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January 3, 2011

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

RE: James Munro v. PECO Energy Company
Docket No. C-2010-2214718

Dear Secretary Chiavetta:

Enclosed for filing on behalf of PECO is an original of its Preliminary Objection to the above-referenced Complaint. This document has been e-filed at the Pennsylvania Public Utility Commission's website. A copy has been served on the Complainant in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Best Regards,

STEVENS & LEE



Michael A. Gruin

Encl.

cc: Certificate of Service

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Williamsport • Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JAMES MUNRO	:	
Complainant	:	
	:	
v.	:	Docket No. C-2010-2214718
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

NOTICE TO PLEAD

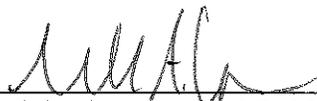
To: James Munro

You are hereby notified to file a written response to the attached Preliminary Objection of PECO within ten (10) days from the date of service of this notice. If you do not file a written response denying or correcting the enclosed Preliminary Objection within ten(10) days of service, the facts set forth by PECO may be deemed to be true, thereby requiring no other proof, and judgment may be entered against you. All pleadings, such as responses to Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission:

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

You must also serve a copy of your response on the undersigned counsel for PECO. Failure to respond to this Preliminary Objection could result in the dismissal of your case.

STEVENS & LEE



Michael A. Gruin (I.D. No. 78625)
17 N. 2nd St., 16th Floor
Harrisburg, PA 17101
Tel. (717) 255-7365
Fax (610) 988-0852
COUNSEL FOR
PECO ENERGY COMPANY

DATE: January 3, 2011

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Complainant	:	
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**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 order Complainant to amend his Complaint to provide more specificity.

1. On December 13, 2010, PECO Energy was served with a formal Complaint from John Jones (“Complainant”). A copy of the complaint is attached as Exhibit 1.

2. 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.

3. 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

4. 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.

5. In the instant matter, Complainant did not provide any facts or assertions whatsoever to support his complaint. The Complaint merely states that “I dispute the \$3,612 amount of the past due amount. When I made my last arrangement I was told to dispute this separately. I have tried to do this without success.”

6. The Complaint does not set forth any facts and does not state the basis for disputing the past due amounts on his account.

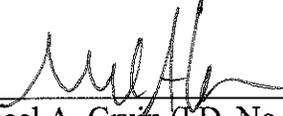
7. The Complainant does not allege any improper action by PECO, or improper billing. PECO is left to speculate as to the basis of Complainant’s complaint, what actions by PECO were allegedly improper, and what relief the Complainant seeks.

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

9. PECO therefore objects to this Complainant and requests the Complainant file a more specific pleading pursuant to 52 Pa. Code § 5.101 (a)(3) so that PECO may know specifically what the Complaint involves and what actions by PECO are alleged to be improper or unlawful.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission order the Complainant to amend his Complaint with more specificity so that PECO may Answer accordingly.

Respectfully submitted,



Michael A. Grum (T.D. No. 78625)
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Tishekia Williams
PECO Energy Company
2301 Market Street, S23-1
PO Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
tishekia.williams@exeloncorp.com

Counsel for PECO Energy Company

Dated: January 3, 2011

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print in ink or type.

1. CUSTOMER (COMPLAINANT) INFORMATION

Your name, mailing address, county, telephone number, utility account number and service address:

Name JAMES MUNRO

Street/P.O. Box 21 ALGONQUIN ST #

City WAYNE State PA Zip 19087

County _____

Daytime Telephone Number Where We Can Contact You: (610) 695-0555

E-mail Address (optional): PCIPENN@VERIZON.NET

Utility Account Number 91252-01209
(from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

RECEIVED

DEC 7 2010

2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

Peco

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(e.g., taxi, moving company, limousine)

TELEPHONE

(local, long distance)



4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other (explain):

B. State the facts of your complaint.

Include any specific dates, times or places that may be important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

5. RELIEF

How do you want your complaint to be resolved? Use additional paper if you need more space.

I DISPUTE THE \$3612.00 AMOUNT
OF THE PAST DUE AMOUNT.

WHEN I MADE MY LAST ARRANGEMENT
I WAS TO GO TO DISPUTE THIS
SEPARATELY. I HAVE TRIED TO DO
SO WITHOUT SUCCESS.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a billing problem, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety or welfare?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES (includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

~~STATE~~ I HAVE TRIED TWICE TO RESOLVE BY PHONE WITHOUT SUCCESS. EACH TIME THEY SAID THEY WOULD CALL BACK BUT DID NOT DO SO

8. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address, telephone number, and e-mail address, if known.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (If Known) _____

9. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

JAMES MURPHY, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

J. Murphy (Signature) 12-6-10 (Date)

Title of authorized employee or officer

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

DN 12/6/10

PAID \$139.96 NEW CHARGES AS ADVISED A PUC REPRESENTATIVE. I DID NOT PAY THE

Keep a copy of your complaint for your records.

157.04 AGREEMENT AMOUNT BECAUSE OF THIS DISCRE

J. Murphy

Commonwealth of Pennsylvania :
County of Dauphin : SS

AFFIDAVIT

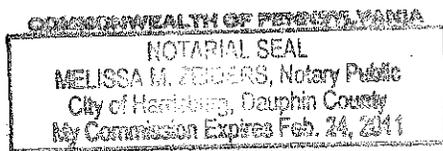
I, Michael A. Gruin, being duly sworn according to law, depose and say I am agent of PECO Energy Company and have been authorized to make this affidavit on its behalf and that the facts above set forth are true and correct to the best of my knowledge, information and belief, and PECO Energy Company expects to be able to prove the same at any hearing hereof.


Michael A. Gruin, agent of PECO Energy Company

Sworn and subscribed before me this 3th day of January, 2011


Notary

My Commission Expires:



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Preliminary Objection upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA First Class U.S. Mail

James Munro
21 Algonquin Ct.
Wayne, PA 19087



Michael A. Gruin

DATED: January 3, 2011