

**Vero, Eranda**

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**From:** Shawane.Lee@exeloncorp.com  
**Sent:** Tuesday, September 25, 2012 8:56 AM  
**To:** Shreck-Beck, Shelby  
**Cc:** Vero, Eranda  
**Subject:** Declined: Meeting Invitation for 'C-2012-2299868, Steve Atuahene v PECO Energy Co.,

SETTLED. PECO Energy will file a CERT and email a copy to Judge Vero's attention.

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September 25, 2012

SEP 25 2012

**(VIA FACSIMILE)**Administrative Law Judge Franda Vero  
Pennsylvania Public Utility Commission  
801 Market Street  
Philadelphia, PA 19107Public Utility Commission  
Philadelphia Office  
Administrative Law Judge**Re: Steve Atuahene v. PECO Energy Company  
PUC Docket No. C-2012-2299868**

Dear Judge Vero:

Kindly recall that this matter is scheduled for a hearing on September 26, 2012 at 10:00 a.m. before Your Honor. The Complainant, Steve Atuahene, contacted me this morning to state that he intended to withdraw the above-referenced formal complaint against PECO Energy. I suggested that PECO Energy file a Certificate of Satisfaction and Mr. Atuahene agreed. In a later telephone conversation with Regulatory Assessor, Elsa Leung, Mr. Atuahene said he did not agree to a Certificate of Satisfaction and he wanted to withdraw his complaint in order to preserve his rights to re-file the complaint at a later time.

Please be advised that PECO Energy objects to Mr. Atuahene's withdrawal of the formal complaint. As you are aware, PECO Energy filed a Motion to Dismiss the formal complaint based on the fact that the Pennsylvania Public Utility Commission has ruled that Mr. Atuahene is prohibited from filing formal complaints. Your Honor denied PECO Energy's Motion to Dismiss by Order dated July 2, 2012.

Mr. Atuahene is prohibited from filing formal complaints because he abuses the process to prevent paying his utilities. Mr. Atuahene has a history of filing formal complaints in an effort to suspend collection activity on his account and then he fails to prosecute the complaints. He then re-files the complaint at a later date to again suspend collection on his account. See Chronology, attached hereto as Exhibit "I". By requesting two continuances and now withdrawing the complaint, Mr. Atuahene is exhibiting the same pattern of behavior he has in the former cases.

In light of the above and the prejudice it is causing to PECO Energy, the company requests that the hearing scheduled to take place tomorrow move forward.

If you have any questions, please do not hesitate to contact me directly.

Very truly yours,



Shawane L. Lcc  
Counsel, Exelon BSC  
Encl.

cc: Steve Atuahene (*via email- fas098@yahoo.com*)

**ATUAHENE CHRONOLOGY**

"Further review of all these case files [including C-00913621 and C-009224554] indicates a consistent pattern. A complaint is filed, hearing notices mailed by certified mail are returned 'unclaimed' and/or requests for continuances are made."

Allison K. Turner, Chief Administrative Law Judge, Initial Decision on Remand in PUC matter captioned Agnes Manu v. Bell Telephone Company of Pennsylvania, Docket No. F-09029141, p. 6 (Aug. 19, 1993).

**COMPLAINT NO. C-00913621****1650 Roselyn Street (a/k/a 6001 N. 17th Street)**

9/25/91	Complaint filed with PUC.
10/21/91	PECO files answer.
12/2/91	Hearing held on complaint.
12/4/91	Atuahene asks for continuance due to accident. Request made two days after hearing held.
1/16/92	Judge Kranzel issues bench decision dismissing complaint with prejudice for failure to prosecute case.
4/8/92	Complainant files untimely exceptions, alleging that car trouble prevented him from attending 12/2/91 hearing. Exceptions granted. Hearing scheduled for 9/25/92.
6/16/92	Commission orders Office of ALJ to reinstate complaint and remand matter back to ALJ for hearing and initial decision upon remand. Hearing scheduled for 8/31/92.
8/26/92	Atuahene requests continuance because he is allegedly ill and because two major witnesses are allegedly unavailable (one ill, one attending funeral). Request denied, but 8/31/92 hearing becomes "prehearing conference."
8/31/92	Prehearing conference postponed, rescheduled to 9/24/92.
9/25/92	Prehearing conference continued to 12/7/92.
10/27/92	Commission enters order reminding Complainant that

"notwithstanding the petition he is obligated to pay that portion of the bill notwithstanding."

12/7/92 Hearing held. PECO learns that Atuahene has filed another complaint against PECO on 10/19/92 (00924832) regarding 242 S. 49th Street. Additional hearing scheduled for 3/4/93-3/5/93.

3/4/93-3/5/93 Hearing continued to 5/13/93-5/14/93 due to Complainant's alleged illness, witness unavailability and attorney difficulties.

5/13/93 Atuahene states he wishes to have complaint withdrawn due to filing of action in Philadelphia CCP. PECO objects to withdrawal. Request is denied.

5/14/93 Hearing is held on complaint. Atuahene refuses to put on evidence and again states he wishes to have complaint withdrawn. Says his attorney is not ready. Judge Kranzel denies motion to withdraw and dismisses complaint without prejudice, citing Complainant's "dilatatory tactics regarding this case."

6/8/93 Judge Kranzel issues Initial Decision on Remand dismissing case for lack of prosecution without prejudice.

5/4/94 Matter is consolidated with C-00913621 and other PUC proceedings. Any further complaint filings, "to the extent they pertain to the arrearages which are the subject of the instant proceeding, shall be dismissed without further proceeding. See Authur Lily v. P.U.C."

**COMPLAINT NO. C-009224554**  
**242 S. 49th Street**

10/15/92 Complaint filed with PUC.

11/30/92 PECO files answer.

6/9/93 Hearing held. Complainant fails to appear. Judge Kranzel indicates that he will dismiss complaint with prejudice.

6/11/93 Complainant requests continuance. Request denied, noting that "numerous requests for continuances have been made in the two cases heard by the Commission."

6/17/93 Judge issues Bench Decision, dismissing complaint without

prejudice. Commission denies Atuahene's request for continuance.

8/2/93 Final order entered dismissing complaint without prejudice.

5/4/94 Matter is consolidated with C-00913621 and other PUC proceedings. Any further complaint filings, "to the extent they pertain to the arrearages which are the subject of the instant proceeding, shall be dismissed without further proceeding. See Authur Lily v. P.U.C."

**COMPLAINT NO. C-00935245**  
**242 S. 49th Street**

10/13/93 Identical complaint to 009224554 is refiled.

12/1/93 PECO files answer to complaint.

1/24/94 Atuahene files F.A. Investment Company, Inc. v. PECO Energy Company, Phila. CCP, January Term, 1994, No. 2894, which is identical to previously filed civil action complaint, which had been voluntarily discontinued by Complainant. Atuahene asks for postponement of 00935245 pending outcome of civil action. Request denied.

2/2/94 Hearing held, testimony presented.

3/11/94 PECO files Petition for Statutory Receivership.

3/14/94 Additional testimony presented.

3/15/94 Additional testimony presented.

4/26/94 Order entered appointing receiver for 242 S. 49th Street.

7/21/94 Judge Kranzel issues Order dismissing complaint with prejudice for failure to sustain burden of proof.

9/19/94 Order to dismiss complaint with prejudice is finalized by PUC. "Any complaints filed by Steve Frempong-Atuahene and/or F. A. Investment Group, Inc., against PECO Energy shall not be accepted by the Secretary's Bureau absent an allegation of an immediate threat to health and/or safety."

**COMPLAINT NO. C-2012-2299868**  
**7000 Woodbine Street**

4/23/12 Formal complaint is filed.

5/2/12 PECO files answer to complaint.

5/8/12 Hearing is scheduled to take place July 2, 2012 before ALJ Eranda Vero.

6/25/12 Steve Atuahene files a request for a continuance. He states the reason for his request is to attend another hearing scheduled to take place the same day.

7/5/12 Request granted. Hearing is rescheduled to take place August 31, 2012.

8/23/12 Steve Atuahene files a request for a continuance. He states the reason for his request as surgery scheduled to take place two days before the scheduled hearing.

9/12/12 Request granted. Hearing is rescheduled to take place September 26, 2012.

9/25/12 Steve Atuahene requests a withdrawal of the formal complaint.