

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Lawrence Feldman**

**vs.**

**PECO**

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**Dkt: C-2011-2242120**

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**Complainant's reply to PECOS's New Matter**

10. No response is required.

11. No response is required.

12. Admitted

13. Denied. Complainant has exercised a right of offset for damages incurred to his property as described in the complaint. Moreover, complainant has been billed excessive and illegal late fees, compound interest, and double billings,

14. Denied as aforesaid.

15. Denied as stated. Complainant was ordered only to make payments on current charges pending appeal, which has been done.

16. Denied as a conclusion of law. Further, PECO utilizes an 80 years old step down transformer, which is not periodically tested.

17. Denied as stated. Brownouts may occur prior to outages, or during restoration of services. At any rate Peco admits equipment malfunction in its answer, and has produced no proof of bird contact, nor prepartation of such contact, which is foreseeable.

18. Denied as stated. PECO is overcharging complainant by its own admitted standards, as it is charging for electricity during outage. Moreover, the provision does not apply to offsets, and may only apply in other circumstances. Finally, said provision is an ultra vires and against public

policy.

19. Denied as a conclusion of law to which no response is required.

20. Such charges are usurious and unenforceable, and outrageous in light of prevailing interest rates, an unenforceable penalty, and against public policy.

respectfully submitted

A handwritten signature in black ink, appearing to read 'L. Feldman', written in a cursive style.

LAWRENCE FELDMAN

dated:

JUNE 28, 2011