

**Legal Department**

Exelon Business Services Company  
2301 Market Street/S23-1  
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January 30, 2013

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

**RE: James J. Halsema v. PECO Energy Company**  
**PUC Docket No.: C-2013-2345420**

Dear Ms. Chiavetta:

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

—	Answer
—	Answer & New Matter
—	Motion
—	Motion for Judgment on the Pleadings
<u>X</u>	Preliminary Objection
—	Exceptions
—	Reply Exceptions
—	Main Brief
—	Reply Petition

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,



Shawane Lee  
Counsel for PECO Energy Company  
SL/lo

Scheduling Recommendation: Call of the docket

Non Call of the docket

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>JAMES J. HALSEMA</b>	:	
<b>PAUL HALSEMA</b>	:	
<b>Complainant</b>	:	
<b>v.</b>	:	<b>DOCKET NO. C-2013-2345420</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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**NOTICE TO PLEAD**

Pursuant to 52 Pa. Code §§ 5.101 and 5.62(c), you are hereby notified that, if you do not file a written response denying or correcting the enclosed Preliminary Objection within 10 days from service of this notice, a ruling may be entered against you. Your response must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Shawane L. Lee, and where applicable, the Administrative Law Judge presiding over the issue.

File with:  
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Second Floor  
Harrisburg, PA 17120

With a copy to:  
Shawane L. Lee  
PECO Energy Company  
2301 Market Street, S-23  
Philadelphia, PA 19103

Dated at Philadelphia, PA, January 30, 2013



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Shawane L. Lee  
PECO Energy Company  
2301 Market Street, S-23  
Philadelphia, PA 19103  
(215) 841-6481  
[Shawane.Lee@exeloncorp.com](mailto:Shawane.Lee@exeloncorp.com)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>JAMES J. HALSEMA</b>	:	
<b>PAUL HALSEMA</b>	:	
<b>Complainant</b>	:	
<b>v.</b>	:	<b>DOCKET NO. C-2013-2345420</b>
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<b>Respondent</b>	:	

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**PRELIMINARY OBJECTION OF RESPONDENT,  
PECO ENERGY COMPANY**

Respondent, PECO Energy Company (“PECO Energy”), pursuant to 52 Pa. Code § 5.101(a)(4) respectfully petitions this Honorable Commission to dismiss the instant Complaint as legally insufficient.

1. On January 29, 2013, PECO Energy was served with a formal complaint filed by James J. Halsema and Paul Halsema (hereafter “Complainants”).

2. Complainant, James Halsema has electric service at 48 Walnut Bank Road, Glenmore, PA under PECO Energy account number 88421-01103. See the Complainants’ formal complaint, attached hereto as Exhibit “1”.

3. Complainant, Paul Halsema has electric service at 52 Walnut Bank Road, Glenmore, PA under PECO Energy account number 20180-01401. See Exhibit “1”.

4. The Complainants have Off Peak meters installed at both properties. See Exhibit “1”.

5. In the Complainants’ formal complaint, they state the reason for their complaint as:  
OFF Peak Service for 48 + 52 Walnut Bank Road. Removal of Off Peak meters 52 + 48 Walnut Bank Road.  
See Exhibit “1”.

6. The Complainants attached a five (5) page letter to the formal complaint, in which they state:

I am writing this formal complaint to PECO Energy case #BCS3032341. Back in the 1980s my parents put PECO Energy's OFF Peak meters into both there (sic) properties 48 + 52 Walnut Bank Road, Glenmoore, PA 19343. ... We have contacted private electricians that say we must contact PECO Energy to remove the electrical panel boxes and outside meters. They say that those are PECO property and its up to PECO to disassemble there (sic) property.

We both can't afford the fee of \$1.75 each x 2 every month to keep the 2<sup>nd</sup> meters on our homes.

See Exhibit "1".

7. In their request for relief, the Complainant's state:

To have PECO remove its property from OFF Peak meter set up on both 48 + 52 Walnut Bank Road, Glenmoore, PA 19343.

To have single meter for each house.

See Exhibit "1".

8. In their informal complaint at Bureau of Consumer Services Case Number 003032341, the Complainants' allege that they have:

Off Peak service which is scheduled to be discontinued end of year 2012 and the company is requiring the customer to have a private electrician rewire the off peak service to one meter and if this is not done customer will be required to pay 21.00 to piggy back through the off peak meter. 21.00 is for maintaining the meter that the elect is going through and customer feels company should do this.

See Case Details Report #003032341, attached hereto as Exhibit "2".

9. In both their informal and formal complaints, the Complainants dispute the \$1.75 off-peak meter charge they will incur as a result of the eventual elimination of PECO's discounted Off Peak rate.

10. They dispute the fact that in order to avoid incurring this monthly cost, they must have the meter removed by a licensed electrician at their own expense.

11. In their formal complaint only, the Complainants additionally dispute a copper wire located on Little Conestoga Road they allege needs to be upgraded because “the high line wire and low line wire have snapped every time a pine tree branch hits it.”

12. PECO Energy filed the instant Preliminary Objection.

13. Commission procedure regarding the disposition of preliminary objections is similar to that utilized in Pennsylvania civil procedure. <sup>1</sup>

14. In deciding preliminary objections, the Public Utility Commission must determine, based on the factual pleadings of the petitioner, if relief or recovery is possible.<sup>2</sup>

15. A complaint must be able to recover under the law to survive a preliminary objection.<sup>3</sup>

16. All of the non-moving party’s averments must be taken as true for the sake of deciding the preliminary objection.<sup>4</sup>

17. The court does not, however, need to accept, “unwarranted inferences from facts, argumentative allegations, or expressions of opinions.”<sup>5</sup>

18. Section 703 of the Public Utility Code, 66 Pa.C.S.A. § 703(b) provides that the Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary in the public interest.

19. A hearing is required only when there is a disputed question of fact, and is not required to resolve questions of law. Dee-Dee Cab, Inc. v. Pa.Pub. Util. Comm’n, 817 A.2<sup>nd</sup> 593 (Pa.Commw. Ct. 2003), petition for allowance of appeal denied, 836 A.2d 123 (Pa. 2003).

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<sup>1</sup> Equitable Small Transportation Interveners v. Equitable Gas Co., 1994 Pa.PUC LEXIS 69, Docket No. C-00935435 (July 18, 1994)

<sup>2</sup> 2006 Pa. PUC Lexis 111, \*7.

<sup>3</sup> Milliner v. Enck, 709 A.2d 417, 418 (Pa. Super. Ct. 1998) (“preliminary objection should be sustained only where it appears with certainty that, upon the facts averred, the law will not allow the plaintiff to recover”).

<sup>4</sup> Id. at 7-8.

<sup>5</sup> Feingold v. McNulty, 2009 Phila. Ct. Com. Pl LEXIS 167, \*3.

20. With the exception of the issue concerning the copper wire (line) on Little Conestoga Road that the Complainants allege needs to be upgraded, there are no genuine issues of fact.

21. The allegations concerning the \$1.75 meter charge and rewiring the off peak meters at the Complainants' own expense are legally insufficient and should be dismissed.

22. Accordingly, PECO Energy is entitled to judgment as a matter of law, regarding these specific issues.

23. Specifically, the Complainants dispute the \$1.75 meter charge they will incur as a result of the phase out of PECO Energy's Off Peak rate.

24. The elimination of PECO Energy's Off Peak rate was approved by the Commission as part of PECO's Default Service Program and Rate Mitigation Plan on June 9, 2009, docket number P-2008-2062739. The plan was previously approved by the Commission and is just, reasonable and lawful.

25. The \$1.75 customer charge is assessed for each Off Peak meter at a customer's property and is part of the monthly basic distribution charge to cover costs for billing, meter reading, equipment and maintenance.

26. The Commission approved the \$1.75 rate as a part of the 2010 Electric Rate Case Settlement at Docket No. R-2010-2161575.

27. As a part of the rate case settlement, PECO submitted a Proof of Revenue, demonstrating the necessity for the charge, how the company designed its rates; and how the company proposed to obtain its revenue. See Rate Case Settlement, Rate Design, attached hereto as Exhibit "3".

28. The Commission asked PECO Energy to “Explain why PECO proposes to eliminate the Rate OP pricing advantage for distribution service”. With regard to the Off Peak customer charge, PECO Energy answered, in relevant part:

In order to equalize the variable distribution charges of rate OP and Rate R, any increase in Rate OP will be allocated first to the variable distribution charge. As a result of this change, the Rate OP customer charge is being reduced from \$4.65 to \$2.00 per month. A customer charge is still necessary for Rate OP because customers served under this rate schedule have a separate meter for this service.

See Rate Case Testimony, attached hereto as Exhibit “4”.

29. After extensive discovery, hearings, and the filing of testimony and rebuttal testimony in this matter, the Commission ultimately approved PECO Energy’s right to charge the \$1.75 under Docket Number R-2010-2161575.

30. Assuming that everything the Complainant alleges in his Complaint is true, PECO Energy is operating under the basis of a Commission approved Order and charged the \$1.75 with the specific approval of the Commission.

31. The \$1.75 charge is regulated by the Public Utility Commission (“PUC”) and it is contained within PECO Energy’s Electric Service Tariff (“Tariff”) approved by and on file with the PUC. See Tariff Provision, attached hereto as Exhibit “5”.

32. The Tariff provisions approved by the PUC are prima facie reasonable. 66 Pa. C.S.A. § 316 (1999); See also, Kossman v. Pennsylvania Public Utility Commission, 694 A.2d 1147 (Pa. Cmwlth. 1997). Moreover, tariffs that have been approved by the PUC have the full force and effect of law and are binding on both the utility and its customers. Brockway Glass Co. v. Pennsylvania Utility Commission, 437 A.2d 1067 (Pa. Cmwlth. 1981).

33. The Complainants do not allege that PECO Energy made any billing errors or incorrectly applied the \$1.75 tariff rate for service.

34. Thus, the Complainants' complaint, objecting to the \$1.75 Off Peak meter charge does not allege a violation of any order, law or tariff that can be the basis of any finding against PECO Energy.

35. Additionally, the Complainants dispute the fact that they must remove the meter at their own expense.

36. Preliminarily, the Complainants voluntarily made the decision to separate the wiring in their homes to connect to the Off Peak meter in order to take advantage of the discounted Off Peak rate.

37. The Complainants made this investment to obtain a discounted rate and savings on their electric service.

38. After obtaining savings over several years, the Complainants now have a choice to re-invest to have his wiring redone so their appliances are separated from the Off Peak meter.

39. If the Complainants do not choose to make this investment and rewire, the status quo will be maintained and the Off Peak meter will remain at the property.

40. If the Off Peak meter remains at the property with appliances connected to it, PECO Energy still needs the ability to obtain usage information for the appliances connected to the meter.

41. Even after the rate phase-out, the Off Peak meter is still needed to measure usage for the appliances connected to that meter.

42. The meter must be present to properly measure the Complainant's energy usage for the old heating circuit regardless of what variable energy rate is being charged.

43. For instance, if the Complainant's hot water heater appliance is connected to the Off Peak meter, the meter will separately calculate the usage for the hot water heater.

44. If the meter is removed without the Complainant rewiring to the first meter, there would be no electric service available to that circuit for their hot water heater or other hard wired 220 volt appliances.

45. As the meter is still required, PECO Energy should be able to recover costs through the \$1.75 meter charge to cover the cost for billing, meter reading, and equipment maintenance.

46. Accordingly, the allegations in the Complainant's formal complaint, disputing the \$1.75 meter charge and the requirement to remove the meter and rewire at their own expense should be dismissed as a matter of law.

**REQUEST FOR RELIEF**

WHEREFORE, for all of the reasons stated herein, PECO respectfully requests that your Honorable Commission dismiss the allegations concerning the \$1.75 meter charge and the necessity to rewire the Complainants' home at their own expense with prejudice. PECO Energy respectfully requests that the sole remaining issue, concerning the copper wire on Little Conestoga Road that allegedly requires upgrading be referred to mediation.

Respectfully submitted,



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Shawane L. Lee  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841  
Fax: 215.568.3389  
Shawane.Lee@exeloncorp.com

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>JAMES J. HALSEMA</b>	:	
<b>PAUL HALSEMA</b>	:	
<b>Complainant</b>	:	
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	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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**VERIFICATION**

I, Shawane L. Lee, 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: January 30, 2013

\_\_\_\_\_  
Shawane L. Lee

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>JAMES J. HALSEMA</b>	:	
<b>PAUL HALSEMA</b>	:	
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	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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**CERTIFICATE OF SERVICE**

I, Shawane L. Lee, 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:

James J. Halsema  
48 Walnut Bank Road  
Glenmore, PA 19343

Paul Halsema  
52 Walnut Bank Road  
Glenmore, PA 19343

Dated at Philadelphia, Pennsylvania, January 30, 2013



---

Shawane L. Lee  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841  
Fax: 215.568.3389  
Shawane.Lee@exeloncorp.com

Legal Department

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

Direct Dial: 215 841-6841

January 30, 2013

James J. Halsema  
48 Walnut Bank Road  
Glenmore, PA 19343

**RE: James Halsema v. PECO Energy Company**  
**PUC Docket No.: C-2013-2345420**

Dear Mr. Halsema:

Enclosed is a copy of PECO Energy Company's response to the formal complaint filed in the above-referenced docket. The law requires PECO Energy to file an answer to your Public Utility Commission complaint. Keep these papers for your records. This is not a decision on your complaint. PECO's response may include a New Matter, Motion or Preliminary Objection. Please note that if you do not respond to a New Matter, Motion, or Preliminary Objection an unfavorable decision may be rendered against you. Responses to New Matters and Motions must be filed within 20 days. Responses to Preliminary Objections must be filed within 10 days. If there is no New Matter, Motion or Preliminary Objection included, no response is required.

Soon, the Public Utility Commission will schedule either a settlement conference or a hearing on your complaint. The Commission will let you know by mail whether there will be a conference or a hearing and will include instructions on what to do next. If the matter is set for hearing, the notice will provide you with information about the date, time and place of the hearing. If we are unable to resolve your complaint and have to proceed with a hearing, a judge will be at the hearing and will decide your complaint. You must call the Public Utility Commission if you have any questions about the hearing or if you cannot attend the hearing.

Thank you for your time and attention on this matter.

Very truly yours,



Shawane Lee  
Counsel for PECO Energy Company  
Enc.  
SL/lo

**EXHIBIT “1”**

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 James J HALSEMA (Alice C Halsema) (48) Paul HALSEMA (52)

Street/P.O. Box (48) (52) Walnut Bank Rd Apt #

City Glenmore State PA Zip 19343-1908

County CHESTER (Wallace)

Daytime Telephone Number Where We Can Contact You: (610) 942-3668

E-mail Address (optional): N/A

Utility Account Number 88421-01103 > (48) House

(from your bill) 20180-01401 > (52) House

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name SAME AS ABOVE

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 (local, long distance), STEAM HEAT, WASTE WATER, MOTOR CARRIER (e.g., taxi, moving company, limousine)

RECEIVED JAN 18 2013 PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

# 3032341

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 might get shocked?

I received a notice that my utility service is being terminated. OFF PEAK SERVICE FOR 48 + 52

I would like a payment agreement.

Other (explain). RENEWAL OF OFF PEAK WALNUT BANK RD 19343

B. State the facts of your complaint. Meters 52+48 Walnut Bank Rd 41

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.

SEE ENCLOSED

SPACE Letter 1

SORRY FOR BAD PENMENSHP  
I HAD WRIST SURGERY and I am  
dyslexic. I Had Learning Disabilities  
growing UP IN Egypt - Chile - Europe.  
English is NOT my FIRST LANGUAGE.

5. RELIEF

#3032301

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

SEE 5 PAGE letter:

TO HAVE PECO REMOVE ITS  
PROPERTY FROM OFF PEAK  
METER SETUP ON BOTH  
49 + 52 WALNUT BANK ROAD  
GLENMOORE PA 19343

USA,

TO HAVE SINGLE METER  
FOR EACH HOUSE:

TO PUT IN HIGH LINE AND LOW LINE WIRE  
TO A STRONGER WIRE OTHER THAN COPPER DOWN THE  
FULL LENGTH OF WALNUT BANK ROAD. COPPER WIRE  
IS FROM 1934 PENN ELECTRIC.

#303 2341

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?

PUC

YES (includes appeals of BOS determinations)

NO

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

THEY KEEP CHANGING THE RULES  
IN FORMAL COMPLAINT GIVEN  
SPOKE TO CUSTOMER SERVICE  
STATE TO PUC

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 Yet to be determined??

Street STATE REP FOR PROTECTION OF THE ELDERLY + VETERANS

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

E-mail Address (if known) \_\_\_\_\_

# 3032341

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: PAUL HALSEMA  
I ALICE HALSEMA JAMES J HALSEMA <sup>← Passed away died</sup> 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).

Paul Halsema

Alice C Halsema

1-14-13

(Signature)

(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
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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.**



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

IN REPLY PLEASE  
REFER TO OUR FILE

Date: 1/7/2013

Case #: 3032341

PAUL HALSEMA  
52 WALNUT BANK ROAD  
GLENMOORE PA 19343 - 1908

Dear Paul:

You contacted our office on 10/15/2012 regarding PECO Energy. You stated that the company is requiring you to have a private electrician rewire the off peak service to one meter or you would need to pay a monthly service charge of \$1.75 per month for each meter.

According to company records, they will continue to supply the energy through the two meters. There is a customer charge for each meter.

According to company records, you may hire a licensed electrician to combine the load to one meter to avoid a second customer charge. However, if you decide to leave the off peak meter in place, you will be billed a monthly customer charge of \$1.75 per month for each meter. The customer is responsible for the wiring. The company would not combine the load to remove the off peak meter.

I have closed this case without rendering a decision. If you have any questions regarding this information, you may contact me at 1-800-692-7380.

Sincerely,

Barbara Barbush, Investigator  
Bureau of Consumer Services

Page 1

#3032341

1-14-13

To Whom it may Concern:

I am writing this formal complaint to  
PECO ENERGY Case #BC53032341

Back in the 1980's my Parents put  
PECO ENERGY'S OFF PEAK METERS  
INTO BOTH THERE PROPERTIES 48 +  
52 WALNUT BANK ROAD GLENMOORE PA  
19343.

THE PECO ELECTRICIAN INSTALLED  
BOTH PROPERTIES WITH OFF PEAK  
SERVICE. MY MOTHER AND I ARE  
BOTH WIDOWERS ON FIXED INCOMES.  
MY MOTHER IS 93 YRS OLD. I AM  
A DISABLED AMERICAN VETERAN,  
WE BOTH HAVE MULTIPLE HEALTH  
ISSUES AND HAVE MANY EXPENSE BECAUSE  
OF OUR POOR HEALTH.

WE HAVE CONTACTED PRIVATE ELECTRICIANS  
THAT SAY WE MUST CONTACT PECO  
ENERGY TO REMOVE THE ELECTRICAL  
PANEL BOXES AND OUT SIDE  
METERS. THEY SAY THAT THOSE ARE  
PECO PROPERTY AND ITS UP TO PECO  
TO DISASSEMBLE THERE PROPERTY, THEY  
DONT WANT TO TAKE ON THE LIABILITIES  
OF DAMAGING PECO'S METERS AND PANEL  
BOXES, FURTHER MORE THEY SAID

#3032349 Page

THAT THE COMPANY THAT INSTALLED THEM SHOULD BE THE ONES TO TAKE THEM OUT.

WE BOTH CANT AFFORD THE FEE OF \$1.75 EACH X2 EVERY MONTH TO KEEP THE 2nd METERS ON OUR

HOMES. I SPOKE TO A PECO LINE MAN JACK MAR'S WHO TOLD ME TO CALL PECO'S CUSTOMER SERVICE AND THAT THEY WOULD SEND A LINE MAN OUT TO REMOVE PECO'S PROPERTY AND IT WOULDNT TAKE TO MUCH TIME FOR THEM TO REMOVE THE 2nd Meter and Panel

Boxes.

IF I GET SHOCKED OR KILLED TRYING TO REMOVE THEM MY SELF I WOULD HAVE LIABILITY'S AGAINST PECO FOR PUTTING ME IN A NO WIN SITUATION. I NEED A LETTER

FROM PECO SAYING ITS OK WITH PECO FOR ME TO REMOVE THE OUTSIDE METERS AND PANEL BOXES.

I WOULD THEN KEEP THE PECO EQUIPMENT AND SELL THEM TO WHO EVER WILL BUY THEM TO HELP COVER MY TIME FOR REMOVING THEM MY SELF. I JUST HOPE I DONT GET SHOCKED WHEN I DO IT. I WAS TOLD

Page 3

# 3032341

BY CUSTOMER SERVICE THAT ITS  
AGAINST THE LAW TO TAMPER WITH  
PECO PROPERTY. I HAVE NO OTHER  
CHOICES THAN TO DO IT MYSELF.  
I HAVE A DO IT YOURSELF HANDY  
MAN'S BOOK. BUT IT DOES NOT HAVE  
ANYTHING TELLING ME WHICH METER IS  
#1 and which is #2. LETS PRAY TO  
GOD I GET IT RIGHT ??

FURTHER MORE PECO NEEDS TO REPLACE  
THE COPPER WIRE FROM LITTLE CANYON  
ROAD ALL THE WAY DOWN WALNUT  
BANK ROAD. THE HIGH LINE WIRE  
AND LOW LINE WIRE HAVE SWAPPED  
EVERY TIME A PINE TREE BRANCH HITS  
IT. VEGETATION HAS BEEN CUT TO  
TRIM A FEW BRANCHES, BUT THE  
COPPER IS FROM PENN ELECTRIC  
DATING BACK TO 1934. IT NEEDS TO  
BE UPGRADED BECAUSE THERE ARE  
A LOT OF SICK ELDERLY PEOPLE  
LIVING ON WALNUT BANK ROAD.

#3032341 Page 4

THE COPPER IS GOING TO SWAP IN  
A WIND STORM AND KILL SOMEONE.

I ALREADY MADE THE CEO OF

EXELON CORP IN CHICAGO AWARE  
OF THE HAZARDS. NO ONE TRULY

CARES ABOUT CUSTOMER SERVICE

ANY MORE. NO ONE CARES ABOUT

DISABLED VETERANS ANY MORE. NO

ONE CARE ABOUT THE ELDERLY AND

SICK ANY MORE.

MAY BE CHANNEL 10 ON YOUR  
SIDE MIGHT HELP ME. OR FOX

29 NEWS ON YOUR SIDE MIGHT

HELP ME. MAY BE THE PUBLIC

NEEDS TO BE AWARE OF HOW

PECO PUT IN A ENERGY SAVING

DEVICE ONLY TO HAVE THE

CUSTOMERS HAVE TO RUN AROUND

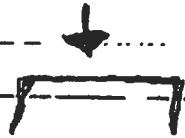
IN CIRCLES TO HAVE THIS PROBLEM

RESOLVED. I WILL SEND SENATOR

#3032341

Page 5 TIM HENNESSEY  
A copy of my letter to the POC.  
I Hope OUR HOUSES DON'T  
CATCH FIRE and I don't  
get shocked. WISH ME  
LUCK.

I don't know if Lowes or  
Home Depot HAVE THE C  
Clamp BAR I NEED to jump  
the #1 meter over to itself.  
THE LIVE MAN SHOWED ME  
WHAT it looks like



I am NOT too sure of THE EXACT  
SIZE. WISH ME LUCK.

Sincerely Paul Helmsma <sup>Happy NEW</sup> YEAR  
48152 WALNUT BANK RD PA 19343-1908

**EXHIBIT “2”**

January 30, 2013

## Case Details Report

**BCS Case #:** 003032341 **BCS Bill Account #:** 8888888888  
**Customer Name:** JAMES J HALSEMA  
**Service Address:** 48 WALNUT BANK ROAD  
WALLACE TOWNSHIP  
GLENMORE, PA 19343 1908

**Mailing Address:**

**Home Phone:** (610) 942-4265  
**Business Phone:** () -  
**Business name:**  
**Alternate contact:**

**Date Case Opened:** 2012-10-15 **Date Cut Out:** 9999-12-31  
**PAR Case:** N  
**Investigator Name:** BARBARA BARBUSH  
**Investigator Phone:** (717) 787-4949 **Universal Service:** N  
**Service class:** R **Contact Type:** TELEPHONE  
**Previous case #:** **Amount in Arrears:** \$0.00

**# Adults:** 0  
**# Children:** 0  
**Children Ages:**  
**Gross Income:** \$  
**Miscellaneous Info:**

**Complaint Reason:**  
SERVICE (CO. FACILITIES) (# 48)

**Customer Problem Description:**

\*\*\*\*\*DISPUTE W/CO  
SVC\*\*\*\*\*CU HAS OFF PECK SVC WHICH IS  
SCHEDULED TO BE DISCONTINUED END OF YR 2012 AND CO REQUIRING CU HAVE  
PRIVIAE ELECTRICIAN REWIRE THE OFF PECK SVC TO ONE METER AND IF THIS  
IS NOT DONE CU WILL BE REQUIRED TO PAY 21.00 TO PIGGY BACK THROUGH  
THE OFF PECK METER. 21.00 IS FOR MAINTAINING THE METER THAT THE ELECT  
IS GOING THROUGH AND CU FEELS CO SHOULD DO THIS. CU IS DISABLED VET....

# **Exelon.**

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**January 30, 2013**

**Company Position:**

**09/28/2012 HAVE A PRIVATE ELECTRICIAN ACCOMPLISH THE REWIRING...**

**EXHIBIT “3”**



**EXHIBIT “4”**

Docket No R-2010-2161575  
PECO Statement #9

- 1 20. Q. Explain why PECO proposes to eliminate the Rate OP pricing advantage for  
2 distribution service.
- 3 A. The pricing structure of Rate OP is also a vestige of "bundled" rates that had included  
4 the cost of generation. As such, that pricing structure is not justified for the recovery  
5 of distribution charges after the transition to competitively procured generation for  
6 default service. PECO's cost-of-service for kilowatt hours distributed under Rate OP  
7 is the same as its cost-of-service for regular residential service. Therefore, PECO  
8 proposes the same variable distribution charge for this service. In order to equalize  
9 the variable distribution charges of rate OP and Rate R, any increase in Rate OP will  
10 be allocated first to the variable distribution charge. As a result of this change, the  
11 Rate OP customer charge is being reduced from \$4.65 to \$2.00 per month. A  
12 customer charge is still necessary for Rate OP because customers served under this  
13 rate schedule have a separate meter for this service.
- 14 21. Q. Will there be other options for Rate OP customers?
- 15 A. Yes. As part of its energy efficiency filing, the Company proposed a direct load  
16 control rate that can be used by Rate OP customers. Additionally, the Company, as  
17 required under Act 129, will, at a future date, be proposing time-of-use rates and/or  
18 real time pricing rates. While some of these options might not be available at January  
19 1, 2011, I would note that Rate OP customers will still be getting a significant benefit  
20 in generation pricing until January 1, 2013.
- 21 22. Q. Explain why PECO proposes to eliminate Rate R-T.

**EXHIBIT "5"**

**PECO Energy Company**

**Superseding Second Revised Page No. 46**

**RATE OP OFF-PEAK SERVICE**

**AVAILABILITY.**

In conjunction with Rates R, RT, R-H and with residence service under Rate GS, for any customer receiving service at 120/240 volts, 3 wires, or 120/208 volts, 3 wires, for the operation of 240-volt or 208-volt domestic equipment of a type approved by the Company. Any load connected for service under Rate OP may not be connected for service under any other rate during the period that service under Rate OP is interrupted. Service will be interrupted during on-peak periods as established by the Company. This rate is not available when the source of supply is service purchased from a neighboring company under a borderline-purchase agreement. Effective January 1, 2004, service under Rate OP will be restricted to service locations receiving Rate OP service or that are the subject of a Rate OP service application as of December 31, 2003. Effective January 1, 2013 (last bill issued December 31, 2012) this rate will no longer be applicable in its current form.

**SPECIAL RULES AND REGULATIONS.**

The normal control device furnished by the Company has a limited capacity. The customer shall notify the Company before connecting any load in addition to an existing water heater. If necessary, the Company will install a control device with a rating of 200 amperes to accommodate the additional 240-volt controlled load. For controlled loads larger than 200 amperes the control device shall be furnished, installed and maintained by the customer. Service may be interrupted for a total of not more than 6-1/2 hours per day during scheduled periods which may vary from customer to customer.

The Company has a program to replace seven-day clock control devices as they fail with five-day radio-control devices which provide uninterrupted service on Saturdays, Sundays and holidays.

**MONTHLY RATE TABLE.**

FIXED DISTRIBUTION SERVICE CHARGE: \$1.75 per month

VARIABLE DISTRIBUTION SERVICE CHARGE: 6.05¢ per kWh

(I)

ENERGY SUPPLY CHARGE: Refer to the Generation Supply Adjustment Procurement Class 1

TRANSMISSION SERVICE FOR CUSTOMERS RECEIVING DEFAULT SERVICE: per the Transmission Service Charge

MINIMUM CHARGE: The minimum charge per month will be the Fixed Distribution Service Charge.

STATE TAX ADJUSTMENT CLAUSE, NUCLEAR DECOMMISSIONING COST ADJUSTMENT, PROVISION FOR THE RECOVERY OF ENERGY EFFICIENCY AND CONSERVATION PROGRAM COSTS, SMART METER COST RECOVERY SURCHARGE PROVISION FOR THE TAX ACCOUNTING REPAIR CREDIT AND PROVISION FOR THE RECOVERY OF CONSUMER EDUCATION PLAN COSTS APPLY TO THIS RATE.

**PAYMENT TERMS.** Standard.

(I) Denotes Increase