

**Legal Department**

Exelon Business Services Company  
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Business Services  
Company

December 21, 2010

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

## RECEIVED

DEC 21 2010

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Re: Paul Theiss v. PECO Energy Company  
PUC Docket No. C-2010-2212909**

Dear Ms. Chiavetta:

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

—	Answer (1 original)
—	Motion for Continuance (1 original)
—	Motion for Judgment on the Pleadings (1 original)
<u>X</u>	Preliminary Objection (1 original)
—	Exceptions (1 original)
—	Reply Exceptions (1 original)
—	Brief (1 original)
—	Reply Brief (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/adz  
Enc.

Cc: Paul Theiss

**Legal Department**

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Business Services  
Company

December 21, 2010

Paul P. Theiss  
27 Red Oak Trl.  
Delta, PA 17314

**Re: Paul Theiss v. PECO Energy Company  
PUC Docket No. C-2010-2212909**

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dear Mr. Theiss:

Enclosed is a copy of PECO Energy Company's response to the formal complaint filed in the above-referenced docket. The law requires PECO Energy to file an answer to your Public Utility Commission complaint. Keep these papers for your records. This is not a decision on your complaint. PECO's response may include a New Matter, Motion or Preliminary Objection. Please note that if you do not respond to a New Matter, Motion, or Preliminary Objection an unfavorable decision may be rendered against you. Responses to New Matters and Motions must be filed within 20 days. Responses to Preliminary Objections must be filed within 10 days. If there is no New Matter, Motion or Preliminary Objection included, no response is required.

Soon, the Public Utility Commission will schedule either a settlement conference or a hearing on your complaint. The Commission will let you know by mail whether there will be a conference or a hearing and will include instructions on what to do next. If the matter is set for hearing, the notice will provide you with information about the date, time and place of the hearing. If we are unable to resolve your complaint and have to proceed with a hearing, a judge will be at the hearing and will decide your complaint. You must call the Public Utility Commission if you have any questions about the hearing or if you cannot attend the hearing.

Thank you for your time and attention on this matter.

Very truly yours,



Tishekia Williams  
Counsel for PECO Energy Company  
TW/adz  
Enc.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PAUL P. THEISS**

v.

**PECO ENERGY COMPANY**

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**DOCKET NO. C-2010-2212909**

**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:

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

With a copy to:

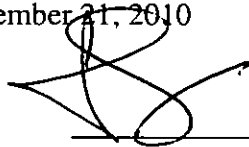
Tishekia E. Williams, Esq.  
PECO Energy Company  
2301 Market Street, S-23  
Philadelphia, PA 19103

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DEC 21 2010

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

Dated at Philadelphia, PA, December 21, 2010



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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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DEC 21 2010

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

PAUL P. THEISS

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2010-2212909

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

On December 1, 2010, PECO Energy Company ("PECO Energy") was served with a Formal Complaint in the instant docket. Pursuant to 52 Pa. Code § 5.101(3), PECO respectfully petitions this Honorable Commission to order Complainant to amend his Complaint to provide more specificity.

1. On November 30, 2010, Complainant filed a formal Complaint with the Pennsylvania Public Utility Commission alleging incorrect charges on his account. A copy of the complaint is attached as Exhibit 1.

2. On December 1, 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), 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. A formal complaint must set forth "the act or thing done or omitted to be done" by a public utility "in violation, or claimed violation, of any law which the commission has

jurisdiction to administer, or any regulation or order of the commission.” 66 Pa.C.S. §701; 52 Pa.Code §5.22

5. A complaint should contain information specific enough to allow the respondent to understand the allegations against it, in order to conduct a meaningful investigation of the allegations and to prepare a coherent response.

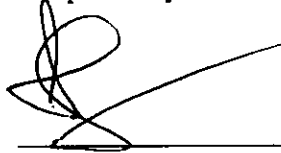
6. In the instant matter, Complainant did not provide any facts or assertions to support his complaint. Instead, Complainant states only “There are incorrect charges on my account.” No other information is provided. Therefore PECO is left to speculate as to what charges or combination thereof is allegedly incorrect.

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

8. PECO therefore objects to this complaint and requests the Complainant be directed to 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 his Complaint with 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  
Philadelphia, PA 19101-8699  
Tishekia.Williams@exeloncorp.com  
(215) 841-6841

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PAUL P. THEISS**

v.

**PECO ENERGY COMPANY**

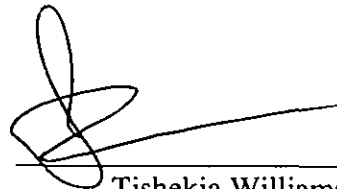
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**DOCKET NO. C-2010-2212909**

**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, December 21, 2010.

  
\_\_\_\_\_  
Tishekia Williams

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**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PAUL P. THEISS**

v.

**PECO ENERGY COMPANY**

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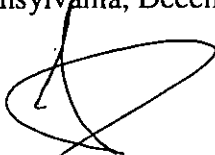
**DOCKET NO. C-2010-2212909**

**CERTIFICATE OF SERVICE**

I, Tishekia E. Williams, 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:

Paul P. Theiss  
27 Red Oak Trl.  
Delta, PA 17314

Dated at Philadelphia, Pennsylvania, December 21, 2010



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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**DEC 21 2010**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

From: Origin ID: REDA (215) 841-5604  
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Exelon  
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Philadelphia, PA 19103



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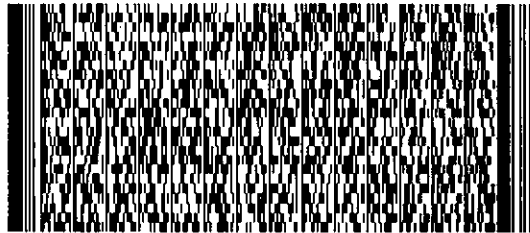
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Dept #

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**Rosemary Chiavetta, Secretary**  
**PA Public Utility Commission**  
**400 NORTH ST FL 2**  
**COMMONWEALTH KEYSTONE BLDG:**  
**HARRISBURG, PA 17120**



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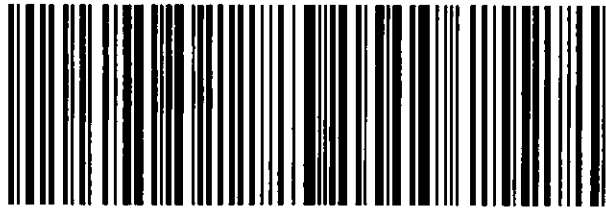
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