

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHARLES WHITE	:	
	:	
v.	:	DOCKET NO. C-2010-2187466
	:	
PECO ENERGY COMPANY	:	

CHARLES WHITE’S OBJECTION TO MOTION TO CONSOLIDATE

Complainant, Charles White respectfully petitions this Honorable Commission to deny PECO Energy Company’s September 13, 2010 Motion to Consolidate, as PECO Energy’s Motion does not provide necessary evidence that these complaints involve common questions of law or facts and thus does not meet the standard for consolidating proceedings. Further, Mr. White avers that the complaints referenced in PECO’s Motion are not common in law or fact for the following reasons:

- 1. Distinct Geography and Electric Infrastructure – all of the complainants in PECO’s motion to consolidate, other than Mr. White, are residents of Willow Grove, PA in Upper Moreland Township. Despite PECO’s incorrect listing of Mr. White’s address in their Motion as “Willow Grove, PA,” Mr. White is in fact a resident of Abington, PA in Abington Township. According to PECO Energy’s own admission ¹ despite being served by the Davisville 003 circuit, the local infrastructure serving Mr. White’s residence such as the transformers, capacitor banks and local distribution lines are not common and as such have been handled by PECO on an isolated individual basis in this matter. Therefore the individual facts surrounding the issues faced by**

¹ PECO Energy Company Engineers, John H and Bob A

Mr. White are distinct from the other complaints in PECO Energy's Motion to Consolidate.

- 2. Distinct Outage History – Mr. White's outage history is distinct from the other complaints in PECO's Motion in both frequency and duration. For example, as noted in Mr. White's original complaint, his residence was also without power for over 5 days in June 2008 with a pattern of poor and false communication from PECO Energy similar to the events of this Summer. As noted earlier, PECO Energy provides no evidence as to the specific outage history of the complainants included in the Motion to Consolidate and only avers "similar" history among the complainants. This distinct outage history further serves to demonstrate the varied facts among the complainants in PECO's Motion to Consolidate.**
- 3. Distinct Communication – specific to Mr. White's complaint and requested remedy is PECO's lack of and false communication during both the initial July 7, 2010 outage and in the subsequent period of over 30 days of low voltage. The specific communications between PECO Energy and Mr. White was obviously distinct from the communication with any other complainants and thus must be considered as a separate fact.**
- 4. Distinct Remedies – Each complaint, by virtue of the individual nature of the complaints seek distinct remedies from the Commission and thus should not be considered as one matter.**

5. Distinct Questions of Law – Despite PECO Energy’s statement to the contrary, these individual matters may involve several distinct portions of 52

Pa. Code that vary by complaint including Sections:

- a. 57.14 Service Voltage**
- b. 57.194 Distribution System Reliability**
- c. 57.198 Inspection and Maintenance Standards**
- d. 67.1 Service Outages**

These matters also directly relate to standards regarding the Energy Distribution Providers’ need to provide accurate and timely communication to consumers regarding outages.

6. Previous Informal Complaints – In respect for the Commission’s time and resources Mr. White had previously filed at least 2 informal complaints with the Commission prior to the events of July and August 2010 which lead to this formal complaint. Given the distinct history from the other complainants this matter must be considered on an individual basis.

WHEREFORE, Charles White respectfully requests that your Honorable Commission deny PECO Energy’s request to consolidate these matters and schedule for a hearing.

Respectfully Submitted,

**Charles White
1855 Edge Hill Rd.
Abington, PA 19001
215-901-1154**

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Charles White's Objection to Motion to Consolidate the above referenced matter upon all interested parties by mailing a copy thereof, properly addressed and postage prepaid to:

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