

*File Copy*

**Legal Department**

Exelon Business Services Company  
2301 Market Street/523-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699

Telephone 215.841.4000  
Fax 215.568.3389  
www.exeloncorp.com

Direct Dial: 215.841.6841

December 7, 2010

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

Re: **Raquel Patterson v. PECO Energy Company**  
**PUC Docket No. C-2010-2210545**

Dear Ms. Chiavetta:

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

—	Answer (original)
—	Motion to Consolidate (original)
—	Motion for Judgment on the Pleadings (original)
<u>X</u>	Preliminary Objection (original)
—	Exceptions (original)
—	Reply Exceptions (original)
—	Brief (original)
—	Reply Brief (original)

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Also enclosed is an extra copy of this letter, which I request that you date stamp and return to me in the envelope provided as proof of filing. 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

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December 7, 2010

Raquel Patterson  
7031 Wheeler Street  
Philadelphia, PA 19142

**Re: Raquel Patterson v. PECO Energy Company**  
**PUC Docket No. C-2010-2210545**

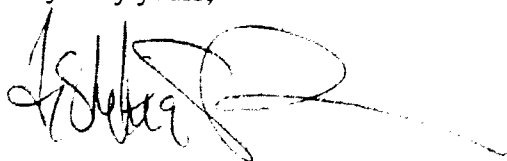
Dear Ms. Patterson:

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. Please note that if you do not respond to this Preliminary Objection an unfavorable decision may be rendered against you. 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,



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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**RAQUEL PATTERSON**

v.

**PECO ENERGY COMPANY**

:  
:  
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:  
:

**DOCKET NO. C-2010-2210545**

**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.

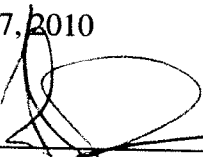
File with:

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

Dated at Philadelphia, PA, December 7, 2010



---

Tishekia E. Williams  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>RAQUEL PATTERSON</b>	:	
	:	
v.	:	<b>DOCKET NO. C-2010-2210545</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	

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

Respondent, PECO Energy Company (“PECO Energy” or “Company”), pursuant to 52 Pa. Code § 5.101(3) respectfully petitions this Honorable Commission to order Complainant to amend her Complaint to provide more specificity.

1. On, or about November 12, 2010, Complainant filed a formal complaint with the Pennsylvania Public Utility Commission. In her complaint, Ms. Patterson checked the box marked “other” and states that she believes that the Commission and Company has not fairly assessed her complaint. Complainant goes on to state that someone should look at the “problems since they are using information from over ten years ago.” A copy of the complaint is attached as Exhibit 1.

2. On or about November 17, 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 her complaint. Therefore PECO is left to speculate as to what “problems” exist with the account. Moreover, Complainant’s bill does not include charges from 10 years ago.

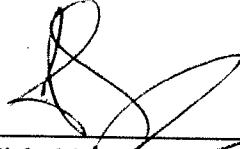
7. Complainant’s informal complaint was a request for a payment agreement. The Bureau of Consumer Services dismissed the request for terms because Complainant participates in PECO’s Customer Assistance Program (“CAP”). A copy of the BCS decision is attached as Exhibit 2. No information can be gained about the alleged “problems” from Complainant’s informal complaint.

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 provide a meaningful response to the alleged problems with the account.

**WHEREFORE**, PECO Energy Company respectfully requests that your Honorable Commission orders the Complainant to amend her Complaint with more specificity so that PECO may answer accordingly.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Tishekia Williams', written over a horizontal line.

Tishekia 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



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

10.13/4

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: November 17, 2010

PECO exhibit 1

C-2010-2210545

PECO ENERGY COMPANY  
C/O WARD L SMITH  
ASSOCIATE GENERAL COUNSEL  
PO BOX 8699  
PHILADELPHIA PA 19101-8699

Dear Mr. Smith:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by RAQUEL PATTERSON. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

#### CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

#### COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

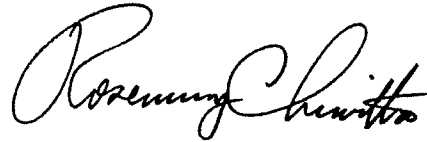
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

November 17, 2010

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive style with a large initial "R".

Rosemary Chiavetta  
Secretary

ane

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Formal Complaint Form

COPY

Please print in ink or type.

C-2010-2210545

1. CUSTOMER (COMPLAINANT) INFORMATION

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

Name Raquel Patterson  
Street/P.O. Box 7031 Wheeler ST Apt # \_\_\_\_\_  
City Phila State Pa Zip 19142  
County \_\_\_\_\_

Daytime Telephone Number Where We Can Contact You: 215 492-0766  
E-mail Address (optional): \_\_\_\_\_  
Utility Account Number (from your bill) 37951-00902

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  
2010 NOV 12 AM 10:22  
PA P.U.C.  
SECRETARY'S BUREAU

2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

Phila Electric Company

3. TYPE OF UTILITY (check one)

- ELECTRIC
- GAS
- WATER
- TELEPHONE (local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER (e.g., taxi, moving company, limousine)

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.

4) I feel that my bills and other account information are not being clearly accessed by the "Utility Company" as well as the representatives from the "Public Utility Commission".

3) I would like for someone to really look at where the problems, stem from since they are using information from over Ten Years ago that should have been resolved.

**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.

**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:

I Raquel Patterson, 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).

Raquel Patterson (Signature) 10-29-10 (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 <sup>nd</sup> Floor Harrisburg, Pennsylvania 17120
---------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------

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.

**Keep a copy of your complaint for your records.**



ESCO exhibit  
2

December 7, 2010

**BCS Decision Report**

**BCS Case #:** 002716645 **Open Date:** 2010-07-23  
**Customer Name:** RAQUEL PATTERSON  
**Service Address:** 7031 WHEELER STREET

PHILADELPHIA, PA 19142  
**BCS Bill Account #:** 3795100902 **Previous Case #:** 2529445  
**Violation Type:** NO **Chapter Type:**  
**Decision Type:** W **Section / Rule:**  
**Investigator Name:** PAUL MEURON

**Decision Issued Date:** 2010-10-05  
**Case Closed Date:** 2010-10-05

**Letter Description:**  
CAP REVIEWED / NO DECISION

<b>Total Balance:</b>	\$1048.70	<b>Balance Date:</b>	2010-07-28
<b>Amount to Restore Service:</b>	\$0.00	<b>Amount to Continue Service:</b>	\$0.00
<b>Date Payment Due:</b>		<b>Regular Budget Amount:</b>	\$87.00
<b>Special Budget Payment:</b>	\$0.00	<b>Final Bill Monthly Payment:</b>	\$0.00
<b>Plus Arrears Payment:</b>	\$0.00	<b>End of Month Payment:</b>	\$0.00
<b>Current Monthly Payment:</b>	\$0.00		
<b>Payment Terms:</b>			

**PAR Description:**

**Resolution Description:**  
CASE CLOSED.....CUST RE-ENROLLED INTO CAP CAP VALID LETTER SENT

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**RAQUEL PATTERSON**

**v.**

**PECO ENERGY COMPANY**


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**DOCKET NO. C-2010-2210545**

**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 7, 2010.

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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**RAQUEL PATTERSON**

v.

**PECO ENERGY COMPANY**

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**DOCKET NO. C-2010-2210545**

**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:

Raquel Patterson  
7031 Wheeler Street  
Philadelphia, PA 19142

Dated at Philadelphia, Pennsylvania, December 7, 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