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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

1/18/13

Re: MAZZA v. PECO
C-2012-2318472

Dear Secretary:

Attached please find for filing
Complainant's Exceptions regarding the
above matter.

Thank you,

Mark Mazza

Original + copies

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Mark Mazza

v.

C 2012 2318472

Peco Energy Company

Complainant's Exceptions to Initial Decision Sustaining
Preliminary Objections and Dismissing Complaint

Complainant objects to service of the Initial Decision dated December 31,2012 as it was not served by certified mail as indicated on the envelope . Nor was said mailing signed for or accepted by complainant or other adult at complainant's property.. If PUC rules required certified mail service of said decision,complainant objects to improper service of the initial decision and requests the Initial Decision be stricken,vacated or served properly. Without waiver of the above objections,complainant files exceptions to the Initial Decision.

Complainant files exceptions and objections to conclusions of law numbers 2,3,4,5 and 6, and exceptions to Order numbers 1,2 and 3. All of the above numbered exceptions are set forth, and submitted ,including but not limited to the following grounds-violation of due process and equal protection rights, errors of law,errors of fact, lack of proper notice and service, violations of federal law and/or state law,defects in termination/shutoff notices,failure to hold hearings, im

proper application/finding regarding the doctrine of lis pendens, and improperly sustaining preliminary objections regarding complaint number 6. Complainant further contends the Initial Decision was based on prejudice or bias and there was an abuse of discretion, and these are raised as exceptions as well.

Incorporated in each of the numbered exceptions noted above are the following reasons.

including but not limited to [finding that lis pendens applied when complaint 6 addresses a

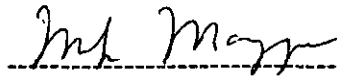
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shut off/termination notice which was premature or improper and said notice contained alleged new facts submitted by Peco to terminate services. The administrative judge erred by not addressing the specifics within the termination/shutoff notice. The prior cases are not the same as compared to complaint 6. Peco asserted new grounds for termination of services, so while similar, lis pendens does not bar or warrant dismissal of complaint 6. Sustaining the preliminary objections was error of law. Complainant is not abusing the Commission's system and filed the complaint to contest/dispute the improper termination/shutoff notice when phone efforts were unsuccessful and to protect his family including 2 minor children. Complainant was denied a full and fair hearing on the complaint. The administrative judge failed to address equitable relief and other merits of the complaint and denied complainant due process.

Due to complainant's prior complaint filings, the administrative judge's initial decision was rendered with bias, prejudice and was an abuse of discretion. It is averred there seems to be some partiality in favor of Peco as the merits of complaint 6 addressing a new termination/shutoff notice were not addressed. Since Judge Barnes presided in a prior proceeding or proceedings involving complainant, one of which is on appeal, it is averred there was a conflict of interest and preliminary objection to complaint 6 should have been decided by

The other proceedings ,including those on appeal.,a re only similar to the claims and requests for relief sought in complaint 6. The administrative judge admits this on page 5 of the decision

Wherefore, it is requested the initial decision be vacated or reversed,and ordered that a hearing be scheduled for complaint 6.

A handwritten signature in cursive script, appearing to read "Mark Mazza", is written over a horizontal dashed line.

Mark Mazza[-Pro se

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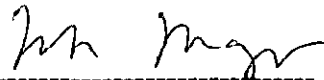
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SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify thisday serving the foregoing Exceptions to Initial Decision of Administrative Judge Barnes on the persons listed below below by first class regular mail in accordance with PUC rules/Regulations and Pennsylvania Rule of Civil Procedure:

Shawanee Lee, Esq.
Exelon Corp.
2301 Market St.
S23[-1
Philadelphia, Pa 19103

Patricia Wiedt, Esq,
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17105[-3265



Mark Mazza Pro se

Date - 1/20/13

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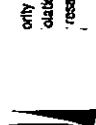
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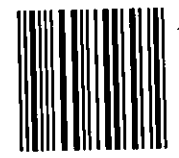
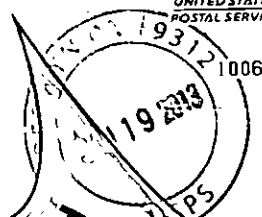
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