

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

Direct Dial: 215.841.6841

July 18, 2012

*Via First Class Mail*

ALJ Angela T. Jones  
Pennsylvania Public Utility Commission  
801 Market Street  
Philadelphia, PA 19107

**Re: Brittany Vohrer v. PECO Energy Company**  
**Docket Number: C-2012-2303471**

Dear Judge Jones:

Kindly accept this correspondence as PECO Energy's objection to Complainant's request for a telephonic hearing. By Hearing Notice dated June 4, 2012, this matter was scheduled for an initial in-person hearing on July 16, 2012 at 10:00 a.m.

On June 21, 2012, PECO Energy received the Complainant's request for a telephonic hearing. PECO Energy objects to the Complainant's request and would request that Your Honor require Brittany Vohrer to appear in-person. In the Complainant's request she states:

Anyway I want you to know its only my grandmom and myself at the address so I will need a payment arrangement, I have no money up front. I just started a job and I can not take off no time. So I need a telephone hearing for I live right near my job. The number you can reach me is my home (484) 480-5856.

See Correspondence, attached hereto as Exhibit "1".

Upon information and belief, the Complainant's grandmother, referred to above, is Carol Vohrer. PECO Energy believes that it is Carol Vohrer, not Brittany Vohrer who has filed the instant formal complaint.

On October 18, 2011, Complainant, Enos Curl, filed a formal complaint with the Pennsylvania Utility Commission at docket number C-2011-2270181. See Formal Complaint, attached hereto as Exhibit "2". In the formal complaint, Enos Curl requested a payment agreement for a "very large amount" owed. See Exhibit "2". This matter proceeded to a telephonic hearing on April 5, 2012, before Administrative Law Judge Marlene R. Chestnut.

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At the hearing, the following testimony took place:

Judge Chestnut: Okay. Mr. Curl  
Mrs. Curl: Yes.  
Judge Chestnut: Could you please state your name and your address and your telephone number?  
Judge Chestnut: Carol, no. I need Mr. Curl to do this.  
Mrs. Curl: Allen, come here. Are you there? Hello?  
Judge Chestnut: Hello?  
Mrs. Curl: Okay. Say your name and our address. Just say it in there. They can hear you.  
Mr. Curl: Hello?  
Judge Chestnut: Hello, Mr. Curl?  
Mr. Curl: Yeah.

See Hearing Transcript, p. 5, attached hereto as Exhibit "3"

\*\*\*\*\*  
Judge Chestnut: Okay. Is there some reason you're not able to participate, Mr. Curl? Some medical reason?  
Mrs. Curl: Well, he doesn't understand all this. I've been taking care of this, because---  
Judge Chestnut: Well, he's the complainant.  
Mrs. Curl: -- our grandson.  
Judge Chestnut: I'll let you participate to some extent but he is the one who has to do this. You understand that; okay?  
Mrs. Curl: He's listening. He's sitting right here. It's just---  
Judge Chestnut: Well.  
Mrs. Curl: He didn't do this. He doesn't understand.  
Judge Chestnut: He's the one who signed the complaint, not you. He didn't have it in both your names.  
Mrs. Curl: Oh, okay.

See Tr. 6-7.

\*\*\*\*\*

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Judge Chestnut: Okay. Okay, if – I will let you talk. And Mrs. Curl, you have to understand, you're not the party here. Mr. Curl is. And if we have to go – if we go ahead and have the hearing, he's the one who has to do it.

Mrs. Curl: Yes.

See Tr. 12

\*\*\*\*\*

Judge Chestnut: You know, maybe the best thing is, if he can't work this out, we're going to have to have an in-person hearing.

Attorney Carosella: I agree, Your Honor.

Judge Chestnut: This is ridiculous.

Mrs. Curl: Well, we have our grandson here and he's five and he ---

Judge Chestnut: Well, I'm sorry, but that's --- it's just not working, you know. I mean, Mr. Curl is the party of interest. He apparently is not paying any attention.

See Tr. 13-14

Eventually, ALJ Chestnut dismissed this matter for a no show. On April 17, 2012, Carol Curl sent correspondence to ALJ Chestnut stating:

We had a telephone hearing a week ago and it is not what we can afford. ....I (Eno's wife) Carol Curl cannot have our electric off. She has a (sic) illness. That should of (sic) been discussed. ....We are aware our bill is high. We can not put any money up front. We just want to pay our current bill plus extra each month. So can you please help us. Thank you

Enos Curl  
Carol Curl

See Correspondence from Carol Curl, attached hereto as Exhibit "4".

ALJ Angela T. Jones  
July 18, 2012

On April 11, 2012, ALJ Chestnut issued an Initial Decision, dismissing Enos Curl's complaint with prejudice for failing to prosecute his case. On May 10, 2012, Enos Curl filed Exceptions to the Initial Decision. That matter is still pending.

In the instant matter, Brittany Vohrer, who is the granddaughter of Carol Curl, allegedly filed the current formal complaint. See Brittany Vohrer, Formal Complaint, attached hereto as Exhibit "5". However, one can clearly see that the handwriting in the formal complaint and the request for a telephonic hearing at Exhibit "1" is the same handwriting as in the Enos Curl formal complaint and follow up correspondence to ALJ Chestnut from Carol Curl. PECO Energy asserts that Carol Curl has filed the instant formal complaint against PECO Energy and we believe she intends to give testimony at a telephonic hearing as she did in the Enos Curl matter.

Notably, Brittany Vohrer provided telephone number (484) 480-5856 in her request for a telephonic hearing. See Exhibit "1". At the prehearing conference on July 16, 2012, Your Honor attempted to reach Ms. Vohrer at this number and reached the voicemail message of a "Carol". The telephone number Enos Curl provided in his formal complaint was (484) 480-5856. See Exhibit "2". The telephone number stated by Mr. Curl during the April 5, 2012, telephonic hearing is (484) 480-5856. See Exhibit "3", Tr. 6.

Because there is a credibility issue with who actually filed the complaint and the similarity between the parties in both the Enos Curl and Brittany Vohrer cases, PECO Energy respectfully requests that an in-person hearing proceed as scheduled.

Thank you for your time and attention on this matter.

Respectfully,



Shawane L. Lee  
Counsel for PECO Energy Company

cc: Brittany Vohrer (via U.S. Mail)

# **EXHIBIT “1”**

MR. OR MRS. LEE

TISHKIA WILLIAMS

JUN 22 2012

THIS IS FROM  
BRITTANY VOHRER  
AT- 2 MAISE DRIVE  
LINDWOOD, PA 19061  
Re # C2012-2303471

FIRST OF ALL I CAN NOT  
BELIEVE THERES GOING TO BE  
A HEARING

ALL I WANT IS THE ELECTRIC  
IN MY NAME,  
I'M SURE THIS DOES TAKE PLACE  
FOR EVERYONE WHO WANTS  
ELECTRIC IN THE NAME.

ANYWAY I WANT YOU TO KNOW  
ITS ONLY MY GRANDMOM AND  
MYSELF AT THE ADDRESS  
SO I WILL NEED A PAYMENT  
ARRANGEMENT, I HAVE NO  
MONEY UP FRONT,

ALSO I JUST STARTED A JOB  
AND I CAN NOT TAKE OFF

21

NO TIME.

SO I NEED A TELEPHONE HEARING  
FOR I LIVE RIGHT NEAR MY  
JOB.

THE NUMBER YOU CAN REACH ME  
IS MY HOME.  
484-480-5856

I WILL BE WAITING TO HEAR  
FROM YOU.

THANK YOU  
Brittany Verner

**EXHIBIT “2”**

Public Utility 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 ENOS CURL

Street/P.O. Box 2 MAISE DRIVE Apt # \_\_\_\_\_

City LINWOOD State PA. Zip 19061

County DELAWARE

Daytime Telephone Number Where We Can Contact You: (610) 425-7180

E-mail Address (optional): \_\_\_\_\_ 484-480-5856

Utility Account Number 58554-66031  
(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 \_\_\_\_\_

2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

PECO ELECTRIC CO.

**RECEIVED**

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

TELEPHONE  
(local, long distance)

(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.

I SWITCHED ELECTRIC TO MY NAME  
IN JULY 2011.

I OWE YOU A VERY LARGE AMOUNT.

I BEEN TRYING TO WORK WITH ELECTRIC  
CO. (PECO)

THEY STILL WANTED A LARGE AMOUNT  
OF MONEY UP FRONT.

I DO NOT HAVE MONEY LIKE THAT.

I KNOW I OWE THIS BILL, ALL I  
WANT IS A REASONABLE ARRANGEMENT  
I CAN AFFORD;

5. RELIEF

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

I WOULD LIKE TO PAY THE  
CURRENT ELECTRIC BILL EACH MONTH  
AND PAY \$50.00 EXTRA TO THE  
BALANCE I OWE.  
THIS WILL TAKE A LONG WHILE  
TO BRING IT DOWN TO ZERO  
BUT THIS IS WHAT I CAN AFFORD  
IF I CAN PAY MORE TOWARDS  
IT EACH MONTH, I WILL,  
THANK YOU

**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.

I DID TALK TO THEM A FEW TIMES BUT COULD NOT AFFORD WHAT THEY REQUESTED.

**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 NO

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 ENOS A. CURL, 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).

Enos A. Curl  
(Signature)

OCTOBER 17, 2011  
(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.**

**RECEIVED**

OCT 18 2011

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**9. You must sign your complaint.**

In Section Nine (9) of the formal complaint, you **must** print or type your name in the space provided in the verification paragraph, and you **must** sign and date your formal complaint form on the lines in this Section. If a complainant is a corporation or association, the verification must be signed by an authorized officer or other authorized employee. If you do not sign the formal complaint form, the Commission will not accept it.

**10. 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
---	--

Keep a copy of your complaint for your records.

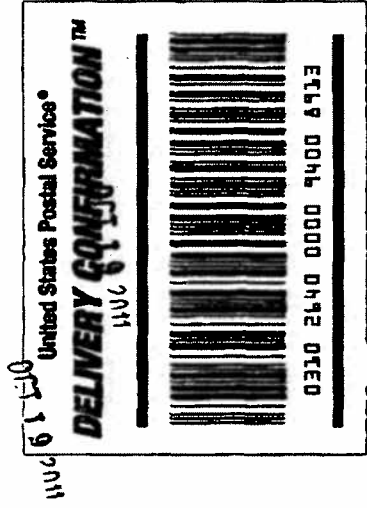
Facsimiles and/or electronic filings of the complaint form will not be accepted.

ELECTRIC & GAS HEAT } OIL 350. MONTH  
BIG YARD } Need PUT FENCE UP  
1 Acre  
1 FLOOR → BUT SMALL  
WASH & DRY } IN KITCHEN  
IN BASEMENT }  
& NOT TO GOOD }

LINCOLN, PA. 19061



OCT 19 2011



SECRETARY  
PENNSYLVANIA PUBLIC UTILITY COMM.  
P.O. BOX 3265  
HARRISBURG, PA. 17105-3265



**EXHIBIT “3”**

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

-----  
Enos Curl  
v.  
PECO Energy Company  
Telephonic Hearing  
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Docket No.: C-2011-2270181

Pages 1 - 26

PUC-Philadelphia  
801 Market Street  
Philadelphia, PA 19107

Thursday, April 5, 2012  
Commencing at 1:00 p.m.

BEFORE:

MARLANE R. CHESTNUT, Administrative Law Judge

APPEARANCES:

ENOS CURL, Pro Se  
Complainant

DANA PIRONE CAROSELLA, Esquire  
Stevens and Lee  
620 Freedom Business Center  
Suite 200  
King of Prussia, PA 19406  
For the Respondent  
(Via Telephone)

REPORTER: JAZMIN M. ARCE

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Sargent's Court Reporting Service, Inc.

(814) 536-8908

**PECO ENERGY**  
**EXHIBIT** 3





## 1 P R O C E E D I N G S

2 -----  
3 JUDGE MARLANE R. CHESTNUT:4 This is the hearing scheduled at Docket  
5 C-2011-2270181, Enos Curl versus PECO Energy Company.6 For the record, let me state that I am  
7 Administrative Law Judge Marlane R. Chestnut. I'll  
8 note the following appearances for the record.9 Dana Pirone Carosella. Ms. Carosella,  
10 could you state your name, your address, on whose  
11 behalf you are appearing?12 ATTORNEY CAROSELLA:13 Certainly, Your Honor. I'm Dana Pirone  
14 Carosella from Stevens and Lee, outside counsel for  
15 PECO Energy Company. Address is 620 Freedom Business  
16 Center, Suite 200, King of Prussia, Pennsylvania  
17 19406.18 Present with me today as PECO's witness  
19 is Elsa Leung.20 JUDGE CHESTNUT:

21 Spell that, please.

22 ATTORNEY CAROSELLA:

23 L-E-U-N-G.

24 JUDGE CHESTNUT:

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25

Okay. Mr. Curl.

MRS. CURL:

Yes.

JUDGE CHESTNUT:

Could you please state your name and your address and your telephone number?

MRS. CURL:

Well, my name is Carol Curl. My husband

---

JUDGE CHESTNUT:

Carol, no. I need Mr. Curl to do this.

MRS. CURL:

Allen, come here. Are you there? Hello?

JUDGE CHESTNUT:

Hello?

MRS. CURL:

Okay. Say your name and our address.

Just say it in there. They can hear you.

MR. CURL:

Hello?

JUDGE CHESTNUT:

Hello, Mr. Curl?

MR. CURL:

Yeah.

JUDGE CHESTNUT:

1                   Please give us your name, your address  
2 and your telephone number.

3                   MR. CURL:

4                   Where?

5                   MRS. CURL:

6                   Say it right there.

7                   MR. CURL:

8                   Enos A. Curl, 2 Maise Drive in Linwood.

9                   JUDGE CHESTNUT:

10                  That's Pennsylvania?

11                  MR. CURL:

12                  Yes.

13                  JUDGE CHESTNUT:

14                  19061?

15                  MR. CURL:

16                  Right.

17                  JUDGE CHESTNUT:

18                  And your telephone number is

19 484-480-5056?

20                  MR. CURL:

21                  Yeah.

22                  JUDGE CHESTNUT:

23                  Okay. Is there some reason you're not  
24 able to participate, Mr. Curl? Some medical reason?

25                  MRS. CURL:

1 Well, he doesn't understand all of this.  
2 I've been taking care of this, because ---

3 JUDGE CHESTNUT:

4 Well, he's the complainant.

5 MRS. CURL:

6 --- our grandson.

7 JUDGE CHESTNUT:

8 I'll let you participate to some extent,  
9 but he is the one who has to do this. You understand  
10 that; okay?

11 MRS. CURL:

12 He's listening. He's sitting right here.  
13 It's just ---

14 JUDGE CHESTNUT:

15 Well.

16 MRS. CURL:

17 He didn't do this. He doesn't  
18 understand.

19 JUDGE CHESTNUT:

20 He's the one who signed the complaint,  
21 not you. He didn't have it in both your names.

22 MRS. CURL:

23 Oh, okay.

24 JUDGE CHESTNUT:

25 Okay? It probably would have been better

1 if he had, perhaps. So I want to get this thing  
2 resolved, so I will let you participate.

3 MRS. CURL:

4 I tried to call CAP this morning to see  
5 if I could go on --- I mean, not CAP, PECO this  
6 morning to see if I could go into CAP because things  
7 changed here. And there ---

8 JUDGE CHESTNUT:

9 Mrs. Curl, you've got to stop; okay?  
10 There's a way that we do these things.  
11 Before you go any further, let's talk about this.

12 In the complaint, Mr. Curl admitted  
13 liability for the debt and requested a payment  
14 arrangement.

15 MRS. CURL:

16 Right.

17 JUDGE CHESTNUT:

18 Now, you need to understand some things  
19 about what the Commission can do if you choose to go  
20 ahead with your complaint. As I'm sure you are aware  
21 by now, the Commission's jurisdiction is very limited.

22 For one thing, if you're in CAP or your  
23 arrearage is a CAP arrearage, the Commission cannot  
24 grant you a payment arrangement. That amount is due.

25 For second, if you are eligible for a

1 payment arrangement of some amount, the Commission  
2 does not have any jurisdiction, --- any, I'm sorry,  
3 any discretion in terms of how much that amount can  
4 be. It's set by statute and it's based on your income  
5 with respect to the federal poverty level.

6 MR. CURL:

7 Okay.

8 JUDGE CHESTNUT:

9 And that determines how long you have to  
10 pay it back. Now, I'm telling you the Commission  
11 can't do much in these situations, but the company has  
12 more flexibility. They can make more generous  
13 arrangements with you than the Commission can order  
14 them to give you. And that's why I'm going to urge  
15 you to see if you can work this out with the company.  
16 Do you understand that?

17 MRS. CURL:

18 Yes, I do. And I've been trying to work  
19 it out with PECO.

20 JUDGE CHESTNUT:

21 Well, okay. You don't have a good  
22 history.

23 MRS. CURL:

24 No. I know that.

25 JUDGE CHESTNUT:

1 I've looked at the exhibits that were  
2 sent. So, nobody wants to see you without reserves.

3 MRS. CURL:

4 And that's why I'm trying ---

5 JUDGE CHESTNUT:

6 But you've got to be --- Mrs. Curl, you  
7 cannot interrupt me.

8 MRS. CURL:

9 Oh. I'm sorry. Go ahead.

10 JUDGE CHESTNUT:

11 Mrs. Curl, okay, you have to have better  
12 manners here.

13 MRS. CURL:

14 Very sorry.

15 JUDGE CHESTNUT:

16 You don't interrupt me. You don't  
17 interrupt anybody. For one thing, there's a court  
18 reporter here. This is a formal hearing and obviously  
19 she can't take down what people are saying when two  
20 people are talking at the same time. And second, it's  
21 really rude for you to interrupt me; okay?

22 MRS. CURL:

23 I'm sorry. Yes.

24 JUDGE CHESTNUT:

25 Now, I need to know that you're serious

1 about this and this is your chance to work this out;  
2 okay? I'm going to give you an opportunity to talk  
3 directly to the company, off the record. I'll leave  
4 the room and see if you can work this out. And I urge  
5 you to really --- you have to come up with something.

6                   You don't have a good history. You have  
7 a large debt. You're not going to get a payment  
8 arrangement. And if you go --- and unfortunately, if  
9 you can't work this out and we have to go ahead, you  
10 might find that the whole amount is due.

11                   And I don't think that's something that  
12 would be in your interest or PECO's interest. I'm  
13 sure PECO is trying to work this out with you. You  
14 are their customer and I'm --- based on my experience  
15 with them in other cases and in this case too, I'm  
16 sure they're going to try and work with you, but you  
17 have got to be realistic; okay?

18                   MRS. CURL:

19                   Okay. Yes.

20                   JUDGE CHESTNUT:

21                   Do you have any questions then?

22                   MRS. CURL:

23                   Well, if they're going to ask me to come  
24 up with the whole amount, I don't have that.

25                   JUDGE CHESTNUT:

1 Well, I'm going to give you a chance to  
2 see if they can work out better arrangements for you.

3 MRS. CURL:

4 Well ---

5 JUDGE CHESTNUT:

6 Mrs. Curl, don't talk; okay?

7 MRS. CURL:

8 Okay.

9 JUDGE CHESTNUT:

10 Ms. Carosella, are you willing to talk to  
11 this customer?

12 ATTORNEY CAROSELLA:

13 Your Honor, I am more than happy to talk  
14 with the customer. I spoke with her yesterday,  
15 although she's not the customer. I think we need to  
16 speak with the customer, Mr. Curl, and you know, Mrs.  
17 Curl, to the extent that she can assist him, is fine  
18 with us. We're happy to chat.

19 JUDGE CHESTNUT:

20 Okay. Okay, if --- I will let you talk.  
21 And Mrs. Curl, you have to understand, you're not the  
22 party here, Mr. Curl is. And if we have to go --- if  
23 we go ahead and have the hearing, he's the one who has  
24 to do it.

25 MRS. CURL:

1 Yes.

2 JUDGE CHESTNUT:

3 Okay?

4 MRS. CURL:

5 He's sitting right here.

6 JUDGE CHESTNUT:

7 Good. Mr. Curl, do you understand?

8 MRS. CURL:

9 Allen, will you come here. I didn't ---.  
10 Could you come over here? Why did you walk over  
11 there? You didn't hear me talk.

12 JUDGE CHESTNUT:

13 You know, maybe the best thing is, if he  
14 can't work this out, we're going to have an in-person  
15 hearing.

16 ATTORNEY CAROSELLA:

17 I agree, Your Honor.

18 JUDGE CHESTNUT:

19 This is ridiculous.

20 MRS. CURL:

21 Well, we have our grandson here and he's  
22 five and he ---

23 JUDGE CHESTNUT:

24 Well, I'm sorry, but that's --- it's just  
25 not working, you know. I mean, Mr. Curl is the party

1 of interest. He apparently is not paying any  
2 attention.

3 MRS. CURL:

4 Yes, he is paying attention. It's just  
5 he's trying to keep him quiet, so I, we can talk,  
6 because ---

7 JUDGE CHESTNUT:

8 Well, you're the one maybe who should be  
9 keeping him quiet while Mr. Curl's involved in this.

10 MRS. CURL:

11 Well, he doesn't understand any of this.

12 JUDGE CHESTNUT:

13 Well, he understood enough to file the  
14 complaint. I'm going to give you a chance to talk.  
15 Don't take a lot of time, because we need to resolve  
16 this, but ---.

17 I'm going to leave the room and, again,  
18 Mrs. Curl, Mr. Curl work with the Company; okay?

19 MRS. CURL:

20 Yes.

21 ATTORNEY CAROSELLA:

22 Your Honor, when we're done, why don't I  
23 let the court reporter know to come get you?

24 JUDGE CHESTNUT:

25 I think that's an excellent idea.

1                   ATTORNEY CAROSELLA:

2                   Okay. Thank you.

3                   JUDGE CHESTNUT:

4                   Sure.

5 OFF RECORD DISCUSSION

6                   JUDGE CHESTNUT:

7                   Why is there a problem? The parties had  
8 a chance to resolve this. I came back at 1:40 and  
9 neither Mr. Curl, nor his wife, were available,  
10 although apparently the phone line is still engaged.  
11 We've waited 20 minutes for them to respond, or to  
12 contact us. Ms. Carosella?

13                   ATTORNEY CAROSELLA:

14                   Yes.

15                   JUDGE CHESTNUT:

16                   Are you still there?

17                   ATTORNEY CAROSELLA:

18                   Yes, I am. I will stay for however long  
19 Your Honor wants.

20                   JUDGE CHESTNUT:

21                   Did you tell her you were getting me?

22                   ATTORNEY CAROSELLA:

23                   Yes. I did speak up. She did get her  
24 husband, but because it was taking so long, I asked  
25 the court reporter to come get you, because I didn't

1 know what else to do.

2 JUDGE CHESTNUT:

3 Okay. Okay, do you want to make a motion  
4 then?

5 ATTORNEY CAROSELLA:

6 Yes, Your Honor, I would. This is Enos  
7 Curl's complaint. Presumably, Mr. Curl is not  
8 prepared to prosecute his complaint today and, as  
9 such, we would ask that the complaint be dismissed  
10 with prejudice, Your Honor.

11 JUDGE CHESTNUT:

12 Okay. I'm a little confused by this. I  
13 mean, obviously they're still on the line.

14 ATTORNEY CAROSELLA:

15 I know.

16 JUDGE CHESTNUT:

17 But they're not participating.

18 ATTORNEY CAROSELLA:

19 I know. So it's like they're here, but  
20 they're not here.

21 JUDGE CHESTNUT:

22 Exactly. I'm going to grant your motion,  
23 but I am going to ask you to see if you can contact  
24 them.

25 ATTORNEY CAROSELLA:

1           You know, Your Honor, would you like me  
2 to put you on not hold, but mute, because I don't want  
3 to disconnect you and I'll use my cell phone to try  
4 and call them at the number that I have?

5           JUDGE CHESTNUT:

6           Okay. I mean, I already did that and ---

7           ATTORNEY CAROSELLA:

8           I know.

9           JUDGE CHESTNUT:

10          But why don't you try it again. That's a  
11 good idea.

12          ATTORNEY CAROSELLA:

13          Okay. Thank you. Hold on, please.

14 CELL PHONE CALL IS PLACED

15          ATTORNEY CAROSELLA:

16          4-480-5856 number.

17          JUDGE CHESTNUT:

18          Right.

19          ATTORNEY CAROSELLA:

20          This is Carol Wars (phonetic) phone  
21 number.

22          JUDGE CHESTNUT:

23          Right.

24          ATTORNEY CAROSELLA:

25          And it says leave a message. Yeah.

1                   JUDGE CHESTNUT:

2                   Okay.

3                   ATTORNEY CAROSELLA:

4                   I just called the other number that is on  
5 the complaint, which was not working before and we  
6 were told not to use it.

7                   JUDGE CHESTNUT:

8                   Right.

9                   ATTORNEY CAROSELLA:

10                  It is now saying on the voice mail to  
11 leave a message. I did not leave a message. I wanted  
12 to report back to you.

13                  JUDGE CHESTNUT:

14                  That's the 610-425-7180?

15                  ATTORNEY CAROSELLA:

16                  Yes, ma'am.

17                  JUDGE CHESTNUT:

18                  Which was not the number I was told to  
19 use by Ms. Wars.

20                  ATTORNEY CAROSELLA:

21                  Correct.

22                  JUDGE CHESTNUT:

23                  Well, call it and leave a message, asking  
24 them to call us in the next five minutes.

25                  ATTORNEY CAROSELLA:

1 I'm sorry. Did you want me to do that?  
2 I couldn't hear you.

3 JUDGE CHESTNUT:

4 Yeah, could you please?

5 ATTORNEY CAROSELLA:

6 Absolutely.

7 JUDGE CHESTNUT:

8 Thanks.

9 ATTORNEY CAROSELLA:

10 What number do you want them to call?

11 JUDGE CHESTNUT:

12 That's a good question actually. I guess  
13 our general number here and then we can decide where  
14 to go from there.

15 ATTORNEY CAROSELLA:

16 Okay.

17 JUDGE CHESTNUT:

18 215-560-2105.

19 ATTORNEY CAROSELLA:

20 560-2105?

21 JUDGE CHESTNUT:

22 Because I'm not sure what would happen if  
23 they called this number.

24 ATTORNEY CAROSELLA:

25 I don't know either, but okay. I will

1 have them call that number in the next five minutes.  
2 I'm just looking at my clock. It says 2:05 here.

3 JUDGE CHESTNUT:

4 Okay.

5 ATTORNEY CAROSELLA:

6 And I'll tell them to call in the next  
7 ---

8 JUDGE CHESTNUT:

9 Five minutes.

10 ATTORNEY CAROSELLA:

11 --- five minutes, which would be 2:10.  
12 And I'll have them ask for you, Your Honor?

13 JUDGE CHESTNUT:

14 Uh-huh (yes).

15 ATTORNEY CAROSELLA:

16 Okay. Very good. I'm going to put you  
17 on mute while I make the call?

18 JUDGE CHESTNUT:

19 Sure.

20 ATTORNEY CAROSELLA:

21 Okay.

22 CELL PHONE CALL IS BEING PLACED

23 ATTORNEY CAROSELLA:

24 The detailed message, that we are at the  
25 hearing ---

1                   JUDGE CHESTNUT:

2                   Uh-huh (yes).

3                   ATTORNEY CAROSELLA:

4                   --- that you wanted me to call, and I  
5 just gave the number, explained who I am just in case  
6 and that it's 2:07 now, at least on our clock here and  
7 to call the number you gave me. The 215 ---

8                   JUDGE CHESTNUT:

9                   Okay.

10                  ATTORNEY CAROSELLA:

11                  --- 560-2105 number in the next five  
12 minutes.

13                  JUDGE CHESTNUT:

14                  When you called that number ---

15                  ATTORNEY CAROSELLA:

16                  Yes?

17                  JUDGE CHESTNUT:

18                  --- was there a message?

19                  ATTORNEY CAROSELLA:

20                  No. There was no name other than, you  
21 know, leave a message and ---

22                  JUDGE CHESTNUT:

23                  So we don't actually know it is the  
24 Curl's?

25                  ATTORNEY CAROSELLA:

1 No.

2 JUDGE CHESTNUT:

3 Okay.

4 ATTORNEY CAROSELLA:

5 But it's the phone number, however, that  
6 is on the complaint.

7 JUDGE CHESTNUT:

8 But it wasn't working.

9 ATTORNEY CAROSELLA:

10 I know.

11 JUDGE CHESTNUT:

12 Oh man, I don't even know what to say  
13 here.

14 ATTORNEY CAROSELLA:

15 Yeah. I'm sorry for the inconvenience,  
16 Your Honor.

17 JUDGE CHESTNUT:

18 Well, I think we're all. I think they're  
19 getting asked here, but it's just I feel bad that  
20 we're not moving any forward with this.

21 ATTORNEY CAROSELLA:

22 Well, you know there's --- unfortunately,  
23 there's only so much one can do.

24 JUDGE CHESTNUT:

25 I just can't believe they haven't gotten

1 back to us and said something.

2 ATTORNEY CAROSELLA:

3 I know. I know. I mean, I thought I  
4 heard arguing in the background.

5 JUDGE CHESTNUT:

6 I think that's probably what's happening.  
7 I think they're probably talking about how to hit the  
8 401, which would be a hopeful sign, if they are  
9 discussing this.

10 ATTORNEY CAROSELLA:

11 I agree with you, Your Honor.

12 JUDGE CHESTNUT:

13 In any event, if I go ahead and dismiss  
14 this for a no show, it won't be until next week,  
15 because I'm not in tomorrow. I mean, if they call  
16 with a good reason, then maybe we'll go on. If we  
17 have to have another hearing, I will tell you, it will  
18 be in-person though.

19 ATTORNEY CAROSELLA:

20 I agree with you, Your Honor. That's the  
21 only way that ---

22 JUDGE CHESTNUT:

23 But I would urge you to see if you can  
24 continue to try and work it out with them. I mean ---

25 ATTORNEY CAROSELLA:

1           Your Honor, again, I have no problem  
2 trying to work it out, but they need to come up with a  
3 substantial up-front payment.

4           JUDGE CHESTNUT:

5           Okay. As long as you're being realistic  
6 about your up-front payment that you're requiring.

7           ATTORNEY CAROSELLA:

8           I think we are.

9           MRS. CURL:

10          Say something else.

11          JUDGE CHESTNUT:

12          Okay.

13          ATTORNEY CAROSELLA:

14          I still hear something in the background.

15          JUDGE CHESTNUT:

16          Well, I think they're okay.

17          ATTORNEY CAROSELLA:

18          I agree.

19          JUDGE CHESTNUT:

20          I hope there is ---

21          ATTORNEY CAROSELLA:

22          Mr., Mrs. Curl, are you there? This is  
23 Dana Carosella from PECO.

24          JUDGE CHESTNUT:

25          Boy, it's been a half an hour now. I'm

1 sure they're discussing this with each other and lost  
2 track of the time.

3 ATTORNEY CAROSELLA:

4 I would hope.

5 JUDGE CHESTNUT:

6 I hope. I mean, seriously.

7 ATTORNEY CAROSELLA:

8 I agree with you, Judge. I totally agree  
9 with you.

10 JUDGE CHESTNUT:

11 All right. Listen. I don't think it's  
12 reasonable to wait any more.

13 For the record, do let me state that it  
14 is now 2:10. We've been waiting for Mr. Curl or his  
15 wife to respond to us. We've left messages. I mean,  
16 Ms. Carosella left a message on the other line. We've  
17 tried to call the line, this line, it's been bridged.  
18 We've tried everything to contact them and it doesn't  
19 seem to be working.

20 So, I'm going to grant the motion, but I  
21 do urge you to see if you can contact them later and  
22 perhaps try and work this out or something. And if  
23 you do, obviously, let me know; okay?

24 ATTORNEY CAROSELLA:

25 Nothing else for us, Your Honor.

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JUDGE CHESTNUT:

Anything else for you then, Ms.

Carosella?

ATTORNEY CAROSELLA:

No, Your Honor. Other than have a very nice holiday.

JUDGE CHESTNUT:

Thank you. Same to you.

ATTORNEY CAROSELLA:

Thank you. You have a good day.

COURT REPORTER:

Thank you.

JUDGE CHESTNUT:

Bye-bye.

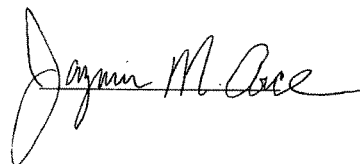
\* \* \* \* \*

HEARING CONCLUDED AT 2:15 P.M.

\* \* \* \* \*

CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Judge Chestnut, was reported by me on 04/05/2012 and that I Jazmin Arce read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.



**EXHIBIT “4”**

ENOS A. CURL  
2 MAISE DRIVE  
LINWOOD, PA. 19061  
DOCKET # C2011-2270181

RECEIVED

APR 17 2012

Public Utility Commission  
Philadelphia Office  
Administrative Law Judge  
ELECTRIC

THIS CONCERNS MY  
BILL.

WE HAD A TELEPHONE HEARING A  
WEEK AGO AND IT WAS NOT  
WHAT WE CAN AFFORD

THERE WAS AN ATTORNEY ON THE  
LINE FOR PECO,  
SHE WAS VERY IGNORANT AND CAME  
UP WITH A PLAN WE CANNOT DO.

SO CAN YOU PLEASE HELP US,

WE CAN NOT BORROW 4800.00 FROM  
NO ONE OR NO WHERE,  
BELIEVE ME WE TRIED,

I (ENOS'S WIFE) CAROL CURL CAN  
NOT HAVE OUR ELECTRIC OFF.  
SHE HAS A ILLNESS.  
THAT SHOULD ON BEEN DISCUSSED.

SO PLEASE SEND DOCTER PAPERS  
IF YOU NEED TO.

ALL WE WANT AND ASKING FOR  
IS A PAYMENT PLAN WE CAN  
AFFORD,

WE ARE AWARE OUR BILL IS  
HIGH

WE CAN NOT PUT ANY MONEY  
UP FRONT

PECO ENERGY  
EXHIBIT 4

DUEN

a |  
We JUST WANT TO PAY OUR  
CURRENT BILL  
PLUS EXTRA EACH MONTH.

SO CAN YOU PLEASE HELP US.

AS GET BACK TO US AS SOON  
AS POSSIBLE

THANK YOU

EMMA CURE

CAUL CURE

610 475-7180

OR

484-480-5856

**RECEIVED**

APR 17 2012

Public Utility Commission  
Philadelphia Office  
Administrative Law Judge

**EXHIBIT “5”**

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 BRITTANY VOHRER

Street/P.O. Box 2 MAISE DR. Apt #

City LINWOOD State PA. Zip 19061

County DELAWARE

Daytime Telephone Number Where We Can Contact You: (610) 425-7180

E-mail Address (optional):

Utility Account Number (from your bill) DON'T HAVE OR DON'T KNOW IT

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

2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

PECO

3. TYPE OF UTILITY (check one)

- ELECTRIC (checked), GAS, WATER, TELEPHONE, STEAM HEAT, WASTE WATER, MOTOR CARRIER. Includes note: (e.g., taxi, moving company, limousine)

Vertical stamp: RECEIVED, APR 20 10 19:53, PUBLIC UTILITY BUREAU

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.

1. MYSELF AND MY GRAND MOTHER (CAROL VOHRER) LIVE AT THIS ADDRESS AND MY 16 YR. OLD BROTHER WHOM IS IN SCHOOL.
2. THE BILL WAS IN MY STEP GRAND FATHERS NAME BUT THERE WERE PROBLEMS AND HE NO LONGER LIVES HERE.
3. WE NEED ELECTRIC MY GRAND MOTHER IS VERY ILL SO THATS WHY I'M TAKING OVER.
4. I BEEN TRYING TO GET ELECTRIC IN MY NAME FOR THE PAST FEW MONTHS BUT KEEP GETTING REFUSED BECAUSE MY MOTHER HAD A ELECTRIC BILL IN MY NAME WHICH I WAS AWARE OF OVER →

THANK YOU

5. RELIEF

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

SHE WAS ON THE CAP PROGRAM AND I WAS TOLD SHE TOOK CARE OF THE PREVIOUS BILL BUT I'M BEING TOLD SHE STILL OWES \$1000.00 AND IF THATS THE CASE I'D LIKE PAYMENT ARRANGEMENTS I AM NOT REFUSING TO PAY IT, ALSO I SENT MY LEASE AND THEY CALLED THE WRONG LANDLORD SO OF COURSE HE DID NOT KNOW WHAT THEY WERE TALKING ABOUT, I DID FIX THAT PROBLEM.

5. PECO ALSO WANTS ME TO BE RESPONSIBLE FOR MY STEP GRANDFATHER'S BILL, WHICH IS A LARGE AMOUNT, THAT IS NOT MY BILL, I LIVED HERE FOR 1 YR. AND I WAS A MINOR AT ANY PREVIOUS ADDRESS HE LIVES, THEY NEED TO CONTACT HIM AND LIKE I SAID HE NO LONGER LIVES HER AND MY GRAND MOTHER IS ILL, SO PLEASE HELP US GET THIS ELECTRIC IN MY NAME

THANK YOU!

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 NONE

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 BRITTANY JOHNER, 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).

Brittany J. Johner  
(Signature)

APRIL 26, 2012  
(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.**

SECRETARY'S BUREAU  
APR 20 11:09:53