

6/10/13

Re: Mark Mazza v. PECO
No: C-2012-2318472

Dear Ms. Chiavetta:

Attached please find my answer to
new matter. Please file the answer and return
a time stamped copy in the stamped envelope
provided.

Thank you.

Mark Mazza

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARK MAZZA

v.

Docket No. C-2012-2318472

PECO ENERGY COMPANY

ANSWER TO NEW MATTER

1-11. Denied. It is specifically denied complainant is a abuser of the system. The recent Commonwealth Court decision is not final, as A Petition for Allowance of Appeal has been filed in the Supreme Court of Pennsylvania. The 6 complaints filed were based in part on new facts or notices from PECO that had incorrect amooounts allegedly due and/or complainant contended there was not timely and proper notices od termination and shutoff of services. During the complaint process, complainant had contacted PECO to discuss the bills in dispute , and complainant sought to try and resolve the situation with PECO by settlement or payment arrangement but PECO ignored or was not willing to address the past balance at issue. Complainant has been unemployed for 5 plusyears and has made multiple efforts to Resolve the situation with PECO ,while during said time continued to pay monthly charges .

During the complaint process despite complainant communicating to PECO that a case or complaint was on appeal to Commonwealth Court or higher Court, Peco refused to acknowledge or confirm same even though Peco had counsel throughout the complaints and appellate court processes. There were attempts to terminate or shut off services prior to final disposition of complaints or appeals. There were at least 2 occasions where Peco sent a representative to the home to shut off services while complaints were pending and /or appeals were filed. Complaints were filed with the PUC as complainant reasonably believed termination efforts were premature or improper, or that due process was not provided. Appeals were filed on the above and other grounds as well. Complainant reasonably believed that he had to receive the Initial decisions and was not aware that certified mail attempt is all that is required. This is confusing, as in all initial decisions the PUC resent the decision by regular mail and complainant avers the 20 day period to file exceptions should have begun from the date of the regular mail service. There should have been a waiver of the certified mail service but the PUC just entered a final order requiring an appeal to the Courts. Complainant made a number of calls to Peco about disputed bills, accuracy of bills and amounts stated by Peco on termination and shut off notices left at the property.

Any attempts to discuss amounts claimed or attempts to resolve , PECO would not address. Complainant denies deceptive actions and acting in bad faith. Complainant should not be barred or precluded from filing informal and formal complaints. Complainant should not be barred from filing complaints regarding the outstanding balance in dispute of \$9,600.12. This matter should be stayed or deferred pending the outcome of appeals including recent appeal to the Supreme court of Pennsylvania.

All other facts and allegations set forth in New Matter paragraphs 1-11 are denied and/ deemed at issue. Strict proof is demanded. After reasonable investigation, complainant lacks lacks sufficient knowledge or information to form a belief as to the truth of the remaining factual allegations contained in paragraphs 1-11, therefore same are denied. The remaining allegations are denied as conclusions of law for which no response is required. Complainant requests a hearing, and seeks consideration to schedule the hearing after the Supreme Court decides on the current appeal.

Wherefore, it is requested the New Matter be denied or dismissed, or find in Complainant's favor.

Mark Mazza

Mark Mazza Complainant pro se

VERIFICATION

I, Mark Mazza, hereby state the facts in the foregoing Answer to New Matter are true and correct to the best of my knowledge, information and belief. I understand this verification and statements therein are subject to the penalties of 18 Pa. C.S.4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Mark Mazza', is written over a horizontal dashed line.

Mark Mazza -Pro se

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Certificate of Service

I hereby certify this day I am serving the attached /Answer to New Matter upon the persons listed below by first class mail :

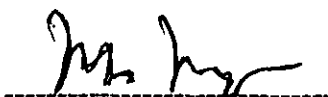
Margaret Morris, Esq.

Reger Rizzo and Darnall

Cira Centre, 13th Floor

2929 Arch St,

Phila 19104 2899

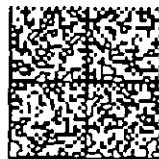


Mark Mazza- Pro se

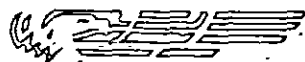
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