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GERALD E. BLOOM, III  
JOHN J. COLLINS  
FRANK A. FARRY

OF COUNSEL

November 5, 2010

WALTER W. JACKSON  
1919-1989

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

Re: Barry Gray vs. PECO Energy Company

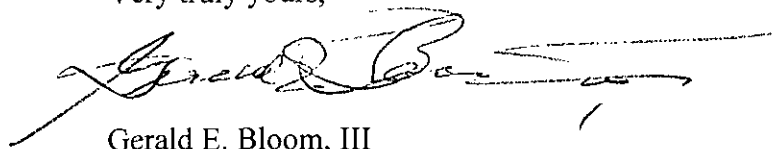
Dear Secretary Chiavetta:

Enclosed please find an original of Complainant Barry Gray's Answers to PECO Energy Company's Preliminary Objection to the Complaint.

Attached to the Complaint, as Exhibits, are the Death Certificate for Leon A. Gray as well as the Deed to the real estate known as 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania, wherein Barry L. Gray came into title of said real estate on April 4, 1994.

Upon receipt of the enclosed, if you have any questions, kindly contact the undersigned at your convenience.

Very truly yours,



Gerald E. Bloom, III

GEB/lck  
Enclosure  
cc: Barry L. Gray

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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SECRETARY'S BUREAU

BARRY GRAY	:	
Complainant	:	
	:	
vs.	:	Docket No. C-2010-2203085
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

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**COMPLAINANT'S ANSWERS TO  
PECO ENERGY COMPANY'S PRELIMINARY OBJECTION TO THE  
COMPLAINT**

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1. Admitted.
2. Admitted. However, on the contrary, the Complainant, Barry Gray, has in fact capacity to sue by virtue of the fact that he is the owner of the subject real estate at 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania.
3. Admitted. By way of further answer, as referenced above, the Complainant is in fact, the owner of the real estate situate at 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania.
4. The decedent, Leon A. Gray, who was residing in the subject premises at 118 East Richardson Avenue, Langhorne, Pennsylvania, is the brother of the Complainant, who passed away on September 22, 2010 from an intra-cranial hemorrhage stemming from a cerebral blood clot on September 16, 2010 at St. Mary Hospital, Langhorne, Bucks County, Pennsylvania.

5. By way of further answer to the Preliminary Objection, the Complainant is in fact the owner, in fee, of the real estate situate at 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania, and his brother, Leon A. Gray, the decedent, was the resident of 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania prior to his death. Complainant is therefore benefiting from service to the above-referenced PECO line.

6. As previously stated in Paragraph 5, the Complainant does in fact have a real interest as being the owner, in fee, of the real estate situate at 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania, and therefore, has an interest in the beneficial usage of the electrical service at said location.

7. Denied. On the contrary, the Complainant does, in fact, have a standing as an "aggrieved person" in a proceeding before an administrative agency by virtue of being the owner, in fee, of 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania.

8. Admitted. The individual who filed the complaint, Barry Gray, brother of the decedent and resident of 118 East Richardson Avenue, Langhorne, Pennsylvania, has retained the undersigned, Gerald E. Bloom, III, Esquire, of the Law Firm Jackson, Cook, Caracappa, Kaliner & Scott, to represent him in the matter before the Commission. By way of further answer, the undersigned is an attorney admitted before the Supreme Court of Pennsylvania, the Court of Common Pleas of Bucks County, as well as the Superior Court of Pennsylvania and the Supreme Court of the United States, from November 1969, until present.

9. In order to clarify, and by way of answer to Paragraph 9 of the Commission's Preliminary Objections, to the Complaint, the Affiant, Gerald E. Bloom, III, Esquire, is an attorney admitted to the practice of law in Pennsylvania as hereinbefore stated, your Affiant has been a

member in good standing of the Bucks County and Pennsylvania Bars and remains so since November 1969 until the present time. By way of further answer, the Complainant is the owner, in fee, of the subject real estate at 118 East Richardson, Langhorne, Pennsylvania. He resides at 14008 Monticello Drive, Cooksville, Maryland, 21723, but is the owner of the subject real estate at 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania, wherein his brother, Leon A. Gray, the decedent, had resided prior to his death. Complainant has been the record owner of the subject real estate since April 4, 1994.

10. Denied as stated. The Complainant is in fact a PECO customer, due to the fact that he is the record owner of 118 East Richardson Avenue, Langhorne, Pennsylvania, where the decedent, Leon A. Gray, resided. He does in fact, as owner of the subject real estate, possess the capacity to sue PECO in his own right, being an "aggrieved person", and utilizing and benefiting from the service provided by PECO as the record owner of the subject real estate of 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania, since April 4, 1994.

11. As stated herein before, the Complainant is in fact the record owner of 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania and is represented by the undersigned, Gerald E. Bloom, III, Esquire, of the Law Firm Jackson, Cook, Caracappa, Kaliner & Scott and has been a certified practicing attorney in Bucks County, Pennsylvania and the Commonwealth of Pennsylvania uninterrupted since 1969, a period of forty-one (41) years.

12. Denied. On the contrary, Complainant respectfully suggests that the preliminary objections should be dismissed with prejudice for the reasons herein before set forth in the Answer to Preliminary Objections set forth in Paragraphs 1 through 11 hereinbefore.

NEW MATTER

13. By way of New Matter, the Complainant, Barry Gray, attaches hereto and marked as Exhibit "A", the Death Certificate of Leon A. Gray, who had been the resident of 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania 19047, until his suffering a cerebral blood clot and expiring from an intra-cranial hemorrhage related thereto on September 22, 2010.

14. Complainant, Barry Gray, has been the owner, in fee, of the referenced real estate at 118 East Richardson Avenue, Langhorne, Bucks County, Pennsylvania since approximately 1994, just prior to his father, Leon Gray's decease, in or about 1997. A complete Deed transferring the real estate from Leon Anthony Gray and Barry L. Gray to Barry L. Gray is attached hereto, incorporated herein and marked as Exhibit "B".

WHEREFORE, the Complainant, Barry Gray, through his attorney, Gerald E. Bloom, III, Esquire, hereby respectfully requests your Honorable Commission to dismiss, with prejudice, PECO Energy Company's Preliminary Objections to the Complaint.

Respectfully Submitted,

Dated: \_\_\_\_\_

11/4/10

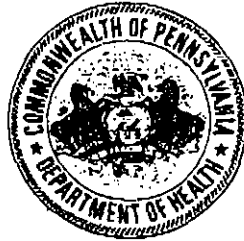
  
\_\_\_\_\_  
**GERALD E. BLOOM, III, ESQUIRE,**

Attorney for Complainant  
Jackson, Cook, Caracappa, Kaliner & Scott  
312 Oxford Valley Road  
Fairless Hills, PA 19030  
Phone No.: 215-946-4342  
Fax No.: 215-946-3046

# LOCAL REGISTRAR'S CERTIFICATION OF DEATH

WARNING: It is illegal to duplicate this copy by photostat or photograph.

Fee for this certificate, \$6.00



This is to certify that the information here given correctly copied from an original Certificate of Death duly filed with me as Local Registrar. The original certificate will be forwarded to the State Vital Records Office for permanent filing.

P 16647316

Certification Number

*Cynthia Zygolewicz* SEP 26 2010  
Local Registrar Date Issued

## COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF HEALTH • VITAL RECORDS CERTIFICATE OF DEATH (See Instructions and Examples on Reverse)

STATE FILE NUMBER

MS-103 REV 11/2005  
TYPE / PRINT IN  
PERMANENT  
BLACK INK

1. Name of Decedent (Print, please, last, first, middle) <b>Leon A. Gray</b>		2. Sex <b>Male</b>	3. Social Security Number <b>160 - 54 - 9762</b>	4. Date of Death (Month, day, year) <b>9-22-2010</b>
5. Age (Last birthday) <b>45Yr</b>	6. Date of Birth (Month, day, year) <b>3-9-1965</b>	7. Birthplace (City and state or foreign country) <b>Abington, PA</b>	8. Place of Death (Check only one) Hospital: <input type="checkbox"/> Postmortem <input type="checkbox"/> ER / Outpatient <input type="checkbox"/> DCA <input type="checkbox"/> Nursing Home <input type="checkbox"/> Residence <input type="checkbox"/> Other - Specify: _____	
9a. County of Death <b>Bucks</b>	9b. City, Town, Twp. of Death <b>Middletown Twp.</b>	9c. Facility Name (if not institution, give street and number) <b>St. Mary Medical Center</b>	9d. Race (American Indian, Black, White, etc.) (Specify) <b>Black</b>	
11. Decedent's Usual Occupation (Kind of work done during year of death) (Do not state retired) <b>Truck driver</b>	12. Was Decedent ever in the U.S. Armed Forces? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	13. Decedent's Education (Specify only highest grade completed) <b>12</b>	14. Marital Status (Married, Never Married, Widowed, Divorced) (Specify) <b>Divorced</b>	15. Burial or Cremation (If who, give maiden name) <b>Black</b>
16. Decedent's Mailing Address (Street, city / town, state, zip code) <b>118 E. Richardson Ave. Langhorne PA 19047</b>	17a. State <b>PA</b>	17b. County <b>Bucks</b>	17c. <input type="checkbox"/> Yes, Decedent Lived in Township? <b>Langhorne Boro</b>	17d. <input checked="" type="checkbox"/> No, Decedent Lived within Actual Limits of _____
18. Father's Name (First, middle, last, suffix) <b>Leon J. Gray</b>	19. Mother's Name (First, middle, maiden surname) <b>Helen Price</b>		20. Informant's Name (Type / Print) <b>BARRY GRAY</b>	
21a. Method of Disposition <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Removal (see State <input type="checkbox"/> Cremation <input type="checkbox"/> Donation By Medical Examiner / Coroner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	21b. Date of Disposition (Month, day, year) <b>9-27-2010</b>	21c. Place of Disposition (Name of cemetery, crematory or other place) <b>White Chapel Gardens</b>	21d. Location (City / town, state, zip code) <b>Feasterville, PA 19057</b>	
22. Signature of Federal Service (If person sitting at death) <i>James W. Cummings</i>	23a. License Number <b>FS 015130</b>	23b. Name and Address of Facility <b>Dunn/Givnish Funeral Home 378 S. Bellevue Ave., Langhorne PA 19047</b>		
24. Signature of Physician (Print Name or Coroner Available in Death) <i>Bar John</i>	25. Date of Death <b>10/24</b>	26. Date Pronounced Dead (Month, day, year) <b>9/22/10</b>	27a. License Number <b>MD068249-6</b>	27b. Date Signed (Month, day, year) <b>9/26/10</b>
28. Part I: Enter the CAUSE OF DEATH (See instructions and examples) Immediate Cause (Print Name or Coroner Available in Death) <b>thrombotic stroke</b>		29. Part II: Enter other significant conditions contributing to death, but not resulting in the underlying cause given in Part I. <input type="checkbox"/> Yes <input type="checkbox"/> Probably <input type="checkbox"/> No <input type="checkbox"/> Unknown		
30a. Will an Autopsy be Performed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	30b. Were Autopsy Findings Available Prior to Completion of Cause of Death? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	31. Manner of Death <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could Not Be Determined	32a. Date of Injury (Month, day, year)	32b. Describe How Injury Occurred
33. Describe Injury (Specify) <b>MI</b>		33a. Injury at Work? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	33b. <input type="checkbox"/> Driver / Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other - Specify: _____	33c. Location of Injury (Street, city / town, state)
34. Registrar's Signature and District Number <i>Cynthia Zygolewicz</i> 1019110121		34a. Date Filed (Month, day, year) <b>2/23/2010</b>	34b. Name and Address of Person Who Completed Cause of Death (Part 27) Type / Print <b>725 N. Penn Ave Cummerville PA 19067</b>	

Disposition Permit No. **0498971**

Fee Simple Deed No. 753-S

Printed for and Sold by John C. Clark Co., 1326 Walnut St., Phila.

**This Indenture** Made the 4<sup>th</sup> day of

April in the year of our Lord one thousand nine hundred and ninety-four (1994 )

**Between** LEON ANTHONY GRAY and BARRY L. GRAY,

(hereinafter called the Grantors ), of the one part, and

BARRY L. GRAY (hereinafter called the Grantee ), of the other part,

**Witnesseth** That the said Grantors

for and in consideration of the sum of

ONE DOLLAR (\$1.00) ----- lawful money of the United States of America, unto them well and truly paid by the said Grantee , at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, granted, bargained and sold, released and confirmed, and by these presents does grant , bargain and

sell, release and confirm unto the said Grantee , his heirs and assigns,

ALL THAT CERTAIN lot of ground, with the buildings thereon erected, situated in Langhorne Borough, County of Bucks, and State of Pennsylvania, bounded and described according to a survey and Plan thereof made by William S. Erwin, Registered Civil Engineer, on the 17th day of June 1949 as follows, to wit:

BEGINNING at a point on the Southerly side of Richardson Avenue (45 feet wide) at a corner of other lands of Mary E. Crummer, of which this was a part, said point being Sixty-two and Forty-two one-hundredths feet along the said Southerly side of Richardson Avenue in an Easterly direction from the Easterly side of a ten-foot-wide public alley; thence along the Southerly side of Richardson Avenue North Seventy-six degrees no minutes East Twenty-six and Fifty-eight one-hundredths feet to an iron pin at a corner of lands of Marie Graves; thence along said Graves' land South Seventeen degrees Forty-nine minutes East One Hundred Fifty-one and Thirty-four one-hundredths feet to an iron pin set for a corner in line of lands of Joseph W. Lindenfelser, Jr.; thence along the same South Seventy-four degrees Forty-five minutes Thirty seconds West Thirty-six and Sixty-seven one-hundredths feet to a corner of lands of Mary E. Crummer; thence by same and passing through a partition wall North Fourteen degrees no minutes West One Hundred Fifty-one and Eighty one-hundredths feet to the point and place of BEGINNING. Contents be the same more or less.

BEING the same premises which Leon J. Gray, widower, by Deed dated June 18, 1993, recorded in Bucks County Deed Book No. 0697, Page 2154, granted and conveyed unto Leon Anthony Gray and Barry L. Gray, his sons.

This is a conveyance from brother to brother and is therefore exempt from payment of state and local realty transfer tax.

Commonwealth of Pennsylvania  
County of Bucks

} as:

On this, the 4<sup>th</sup> day of April, 1994, before me, a Notary Public in and for the Commonwealth of Pennsylvania ----- the undersigned Officer, personally appeared LEON ANTHONY GRAY

known to me (satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

*Lori A. Churilla*  
Notary Public

NOTARIAL SEAL  
LORI A. CHURILLA, Notary Public  
Fairless Hills, Bucks County  
My Commission Expires October 15, 1995



LEON ANTHONY GRAY and  
BARRY L. GRAY

TO

BARRY L. GRAY

Premises:

118 E. Richardson Avenue  
Langhorne, PA 19047

753-S John C. Clark Co., Phila. 1992

Gerald E. Bloom, III, Esquire  
JACKSON, COOK, CARACAPPA & BLOOM  
312 Oxford Valley Road  
Fairless Hills, PA 19030  
215/946-4342

The address of the above-named Grantee  
is 4930 Columbia Rd., #3  
Columbia, MD 2104  
On behalf of the Grantee

**Together** with all and singular the buildings, improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest property, claim and demand whatsoever of

them the said Grantors, as well at law as in equity, of, in, and to the same.

**To have and to hold** the said lot or piece of ground described with the buildings and improvements thereon erected, along with the hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, his heirs and assigns, to and for the only proper use and behoof of the said Grantee, his heirs and assigns forever.


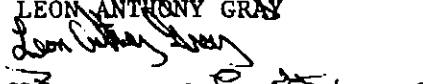
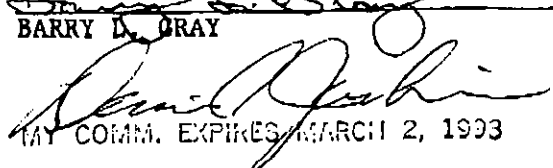
**And** the said Grantors, their

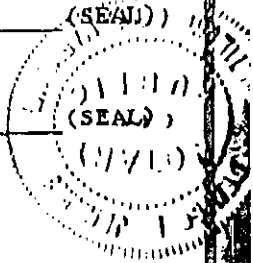
executors and administrators do covenant, promise and agree, to and with the said Grantee, his heirs and assigns, by these presents, that they, the said Grantors, their heirs, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, his heirs and assigns, against them, their

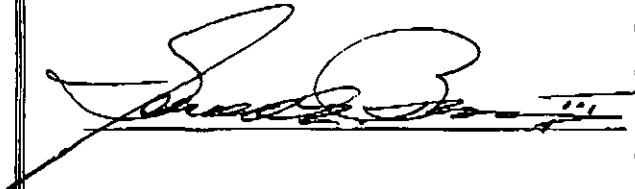
heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, them, or any of them, shall and will **WARRANT and forever DEFEND.**

**In Witness Whereof**, the parties have hereunto set their hands and seals. Dated the day and year first above written.

**Sealed and Delivered**  
IN THE PRESENCE OF US:

  
 LEON ANTHONY GRAY  
  
 BARRY D. GRAY  
  
 NOTARY COMM. EXPIRES MARCH 2, 1993






**VERIFICATION**

I, **BARRY GRAY**, verify that the statements made in the foregoing COMPLAINANT'S ANSWERS TO PECO ENERGY COMPANY'S PRELIMINARY OBJECTION TO THE COMPLAINT are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsification to authorities.

Date 11/4/2010

  
\_\_\_\_\_  
**BARRY GRAY**

VERIFICATION

I, **GERALD E. BLOOM, III, ESQUIRE**, of the Law Firm Jackson, Cook, Caracappa, Kaliner & Scott, verify that the statements made in the foregoing COMPLAINANT'S ANSWERS TO PECO ENERGY COMPANY'S PRELIMINARY OBJECTION TO THE COMPLAINT are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsification to authorities.

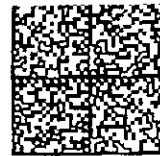
Date 11/4/10

  
GERALD E. BLOOM, III, ESQUIRE

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PA P.U.C.  
SECRETARY'S BUREAU



UNITED



PITNEY BOWES

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# FIRST CLASS MAIL

LAW OFFICES OF  
JACKSON, COOK, CARACAPPA, KALINER & SCOTT  
312 OXFORD VALLEY RD.  
FAIRLESS HILLS, PENNSYLVANIA 19030

**TO:**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120