

KERRY KRISTOFFER NEAL, ESQ.

*Attorney at Law*

*Admitted in Maryland and the District of Columbia*

232 RHODE ISLAND AVENUE NORTH WEST  
WASHINGTON, DISTRICT OF COLUMBIA 20001  
703-585-3210 / 202-315-3665 *facsimile*  
nealkerry@gmail.com

BY U.S. MAIL

March 5, 2012

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

Re: **Kerry Neal v. PECO Energy Company**  
**Docket No. C-2012-2284618**

PA P.U.C.  
SECRETARY'S BUREAU

2012 MAR -7 AM 9:37

RECEIVED

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Plaintiff is Plaintiff's Consolidated Motion to Withdraw Formal Complaint and Motion in Objection to the Petitioner's Petition to Intervene. A copy of this has been served on the Defendant (through Defendant's Counsel) and to the Tenant/Petitioner (through independent Counsel) – attached are copies of applicable Certificates of Service.

Please don't hesitate to contact me should you have further questions.

Regards,

Kerry K. Neal, Esq.

Encl.

Cc: Dana Pirone Carosella, Esq.,  
Christina Matthewson, Esq.  
Sarah Torres (c/o Laura Blackburn) DELCO HAP

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
OFFICE OF ADMINISTRATIVE LAW  
HARRISBURG, PA 17105-3265

RECEIVED  
2012 MAR -7 AM 9:37  
PA P.U.C.  
SECRETARY'S BUREAU

KERRY K. NEAL,	)	
	)	
Plaintiff,	)	
	)	Case No. C-2012-2284618
PECO Energy Company,	)	
	)	
Defendant	)	Next Event: 04/17/2012 @ 10:00am
	)	Telephonic Hearing

---

**PLAINTIFF'S CONSOLIDATED MOTION TO WITHDRAW FORMAL  
COMPLAINT AND MOTION IN OBJECTION TO THE PETITIONER'S  
PETITION TO INTERVENE**

COMES NOW, Kerry K. Neal, Esq., Plaintiff in the above-entitled action and submits this Consolidated Motion to Withdraw Formal Complaint AND Motion in Objection to Petitioner's Petition to Intervene and respectfully states to this court as follows:

1. On January 20, 2012, the Plaintiff brought a formal complaint against Defendant for actions arising on or about October 10, 2011 wherein upon discovery of 'Foreign Wiring' Defendant transferred the entire balance (including the past-due arrearages) of Petitioner's (Winnie Overton) PECO account to the name of the Plaintiff without sufficient and timely notice to Plaintiff.
2. The Pennsylvania Utility Commission, (hereinafter referred to as Commission, PUC or Court), has set a Telephonic Hearing for April 17, 2012 at 10:00am (captioned as 'next event' in the header).
3. On or about February 27, 2012, Winnie Overton (Tenant/Petitioner), through counsel, Ms. Christina Matthewson, Esq., filed an Entry of Appearance and Petition to Intervene to the Commission citing, among

other things, the potential binding authority of the Commission's ruling on the Petitioner and adverse effects of the Commission's rulings on the Petitioner.

4. Plaintiff's core argument before the Commission in the instant matter is whether, among other things, sufficient written notice (due process) was given to Plaintiff *prior to* transfer of electrical service into Plaintiffs' name as required by 66 Pa.C.S. 1529.1. See also Plaintiff's Exhibit 'A' marked and appended hereto, which clearly shows the subject property as "**306 Eggleston Terrace, Apt. B, Sharon Hill, PA 19079**" and not the subject property of the aforementioned Petitioner "**308 Eggleston Terrace, Apt. A, Sharon Hill, PA 19079**". Counsel for Defendant concedes and recognizes this error insofar as this document is marked and referenced as Exhibit '1' in PECO's answer dated February 13, 2012.
5. In addition to the core argument of due process, the formal complaint before the PUC also requests relief including, but not limited to, reversing the PECO action and revert the account back into the name of the Petitioner. After due consideration, Plaintiff is not certain this will result in a full and complete resolution of the issues and, in the interim, has moved forward with addressing the more substantive issue of resolving the 'foreign load' by installation of a meter consistent with statutory and PUC case guidance on the point.
6. As set forth in Afshari v. PPL Electric Utilities Corporation, Docket No. C-20055547 (April 9, 2008), Plaintiff must seek redress and relief in the

Court of Common Pleas, as the PUC is unable to provide adequate remedy and lacks the authority under the statute to issue judgment against a non-party (in this case, Petitioner) for the payment (from Petitioner to Landlord) of past arrearages resulting from non-foreign load attributable to Tenant.

7. Because the issue for resolution before the PUC is not one of service but rather to make a determination as to the ultimate financial responsibility of the respective parties, the PUC is an improper venue to bring suit under contract where the relief sought is not within the discretion or power of the Commission to provide for financial judgment and/or apportionment of the account not attributable to foreign load. (see Santos and Ace Check Cashing, infra).
8. As of February 24, 2012, Plaintiff is now in compliance with 66 Pa.C.S. 1529.1 having installed an 'owner's meter' on the subject apartment building and eliminating all foreign load. As evidenced in the Defendant's inspection reports and the history of events, the total 'foreign load' was considered *de minimus* consisting of lights within the control and discretion of the Petitioner for the Petitioner's use. See Plaintiffs' Exhibit 'B.' Additionally, Plaintiff has made a formal request for application, inspection and service to a newly installed electric meter – which was completed on or about February 24, 2012. See Plaintiff's Exhibit 'C' marked and appended hereto.

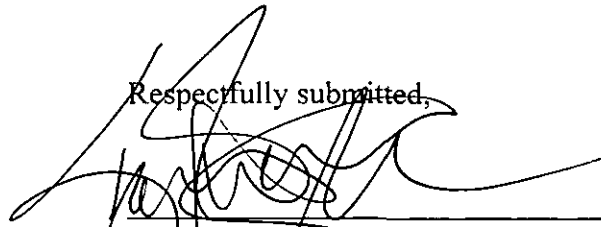
9. As of October, 2011, Petitioner has enjoyed the use of what is tantamount to 'free electricity' without any responsibility or payment for said electrical services whatsoever and has made no attempt(s) to provide even a minimum contribution or 'token' amount to offset the growing balance – now at approximately \$2,700.00 and rising. This, on its face, is not only unreasonable as a burden on Plaintiff, but provides a de facto windfall in the use and potential abuse of Plaintiff's account to which Petitioner is temporarily not responsible for. It would not be a stretch to assert that the statute providing for such a 'foreign load' account conversion action is, in this case, inconsistent with the interests of addressing a public concern. Furthermore, in an instance as one we see here, the Petitioner has utilized it as both a sword AND shield to first, run up an unreasonably high utility bill; and second, avoid the more substantive issue of timely and responsible payment of Petitioners' own electrical service by crying 'foreign load' even in the case as we see here of a few lights, none of which operate outside the control of the tenant. Neither Petitioner nor Petitioner's counsel have made an attempt to do as much as establish an Attorney's Escrow Account to retain even a partial amount in abeyance until the matter is finally resolved. At the end of the day, the entire of the bill looks to be the Plaintiff's responsibility – this, on its face, is unconscionable and flies in the face of both reasonableness and public policy considerations. The law should be augmented so that it aligns practical considerations with legislative policy.

10. On or about February 24, 2012 Plaintiff directed Petitioner (through a phone call with Petitioner's counsel) to request that tenant obtain new electric service in the name of the Petitioner consistent with the rules provided in 66 Pa.C.S. 1529.1. "Once the foreign load is corrected by the landlord and verified by the utility, the utility will place the account back in the name of the Petitioner..." See Santos v. Metro. Edison Co., No. C-00967757 (Pa. P.U.C. Aug. 7, 1997), reaff'd in Ace Check Cashing, Inc. v. Phila. Gas Works, (May 21, 2010). As of this writing, Petitioner has failed to obtain independent electric service and Plaintiff has provided a three (3) day 'Cure or Quit' notice to Petitioner. See Plaintiff's Exhibit 'D' marked and appended hereto.
11. Plaintiff, on numerous occasions, attempted to engage with Petitioner for the purposes of settlement. Such discussions have been unsuccessful. Petitioner, therefore, leaves Plaintiff no available remedy except to bring suit against Petitioner and proffer evidence of Petitioner's history of non-payment, Plaintiff's expert witness testimony, including load calculation analysis and engage the expert analysis of PECO's 'Load Specialists' to determine the total foreign load and make final computations of Petitioner's responsibility for the outstanding utility bill – all increasing the potential costs of litigation where and when such costs would easily be avoided by reaching agreement. "To the extent any dispute regarding the financial responsibility of the parties exist, that is a matter to be resolved in the Court of Common Pleas as it is outside the Commission's

jurisdiction.” Edmund v. Corazzini v. UGI Penn Natural Gas, Inc., No. F-2009-2101282 (July 15, 2010 at 7). It is my express intention to bring suit against the Petitioner in the court of proper jurisdiction and to seek a judgment for resolution of this matter.

12. Plaintiff consolidates these two motions for means of court efficiency, and moves to Withdraw Plaintiff’s formal complaint against PECO, taking leave to first bring suit against Petitioner to recapture arrearages and to be made ‘whole.’ Secondly, Plaintiff OBJECTS to Petitioners Motion to Intervene and requests that such motion be DENIED as it is no longer timely nor warranted in the absence of Plaintiff’s formal complaint. If at a future time, Plaintiff should bring another formal complaint against PECO whereby the prayer for relief may include Petitioner, and Petitioner has standing to intervene, Petitioner’s counsel may timely file a motion in that matter.

Respectfully submitted,



---

Kerry K. Neal, Esq.  
232 Rhode Island Avenue, NW  
Washington, DC 20001-1825

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
OFFICE OF ADMINISTRATIVE LAW  
HARRISBURG, PA 17105-3265

PA P.U.C.  
SECRETARY'S BUREAU

2012 MAR -7 AM 9:38

RECEIVED

KERRY K. NEAL, )  
 )  
Plaintiff, )  
 )  
PECO Energy Company, ) Case No. C-2012-2284618  
 )  
Defendant ) Next Event: 04/17/2012 @ 10:00am  
 ) Telephonic Hearing

---

**ORDER**

Upon consideration of **Plaintiff's Motion to Withdraw** formal complaint before the Pennsylvania Utility Commission, **Petitioners Motion to Intervene**, and/or opposition thereto, for good cause shown, it is this \_\_\_\_\_ of March, 2012

**ORDERED**, that Plaintiff's Motion to Withdraw Formal Complaint is hereby **GRANTED**. It is,

**FURTHER ORDERED**, that Petitioner's Motion to Intervene is hereby **DENIED**.

**SO ORDERED**.

---

**JUDGE**

**Cc: Dana Pirone Carosella  
Stevens & Lee, Lawyers & Consultants  
620 Freedom Business Center, Suite 200  
King of Prussia, PA 19406**

**Cc: Christina Matthewson, Esq.  
Legal Aid of Southeastern Pa  
410 Welsh Street  
Chester, PA 19013**

Plaintiffs Exhibit A

October 12, 2011

Kerry Neal  
PO Box 30290  
Washington, DC 20030

306 Eggleston Trl  
Apt B  
Sharon Hill, PA 19079

2012 MAR -7 AM 9:38  
PA P.U.C.  
SECRETARY'S BUREAU

RECEIVED

Dear Sir:

On 10-10-11 a PECO field technician visited the above referenced property in response to a high bill complaint. The technician found the lights in common stairway and laundry room lights and outdoor lights are connected to the 2<sup>nd</sup> fl meter. This is known as foreign wiring. Please have your electrician check for any additional foreign wiring that may not have been detected at the time of the field visit.

When PECO identifies foreign wiring, Pennsylvania State Law requires the electric service to be transferred into the name of the landlord, until the wiring is properly corrected. (Per Section 1529.1(b) of the Pennsylvania Public Utility Code, 66 Pa. C.S. 1529.1)

Please be advised that the electric service for the accounts in question will be transferred into your name effective immediately. ~~If any of the current tenant's balance due is attributable to the found foreign wiring, the entire balance will be transferred into your name as well.~~ The service can only go back into your tenants name if you have your electrician correct the wiring for each apartment.

If you have completed the repairs, or have any questions regarding this matter, please telephone 215-841-6594.

Cordially,  
Tim Fisher  
High Bill Field

Plaintiff's Exhibit B

# Invoice

MITCH ELECTRIC INC.  
 906 R MACDADE BLVD  
 FOLSOM, PA 19033  
 PHONE- 610-583-0606 FAX- 610-583-7358

Date	Invoice #
2/23/2012	8771

<b>Bill To</b>
Kerry Neal

<b>Project</b>
308 Eggleston Terrace Sharon Hill, PA

Quantity	Description	Amount
	INSTALL 3 - GANG 200 AMP OVERHEAD METER SOCKET INSTALL 100 AMP 12 CIRCUIT HOUSE PANEL TIE IN HALLWAY LIGHTS, BASEMENT LIGHTS, FRONT DOOR LIGHT REMOVE AND DISCONNECT 2 - OUTDOOR FLOOD LIGHTS, BLANK OFF  TOTAL COST	1,500.00
<b>Total</b>		<b>\$1,500.00</b>
E-mail	MitchElectricInc@aol.com	<b>Balance Due</b>
Pay online at: <a href="https://ipn.intuit.com/bmkfg44r">https://ipn.intuit.com/bmkfg44r</a>		\$1,500.00

RECEIVED  
 2012 MAR - 7 AM 9:38  
 PA F.U.C.  
 SECRETARY'S BUREAU



# PECO

## Application for Electric Service & Meter

M-24175 (front) Rev. 5/10

Planific & Exhibit C

### INSTRUCTIONS:

Please complete the **front** page of this request and return to the PECO Regional Office (*listed below*) in the area service is required. Incomplete information may result in a delay in processing.

All work must comply with PECO Electric Service Requirements manual and be inspected by an approved inspection agency. (City of Philadelphia requests may be shared with Licenses & Inspections). Not all service voltages are available in all areas. **Before purchasing electrical equipment or proceeding with any wiring**, information regarding service availability and meter location should be obtained from the company.

A credit application and agreement must be completed **if the customer has not had PECO service within the last 60 days**. The company reserves the right to **cancel** this request if no further communication is received from the customer **within 90 days** of PECO's response date.

### NEW BUSINESS SERVICES (1-800-454-4100) <http://www.peco.com>

**PHILADELPHIA COUNTY**  
830 S. Schuylkill Ave.  
Phila, PA 19146-2395  
(215) 731-2340  
Fax # (215) 731-2327

**DELAWARE & CHESTER COUNTIES**  
1050 W. Swedesford Rd.  
Berwyn, PA 19312  
(610) 725-7160  
Fax # (610) 725-1416

**BUCKS & MONTGOMERY COUNTIES**  
400 Park Ave.  
Warminster, PA, 18974  
(215) 956-3270  
Fax # (215) 956-3240

**NEW RESIDENTIAL CONSTRUCTION**  
(All Counties)  
400 Park Ave.  
Warminster, PA 18974  
(215) 956-3070  
Fax # (215) 956-3380

\*\* Lower Merion is served by DelChester Region

*\* Building Meter / Common Areas only.*

RECEIVED  
 2012 MAR -7 AM 9:38  
 SECRETARY PA P

CUSTOMER NAME <b>KEARL K. NEAL</b>		Tax ID # or SSN or Driver's License No.		TYPE OF REQUEST <input type="checkbox"/> New Service <input type="checkbox"/> Load Increase / Decrease <input type="checkbox"/> Reintroduction of Service <input type="checkbox"/> Temporary Service <input type="checkbox"/> Upgrade / Changes <input type="checkbox"/> Demolition (Remove Service) <input type="checkbox"/> Separation of Wiring <input type="checkbox"/> Service Relocation <input type="checkbox"/> Make-Safe (De-energize / Cover)																																	
*ADDRESS TO BE SERVED <b>308 Edleston Terrace</b>		APARTMENT / LOT #		TYPE OF SERVICE: Please include site plan. <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> Single House <input type="checkbox"/> Mobile Home <input type="checkbox"/> Store <input type="checkbox"/> Office <input type="checkbox"/> Apartment <input type="checkbox"/> Modular Home <input type="checkbox"/> Industrial <input type="checkbox"/> Warehouse <input type="checkbox"/> Duplex <input type="checkbox"/> Town House <input type="checkbox"/> Restaurant <input type="checkbox"/> Other <input type="checkbox"/> Other																																	
POST OFFICE <b>Sharon Hill, PA</b>		ZIP CODE <b>19079</b>		Area of Building _____ Sq. Ft.																																	
*UTILITY POLE #	*SUBDIVISION / DEVELOPMENT	TOWNSHIP/MUNICIPALITY/WARD #		SERVICE CHARACTERISTICS: <input type="checkbox"/> Underground <input type="checkbox"/> Aerial <table border="1" style="float: right; margin-left: 20px;"> <thead> <tr> <th>PHASE</th> <th>VOLTS</th> <th>WIRES</th> <th rowspan="6" style="font-weight: normal;">AMPS</th> </tr> </thead> <tbody> <tr><td>3</td><td>240</td><td>3</td><td></td></tr> <tr><td>3</td><td>120/240</td><td>4</td><td></td></tr> <tr><td>3</td><td>120/208</td><td>4</td><td></td></tr> <tr><td>3</td><td>277/480</td><td>4</td><td></td></tr> <tr><td>3</td><td>13200</td><td>3 or 4</td><td></td></tr> <tr><td>3</td><td>33000</td><td>3 or 4</td><td></td></tr> </tbody> </table>				PHASE	VOLTS	WIRES	AMPS	3	240	3		3	120/240	4		3	120/208	4		3	277/480	4		3	13200	3 or 4		3	33000	3 or 4			
PHASE	VOLTS	WIRES	AMPS																																		
3	240	3																																			
3	120/240	4																																			
3	120/208	4																																			
3	277/480	4																																			
3	13200	3 or 4																																			
3	33000	3 or 4																																			
* If Applicable Please use this address when applying for underwriter's inspection				METER INFO: <input type="checkbox"/> Single Meter Required <input type="checkbox"/> Two Meters, Commercial (General/Totalizer) <input type="checkbox"/> Multiple Meters Total No. _____																																	
CUSTOMER'S BILLING ADDRESS <b>232 Rhode Island Ave NW-OR-</b>		PECO ENERGY ACCOUNT # <b>43270-48022</b>		HEATING / AIR CONDITIONING: <input type="checkbox"/> Heat Pump _____ Tons <input type="checkbox"/> Resistance <input type="checkbox"/> Natural Gas <input type="checkbox"/> Other _____ <input type="checkbox"/> Central Air _____ Tons <input type="checkbox"/> Propane    Type Back-up _____																																	
POST OFFICE <b>Washington, DC</b>	ZIP CODE <b>20001</b>	TELE #		CHARACTERISTICS OF NEW OR ADDITIONAL LOAD:																																	
SEND REPLY TO:		ELECTRICIAN'S OR BUILDER'S NAME		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">TYPE</th> <th rowspan="2">CONNECTED LOAD (kW)</th> <th colspan="2">PECO ENERGY USE ONLY (DEMAND)</th> </tr> <tr> <th>SUMMER (kW)</th> <th>WINTER (kW)</th> </tr> </thead> <tbody> <tr><td>LIGHTING</td><td></td><td></td><td></td></tr> <tr><td>HEATING</td><td></td><td></td><td></td></tr> <tr><td>AIRCOND</td><td></td><td></td><td></td></tr> <tr><td>TANKLESS WATER HTR</td><td></td><td></td><td></td></tr> <tr><td>MISC.</td><td></td><td></td><td></td></tr> <tr><td>TOTAL</td><td></td><td></td><td></td></tr> </tbody> </table>				TYPE	CONNECTED LOAD (kW)	PECO ENERGY USE ONLY (DEMAND)		SUMMER (kW)	WINTER (kW)	LIGHTING				HEATING				AIRCOND				TANKLESS WATER HTR				MISC.				TOTAL			
TYPE	CONNECTED LOAD (kW)	PECO ENERGY USE ONLY (DEMAND)																																			
		SUMMER (kW)	WINTER (kW)																																		
LIGHTING																																					
HEATING																																					
AIRCOND																																					
TANKLESS WATER HTR																																					
MISC.																																					
TOTAL																																					
ADDRESS		Reply Requested by:		LARGEST MOTOR SPECIFICATIONS																																	
POST OFFICE		ZIP CODE		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>QUANTITY</td><td></td></tr> <tr><td>SIZE (HP)</td><td></td></tr> <tr><td>LOCKED ROTOR CURRENT</td><td></td></tr> <tr><td>MOTOR CODE LETTER</td><td></td></tr> <tr><td>PHASE</td><td></td></tr> <tr><td>VOLTAGE</td><td></td></tr> <tr><td>FREQ. OF STARTING (per hr.)</td><td></td></tr> <tr><td>PURPOSE</td><td></td></tr> </table>				QUANTITY		SIZE (HP)		LOCKED ROTOR CURRENT		MOTOR CODE LETTER		PHASE		VOLTAGE		FREQ. OF STARTING (per hr.)		PURPOSE															
QUANTITY																																					
SIZE (HP)																																					
LOCKED ROTOR CURRENT																																					
MOTOR CODE LETTER																																					
PHASE																																					
VOLTAGE																																					
FREQ. OF STARTING (per hr.)																																					
PURPOSE																																					
TELE. #	FAX #	CURRENT CONSTRUCTION STATUS: <input type="checkbox"/> Not Started - Date Customer Will Start Work ____/____/____ <input type="checkbox"/> In Progress <input type="checkbox"/> Completed		TOTALIZER LOAD <div style="border: 1px solid black; width: 100px; height: 30px; margin: 5px auto;"></div> KW																																	
TELE. #		FAX #		GENERAL LOAD <div style="border: 1px solid black; width: 100px; height: 30px; margin: 5px auto;"></div> KW																																	
POST OFFICE		ZIP CODE		Include single line diagram and substation arrangement if appropriate.																																	
TELE. #		FAX #		SUBMITTED BY:  DATE: <b>2/24/2012</b> Enclosures: <input type="checkbox"/> See Plans <input type="checkbox"/> Single Line Diagram <input type="checkbox"/> Substation Arrangement																																	
TELE. #		FAX #		CUSTOMER COMMENTS / DESCRIPTION OF WORK:    																																	

**\*\*NAIL AND MAIL SERVICE\*\* (COPY LEFT AT RESIDENCE AND COPY  
DISPATCHED BY UNITED STATES POSTAL SERVICE – PREPAID)**

**IMMEDIATE DEMAND TO 'CURE OR QUIT' BREACH OF LEASE**

**TO: WINNIE OVERTON (TENANT)  
308 EGGLESTON TERR., APT. A  
SHARON HILL, PA 19079**

*Plaintiff's Exhibit*  
D

**PREMISES: 308 EGGLESTON TERRACE  
APARTMENT A – FIRST FLOOR  
SHARON HILL, PA 19079**

PLEASE TAKE NOTICE that 308 Eggleston Terrace is the lawful property of Kerry K. Neal (LANDLORD), having established a claim for rent to the above named lessee by virtue of a lease agreement duly and properly executed by the parties appearing herein.

PLEASE TAKE NOTICE that Tenant is in violation of the Terms and Conditions of the lease agreement (Section '9') for utilities not in the named account of the tenant for tenants' rented premises.

PLEASE TAKE NOTICE that Landlord has or will shortly file with the court of the appropriate jurisdiction the **complaint to begin eviction** proceedings and **intends to pursue eviction** forthwith in accordance with court order(s) thereof.

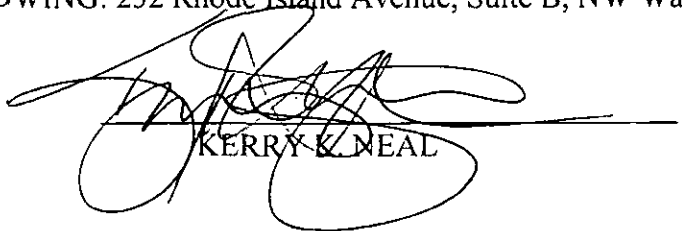
PLEASE TAKE NOTICE that Tenant is responsible to maintain Tenants' own utilities and notice was provided to Tenant (through counsel) of this requirement following the removal of all 'foreign load' and the installation of a new 'owner's meter' on or about February 24, 2012.

PLEASE TAKE NOTICE that Landlord is suing to recover possession of said premises and will amend pleadings and complaints for accrued late fees, additional rents due, damages, court costs, attorney fees and other expenses as the court deems just, appropriate and proper.

PLEASE TAKE NOTICE that unless you establish, or cause to be established, independent (Tenant provided) electric utilities on or before March 9, 2012 or, in the alternative, surrender possession of the premises to the Landlord, Summary Proceedings pursuant to Law will commence against you.

DATED: WASHINGTON, DISTRICT OF COLUMBIA  
March 5, 2012

BY AND FOR THE LANDLORD, KERRY K. NEAL HAVING A BUSINESS ADDRESS OF THE FOLLOWING: 232 Rhode Island Avenue, Suite B, NW Washington, DC 20001-1825

  
KERRY K. NEAL

PA.F.U.C.  
SECRETARY'S BUREAU

2012 MAR -7 AM 9:38

RECEIVED

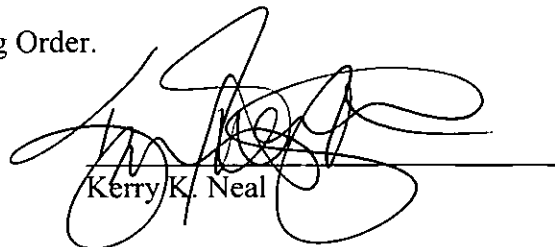
**THIS NOTICE DOES NOT ALTER YOUR OBLIGATIONS UNDER THE REAL PROPERTY ACTIONS AND PROCEEDINGS LAW, OR ITS PENNSYLVANIA EQUIVALENT, WHICH SETS FORTH ITS OWN TIME PERIODS.**

**Copies to: Christina Matthewson, Esq.  
Legal Aid of Southeastern Pa  
410 Welsh Street  
Chester, PA 19013**

**Sarah Torres, HAP Representative  
Delaware County Housing Authority  
1855 Constitution Avenue  
Post Office Box 100  
Woodlyn, PA 19094-0100**

MEMORANDUM OF POINTS AND AUTHORITIES

- 1. The cases cited herein.
- 2. The Court's Scheduling Order.
- 3. The record herein.



Kerry K. Neal

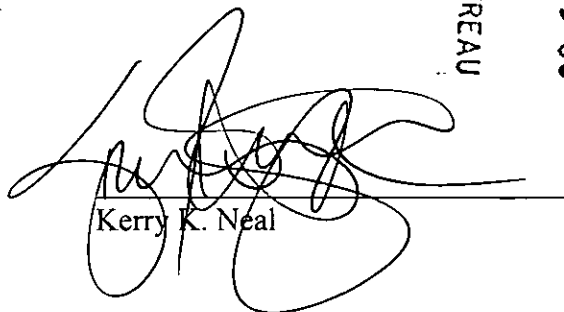
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of this Motion was mailed by regular first class mail postage prepaid this 5<sup>th</sup> day of March, 2011 to Dana Pirone Carosella, Esq., (Counsel for Defendant PECO) AND TO Christina Matthewson, Esq. (Counsel for Petitioner) at the following:

Dana Pirone Carosella, Esq.  
 Law Offices of Stevens & Lee  
 620 Freedom Business Center, Suite 200  
 King of Prussia, PA 19406

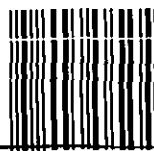
Christina Matthewson, Esq.  
 Legal Aid of Southeastern PA  
 410 Welsh Street  
 Chester, PA 19013

RECEIVED  
 2012 MAR -7 AM 9:38  
 PA P.U.C.  
 SECRETARY'S BUREAU



Kerry K. Neal

Kerry K. Neal, Esq.  
232 Rhode Island Ave., NW  
Washington, DC 20001-1825



U.S. POSTAGE  
PAID  
WASHINGTON, DC  
20024  
MAR 05 '12  
AMOUNT

1000

17120

**\$0.65**

00096320-10

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

1712080093 0000

