

**Legal Department**

Exelon Business Services Company  
2301 Market Street/S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699

Telephone 215.841.4000  
Fax 215.568.3389  
www.exeloncorp.com

Direct Dial: 215.841.6841

March 31, 2011

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

**Re: Cassie Wright v. PECO Energy Company  
PUC Docket No. F-2010-2192406**

Dear Ms. Chiavetta:

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

—	Answer (1 original)
—	Answer & New Matter (1 original)
—	Motion for Continuance (1 original)
<u>X</u>	Motion for Judgment on the Pleadings (1 original)
—	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.

Scheduling Recommendation: Call of the Docket X Non Call of the Docket \_\_\_

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Cassie Wright</b>	:	
<b>Complainant</b>	:	
	:	
v.	:	<b>Docket No. F-2010-2192406</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

**NOTICE TO PLEAD**

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**To: *Cassie Wright***

Pursuant to 52 Pa. Code §§5.101 and 5.62(c), you are hereby notified that, if you do not file a written response denying or correcting the enclosed Motion for Judgment on the Pleadings within 20 days from service of this notice, the facts set forth by PECO Energy Company may be deemed to be true, thereby requiring no other proof. All pleadings, such as a Reply to Motion, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Tishekia Williams, and where applicable, the Administrative Law Judge presiding over the issue.

Failure to respond to this Motion could result in the dismissal of your case.

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 Motion for Judgment on the Pleadings could result in the dismissal of your case.



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](mailto:tishekia.williams@exeloncorp.com)

DATE: March 31, 2011

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**CASSIE WRIGHT**

v.

**PECO ENERGY COMPANY**

:  
:  
:  
:  
:

**DOCKET NO. F-2010-2192406**

**MOTION FOR JUDGMENT ON THE PLEADINGS**

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 5.102, respectfully requests that your Honorable Commission dismiss the instant complaint because Complainant is not eligible for a Commission ordered payment agreement. 66 Pa.C.S. § 1405(c). Therefore, Complainant fails to state a claim upon which relief can be granted.

1. On, or about August 6 2010, Complainant filed a Formal Complaint against Respondent, PECO Energy Company, requesting a payment agreement "that [she] can live with."

2. On August 26, 2010, Respondent filed a timely Answer, New Matter and Notice to Plead. In its New Matter, Respondent raised the fact that Complainant has been enrolled in CAP since October 1, 2007 and presently receives a 50% discount on the first 650 kWh's of electricity used each month.

3. To date, Complainant has not responded. PECO requests that the facts alleged in the New Matter be deemed admitted without need for further proof.

4. No hearing has been scheduled.

5. As the Commission is precluded from establishing a payment agreement for customers participating in CAP, PECO requests that the complaint be dismissed. 66 Pa. C.S. §1405(c).

**WHEREFORE**, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant complaint as it relates to a payment agreement. Complainant fails to state a claim upon which relief can be granted.

Respectfully Submitted,



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Tishkia Williams  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841  
Fax: 215.568.3389  
tishkia.williams@exeloncorp.com

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**CASSIE WRIGHT**

v.

**PECO ENERGY COMPANY**

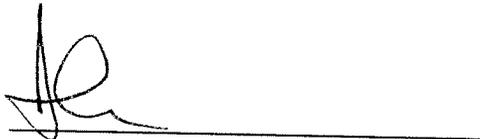
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**DOCKET NO. F-2010-2192406**

**VERIFICATION**

I, Tishekia Williams, hereby declare that I am counsel for 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.

Date: March 31, 2011

  
Tishekia Williams

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>CASSIE WRIGHT</b>	:	
	:	
<b>v.</b>	:	<b>DOCKET NO. F-2010-2192406</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	

**CERTIFICATE OF SERVICE**

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

Cassie Wright  
2966 Rosehill St.  
Philadelphia, PA 19134

Dated at Philadelphia, Pennsylvania, March 31, 2011.



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Tishekia Williams  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
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Fax: 215.568.3389  
tishekia.williams@exeloncorp.com