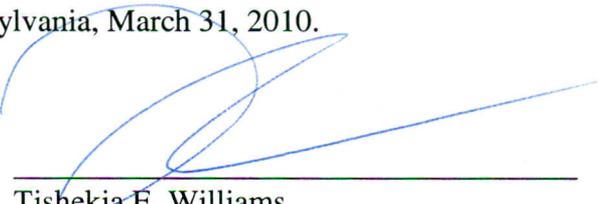
PECO ENERGY COMPANY

CERTIFICATE OF SERVICE

I, Tishekia Williams, hereby certify that I have this day served a copy of PECO Energy Company's Preliminary Objection in the above matter upon all interested parties by mailing a copy properly addressed and postage prepaid to:

Gary Delli Paoli
1317 Sigel St.
Philadelphia, PA 19148

Dated at Philadelphia, Pennsylvania, March 31, 2010.



Tishekia E. Williams
Counsel for PECO Energy Company
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P.O. Box 8699
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