

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: C-20054920
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 06/29/05
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: WILLEM, ANITA

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY:

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON HER BILL. SHE RECEIVED A NOTICE THAT HER UTILITY SERVICE IS BEING TERMINATED.

DOCUMENT FOLDER

JOINED
AUG 18 2005

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

C-20054920

ORIGINAL

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

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

Name ANITA WILLEM

Street/P.O. Box 13137 Knights Road Blvd 5 Apt. 33

City BENSALEM State P.A. Zip 19020-2838

County _____

Area Code/HOME Phone 215-638-2190

Area Code/WORK Phone _____

Utility Account Number 45-08-01-169589
(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 _____

RECEIVED
2005 JUN 29 9:23
PA P.U. COM. BUREAU
SECRETARY'S OFFICE

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO Energy Company

3. TYPE OF UTILITY (check one)

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

Handwritten initials

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. *never check*

I received a notice that my utility service is being terminated.

I would like a payment agreement.

Other. *one charge) bill is too high for a one bedroom apartment) plus my meter is off by one number*

B. State the facts of your complaint. *and alot more,*

Include any specific dates, times or places that are 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 have complain about the bill since I ~~move~~ ^{more} in here! they did come out to see what was wrong and that all. I never got anything in writing just a shut off notice. call on S.S.D. ~~to see~~ they say call on Caps.? I would rather speak to some one then put it down in paper, but ~~if you got the answer I will do what~~

5. RELIEF *I have to do even if I have to go on the NEWS.*

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

I call the public commission, and who I spoke to, was going to help but he never call back, or put anything in writing to me. I am very upset.

please call I have alot more to tell you 215-638-2190

6. **PROTECTION FROM ABUSE**

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

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.

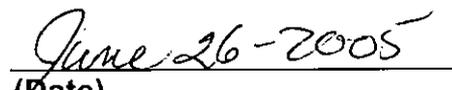
8. **VERIFICATION AND SIGNATURE**

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 _____, 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).


(Signature)


(Date)

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: AUGUST 19, 2005

ANITA WILLEM

Complainant

VS.

PECO ENERGY COMPANY

Respondent

Complaint Docket

No: C-20054920

DOCUMENT
FOLDER

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PECO ENERGY COMPANY

DOCKETED
AUG 18 2005

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

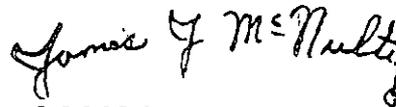
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

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

DATE SERVED: AUGUST 19, 2005

C-20054920

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

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by ANITA WILLEM. 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.

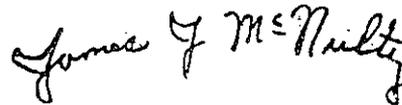
AUGUST 19, 2005

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

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

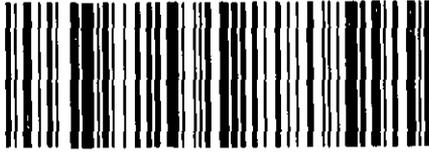
Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in dark ink and is positioned above the typed name.

James J. McNulty
Secretary

JH

2. Article Number



7160 3901 9843 0008 3882

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

8/23/05

C. Signature

X Zulma Rodriguez

Agent
 Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

Yes
 No

C-20054920
PECO ENERGY COMPANY FC
C/O WARD L. SMITH, ASSOCIATE GENERAL
COUNSEL
PO BOX 8699
PHILADELPHIA PA 19101-8699

Legal Department

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

Telephone 215.841.5544
Fax 215.568.3389
www.exeloncorp.com

Business Services
Company

ORIGINAL

Direct Dial: 215.841.6841

September 12, 2005

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

DOCUMENT
FOLDER

RECEIVED

SEP 12 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**RE: Anita Willem v. PECO Energy Company
PUC Docket No. C-20054920**

Dear Mr. McNulty:

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

- X Answer (original and 3 copies)
- ___ Petition (original and 3 copies)
- ___ Answer and Motion (original and 3 copies)
- ___ Motion to Dismiss (original and 3 copies)
- ___ Reply to Motion/Petition (original and 3 copies)
- ___ Exceptions (original and 9 copies)
- ___ Reply Exceptions (original and 9 copies)
- ___ Brief (original and 9 copies)
- ___ Reply Brief (original and 9 copies)

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. I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties.

Very truly yours,

Lisa A. Lutz
Lisa A. Lutz
Counsel for PECO Energy Company

LAL/zr

Enc.

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RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION SEP 1 2 2005

ANITA WILLEM

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:
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v.

PECO ENERGY COMPANY

PA PUBLIC UTILITY COMMISSION
REGULATORY BUREAU

DOCKET NO. C-20054920

DOCUMENT
FOLDER

ANSWER OF RESPONDENT, PECO ENERGY COMPANY

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 5.61, responds to the Complaint and states:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted in part and denied in part. PECO Energy denies that Complainant was

improperly charged for electric services. PECO Energy avers a field visit was performed at Complainant's property on March 8, 2005. The reading obtained verified the last billed reading to be correct. An analysis of use was performed and indicated the potential for use as billed. The Complainant declined a meter test during this field visit.

By way of further answer, Complainant's current outstanding balance is \$1,035.58. The Complainant's average monthly bill is currently \$134.00 and Complainant's calculated monthly budget payment is currently \$148.00. Complainant has a poor payment history and has missed or made partial payments on her account since service was established in November, 2004 at this address. The Complainant is enrolled in the Customer Assistance Program ("CAP"). The Complainant receives a 50% discount on the first 500 kilowatts of electric service of each month.

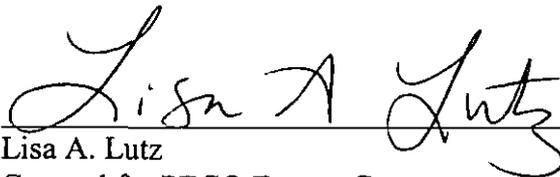
DOCKETED
SEP 14 2005

A decision by the Bureau of Consumer Services ("BCS") issued on May 18, 2005 found that the bills were corrected as rendered. The BCS found the Customer is responsible for the balance owed on her account. A copy of this decision is attached as Exhibit A.

5. This paragraph is a request for relief and no answer is required.
6. PECO Energy is without sufficient information to confirm or deny this statement.
7. Admitted.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint. PECO Energy further requests that your Honorable Commission enter an Interim Order directing payment of current undisputed consumption charges, pursuant to 66 Pa. Code §1410(2), and reminding Complainant that PECO Energy Company is authorized to terminate service if Complainant fails to pay pursuant to Sections 56.174(3) and 56.81(1) of the Public Utility Code.

Respectfully Submitted,



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Direct Dial: 215.841.6841;
Fax: 215.568.3389
Lisa.Lutz@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ANITA WILLEM

v.

PECO ENERGY COMPANY

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DOCKET NO. C-20054920

VERIFICATION

I, Lisa A. Lutz, hereby declare that I am counsel for 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.

Date: September 12, 2005



Lisa A. Lutz

Date: 8/25/05

PA. Public Utility Commission
Bureau Of Consumer Services
Inbound Closing Report

Case Number: 1850186
Customer Name: ANITA WILLEM
Address: 3131 KNIGHTS RC
5-33
BENSALEM PA 19020-0

Opened On: 2/18/05
Utility Type: Electric Distributor
Account Number: 450801169589
Company Name: PECO Energy

Prior Case: Total Balance: \$514.49 Balance Date: 3/9/05

Compliance Violation(Alleged, Actual, No): NO Chap 56/64/Other: Section/Rule:

Decision Issued: N Oral Written: O
Investigator: CLEA, JOHN PUC Decision Issued Dt: 5/18/05 PUC Case Closed Dt: 5/18/05

Decision Recvd Dt: 5/18/05 04:25PM

Letter Description: CAP REVIEWED / NO DECISION

To Restore Service Pay: \$0.00 To Continue Service Pay: \$0.00 By:
Terms:
Special Budget Amount: \$0.00 Regular Budget Amount: \$117.00 Plus Arrears Payment: \$0.00
Final Bill Monthly Payment: \$0.00 Current Bill Monthly Payment: \$0.00
End Of Month Payment: \$0.00

Par Description:

YOUR DISPUTE HAS BEEN REVIEWED. THE BILLS ARE CORRECT AS RENDERED. YOU ARE RESPONSIBLE FOR THE BALANCE OWED TO THE COMPANY.

RECEIVED

SEP 12 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Resolution:

CAP REVIEW. CAP VALID LTR MAILED TO CUST. THE DISPUTE HAS BEEN REVIEWED. THE BILLS ARE CORRECT AS RENDERED. CUST IS RESPONSIBLE FOR THE BALANCE OWED TO THE CO.

Exhibit A

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SEP 12 2005

ANITA WILLEM

v.

PECO ENERGY COMPANY

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

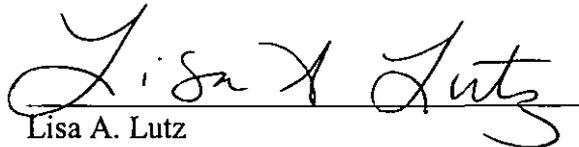
DOCKET NO. C-20054920

CERTIFICATE OF SERVICE

I, Lisa A. Lutz, hereby certify that I have this day served a copy of PECO Energy Company's Answer and New Matter in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Anita Willem
3131 Knights Road, 5-3
Bensalem, PA 19020

Dated at Philadelphia, Pennsylvania, September 12, 2005.



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Direct Dial: 215.841.6841;
Fax: 215.568.3389
Lisa.Lutz@exeloncorp.com