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April 15, 2013

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

RE: Marilyn Calhoun v. PECO Energy Company
PUC Docket No.: C-2013-2354716

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
—	Motion for Continuance
<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**

MARILYN CALHOUN	:	
Complainant	:	
v.	:	DOCKET NO. C-2013-2354716
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

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, April 15, 2013



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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MARILYN CALHOUN	:	
Complainant	:	
v.	:	DOCKET NO. C-2013-2354716
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

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

Respondent, PECO Energy Company (“PECO Energy”), pursuant to 52 Pa. Code § 5.101(a)(3) respectfully petitions this Honorable Commission to order Complainant to amend his Complaint to provide more specificity.

1. On March 27, 2013, PECO Energy was served with a formal complaint filed by Marilyn Calhoun (hereafter “Complainant”). A copy of the Complaint is attached hereto as Exhibit “1”.

2. The Complaint does not conform to the requirements of 52 Pa.Code §5.22 (a)(5), which provides:

5.22. Content of formal complaint.

a. A formal complaint must set forth the following:

...

(5) A clear and concise statement of the act or omission being complained of including the result of any informal complaint or informal investigation.

3. A formal complaint must set forth “the act or thing done or omitted to be done” by a public utility “in violation, or claimed violation, of any law which the commission has

jurisdiction to administer, or any regulation or order of the commission.” 66 Pa.C.S. §701; 52 Pa.Code §5.22

4. A complaint should contain information specific enough to allow the respondent to understand the allegations against it, in order to conduct a meaningful investigation of the allegations and to prepare a coherent response.

5. In the instant matter, the Complainant questions charges from a “former residence” that were transferred to a new account. The Complainant states that PECO Energy advised her that she did not cancel her electric service at the former address. The Complainant states that “the new tenants lived on [her] name and \$ for a year.” See Exhibit “1”.

6. The Complainant requests the “carry over balance” to be eliminated. See Exhibit “1”.

7. In Section 1 of her formal complaint, in response to whether her complaint involves utility service provided to a different address, she states “Doyle & Union &/or Aspen Way.”

8. The Complainant does not state what specific former address (Doyle, Union or Aspen Way) is at issue.

9. Indeed, the three former addresses (Doyle, Union and Aspen Way) date back to 2003.

10. The Complaint does not provide sufficient information to permit the Company to provide a meaningful response, or address the Complainant’s concerns as the Company is not aware of what specific former address is at issue.

11. PECO Energy conducted an independent investigation to determine the specific billing issues the Complainant is alleging; however, there is insufficient information for the

company to respond to the Complaint. Particularly, as the former addresses at issue date back to 2003.

12. Due to these infirmities in the Complaint, it is difficult to craft a targeted Answer.

13. Accordingly, PECO Energy preliminarily objects to the Complaint pursuant to 52 Pa. Code § 5.101(3).

REQUEST FOR RELIEF

WHEREFORE, for the reasons set forth above, PECO Energy Company respectfully requests that your Honorable Commission order Complainant to amend her Complaint to provide more specificity, regarding the specific former address at issue.

Respectfully submitted,



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**

MARILYN CALHOUN	:	
Complainant	:	
v.	:	DOCKET NO. C-2013-2354716
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

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: April 15, 2013



Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MARILYN CALHOUN	:	
Complainant	:	
v.	:	DOCKET NO. C-2013-2354716
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

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:

Marilyn Calhoun
137(A) Callowhill Road
Chalfont, PA 18914

Dated at Philadelphia, Pennsylvania, April 15, 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

EXHIBIT “1”

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

2013 MAR -4 AM 11:11

PA.P.U.C.
SECRETARY'S BUREAU

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 Marilyn Calhoun

Street/P.O. Box 137 A Callowhill Rd

City CHAFFONT State PA Zip 18914

County BUCKS

Daytime Telephone Number Where We Can Contact You: 610-997-9233

E-mail Address (optional): NA

Utility Account Number 15430-04156
(from your bill)

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

Name MARILYN CALHOUN DARREN

Street/P.O. Box DOYLE FOR UNION DR ASPEN WAY

City DOYLESTOWN State PA Zip 18901

2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

PECO

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

TELEPHONE
(local, long distance)

(e.g., 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 (explain).

B. State the facts of your complaint.

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.

After seeing a \$1,000.00 +/- on my power residence bill I questioned it as I'm only 1 person in a little 1BR cottage. I was told it came from a former residence. I explained I called to initiate electricity at my new residence & cancel at my old one. But the people pay I never cancelled at the then current address. Those people made a mistake. When I called to have power at my new address & cancel the old one the then current one. My claim of never cancelled. They would arrange for new power & not cancel the old one. The new tenants filed on my name & I lost a lot. It's wrong.

5. RELIEF

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

I want the carry over balance to be eliminated. I did not pay bill. I've been paying on it so my current electric is not shut off. I am on disability; I should be credited for the illegal carry over billage.

Please help!

Credit me this bogus billage.

Give me justice against big utility companies.

They shouldn't get away with this.

Why would I start at a new address & keep the old one? Not logical.

I am only 1 person, not a millionaire.

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?

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. 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. *not yet*

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (If Known) _____

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: Marilyn Calhoun Warden 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).

Marilyn Calhoun Warden (Signature) 2/25/13 (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 nd 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.

