

CAPTION SHEET

SE MANAGEMENT SYSTEMS

- 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-20055009
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 07/22/05
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BAGLEY, DALEENA

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: DELAWARE

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON THE BILL. THEY RECEIVED A NOTICE THAT THEIR UTILITY SERVICE IS BEING TERMINATED.

DOCUMENT FOLDER

DOCKETED
AUG 23 2005

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

C-20055009

ORIGINAL

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

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

Name DALEENA BABLEY

Street/P.O. Box PO BOX 64, 1204 CUMBER STREET Apt # A

City OLTON State PA Zip 1901

County DELAWARE

Area Code/HOME Phone 610 494-7816

Area Code/WORK Phone N/A

Utility Account Number (from your bill) 017-57-469087

RECEIVED
05 JUL 22 AM 8:54
PA. P.U.C. BUREAU
SECRETARY'S BUREAU

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. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO

3. TYPE OF UTILITY (check one)

- ELECTRIC
- GAS
- WATER
- TELEPHONE (local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER (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. Should receive gas/biometric at the current two bedrooms rate (explain) with two bedrooms contribution based on all biometric readings. Bill is correct for 2 bedrooms in February with PECO, and PECO bill number numbers for bill that kept PECO bill number from my biometric

B. State the facts of your complaint.

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.

2/18/05 received a bill for \$939 and gas/biometric bill from PECO at the time gas/biometric rate was set 1 week ago. PECO with no warning moved my 9100 credit paid 300. I had paid 77 through December. Now I have 2600 on my bill. Applied for gas and it was never applied until April. In March after paying 200 no accounting 254 for credit charges. My bill was still 781. I've been disputing this bill since. PECO has not come down on the services that have been shut off since 6/1/05 and no one has assisted with reconnection.

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

To investigate and correct my gas service cut so that I can have the changes for gas that they will resolve this first bill and allow it to be removed from my account balance. I'm being charged for services that I'm not using and have my services restored with a 0 balance.

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

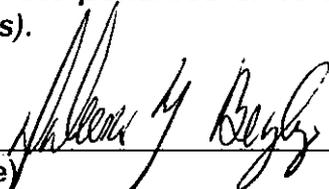
If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

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 DARLENE BAGLEY, 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)

07-15-05
(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

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	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
--	--

Facsimiles and/or electronic filings of the complaint form 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.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: AUGUST 24, 2005

DALEENA BAGLEY

Complainant

VS.

PECO ENERGY COMPANY

Respondent

Complaint Docket

No: C-20055009

DOCUMENT
FOLDER

DOCKETED
AUG 23 2005

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PECO ENERGY COMPANY

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,

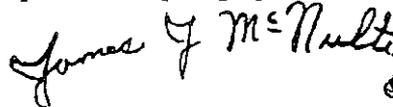
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, 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 24, 2005

C-20055009

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 DALEENA BAGLEY. 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.

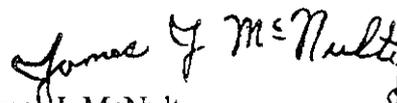
AUGUST 24, 2005

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:

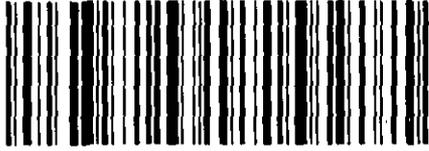
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,


James J. McNulty
Secretary

JIH

2. Article Number



7160 3901 9843 0728 9751

3. Service Type CERTIFIED MAIL

4. Restricted Delivery? (Extra Fee) Yes

1.

C-80055009 PC

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

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

1/30/05

C. Signature

X *Zulma Rodriguez*

Agent

Addressee

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

Yes

No

Legal Department

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

Telephone 215.841.5544
Fax 215.568.3389
www.exeloncorp.com

Direct Dial: 215.841.6841

September 15, 2005

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

**DOCUMENT
FOLDER
ORIGINAL**

**RE: Daleena Bagley v. PECO Energy Company
PUC Docket No. C-20055009**

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.

RECEIVED

SEP 15 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

DALEENA BAGLEY

v.

PECO ENERGY COMPANY

:
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:
:
:

DOCKET NO. C-20055009

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 admits Complainant received

notice that her service would be terminated due to the account delinquency; however, PECO denies the termination was improper. Complainant's electric service was terminated in June, 2005 for the account delinquency; however, her gas service is active.

PECO Energy denies that Complainant was improperly charged for electric and gas services. PECO Energy avers that an investigation on May 5, 2005 indicated that the Complainant had the potential for the billed usage. PECO's investigation with the property owner at this address indicates the Complainant is responsible for the gas service she uses.

By way of further answer, Complainant's current outstanding balance is \$857.65. Complainant is enrolled in the Customer Assistance Program ("CAP") and receives 50 percent discount on the first 500 kwh each month, and also receives a 40 percent discount on her monthly

**DOCUMENT
FOLDER**

RECEIVED

DOCKETED
SEP 20 2005

SEP 15 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

gas usage. Complainant has a poor payment history, including partial and missed payments on her account.

A decision by the Bureau of Consumer Services ("BCS") issued on June 27, 2005 found that the Complainant's bills are correct as rendered and that the Complainant is responsible for the balance owed. The Complainant has not complied with this decision. 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 information to confirm or deny this statement.
7. Admitted.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Lisa A. Lutz", written over a horizontal line.

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

Date: 9/2/05

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

Case Number: 1924495
Customer Name: DALEENA M BAGLEY
Address: 1224 CURRAN ST
CHESTER PA 19013-2007

Opened On: 6/17/05
Utility Type: Electric Distributor
Account Number: 501737469087
Company Name: PECO Energy

Prior Case: 1848763

Total Balance: \$825.89

Balance Date: 6/24/05

Compliance

Violation(Alleged, Actual, No): NO

Chap 56/64/Other:

Section/Rule:

Decision Issued: N

Oral Written: O

Investigator: GALACCI, THEODORE

PUC Decision Issued Dt: 6/27/05

PUC Case Closed Dt: 6/27/05

Decision Recvd Dt: 6/27/05 02:25PM

Letter Description: CAP REVIEWED/VALID/CO OFFER BETTER

To Restore Service Pay: \$838.00

To Continue Service Pay: \$0.00 **By:**

Terms:

Special Budget Amount: \$128.00

Regular Budget Amount: \$0.00 **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.

Resolution:

VERBAL DISMISSAL. CUSTOMER HAS RECENT DECISION BILLS CORRECT AS RENDERED.

RECEIVED

SEP 15 2005

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Exhibit A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DALEENA BAGLEY

v.

PECO ENERGY COMPANY

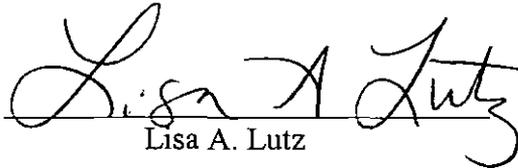
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DOCKET NO. C-20055009

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 15, 2005


Lisa A. Lutz

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

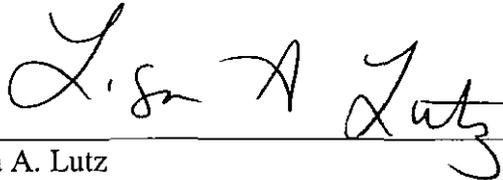
DALEENA BAGLEY :
 :
 v. : DOCKET NO. C-20055009
 :
 PECO ENERGY COMPANY :

CERTIFICATE OF SERVICE

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

DALEENA BAGLEY
1224 Curran Street, 1st Floor
Chester, PA 19013

Dated at Philadelphia, Pennsylvania, September 15, 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

RECEIVED
SEP 15 2005
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
October 5, 2005

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20055009

(See attached list)

Daleena Bagley v. PECO Energy Company

Billing dispute.

Hearing Notice

This is to inform you that your case is scheduled for hearing at 1:30 p.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the presiding Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all afternoon, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

Type: Initial Hearing
Date: Wednesday, November 16, 2005
Time: 1:30 p.m.
Location: Hearing Room 2
State Office Building
Broad & Spring Garden Streets
Philadelphia, PA

DOCUMENT
FOLDER

DOCKETED
OCT 06 2005

Presiding: Administrative Law Judge Ky Van Nguyen
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: 215.560.2105
Fax: 215.560.3133

Attention: You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

If you intend to file exhibits, bring 4 copies with you to the hearing.

Individuals may represent themselves or be represented by an attorney. Individuals representing themselves do not need to be represented by an attorney. If you have an attorney representing you, your attorney should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Nguyen
Susan Licon
Beth Plantz
Docket Section
Calendar File

#502239 09/04

#502239 03/05

Billing dispute.

DALEENA BAGLEY
PO BOX 64
1224 CURRAN STREET APT A
CHESTER PA 19013

LISA A LUTZ ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET S23-1
PO BOX 8699
PHILADELPHIA PA 19101-8699