



Exelon Business Services Company
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October 8, 2013

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

RE: Sherry Dixon v. PECO Energy Company
PUC Docket No.: F-2013-2353645

Dear Ms. Chiavetta:

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

- Answer
- Answer & New Matter
- X **Motion Objecting to Continuance Request**
- Motion for Judgment on the Pleadings
- Motion to Admit Exhibits
- 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

cc: Sherry Dixon (via First Class Mail & Federal Express)
David A. Salapa, Adm. Law Judge (via email only)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SHERRY DIXON

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2013-2353645

**MOTION OF PECO ENERGY COMPANY OBJECTING TO
COMPLAINANT, SHERRY DIXON'S REQUEST FOR
CONTINUANCE OF HEARING DATE**

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 1.15, hereby objects to the continuance of the hearing date scheduled in this matter and states the following:

1. A telephonic hearing in this matter is currently scheduled for October 31, 2013 at 10:00 am.
2. PECO Energy received a continuance request from the Complainant, Sherry Dixon, by mail on October 7, 2013, requesting a different hearing time on October 31st, or in the alternative, a different hearing date and time. Complainant's Continuance Request, dated 10/7/13, is attached hereto as Exhibit "1".
3. This hearing has now been cancelled and rescheduled two separate times and delayed five (5) months as a result of the Complainant's requests for continuances.
4. First, the hearing was scheduled to take place on Wednesday, June 12, 2013. The Complainant requested a continuance, claiming that she had to attend a graduation and other formal events as well as other court dates. Complainant's Continuance Request, dated 6/3/13, is attached hereto as Exhibit "2".
5. The Complainant's request for a continuance was granted and she received a new hearing date of August 7, 2013.

6. On August 7, 2013, the hearing commenced as scheduled; however, the Complainant claimed she did not receive the hearing exhibits, although the exhibits had been sent via Federal Express and there was an indication she had received them.

7. Consequently, the hearing was rescheduled to take place on October 31, 2013.

8. Now, the Complainant is requesting a different time or date for the hearing because she has to work that day and cannot use the phone at her job.

9. The Prehearing Order in this matter, requests for a continuance are only granted “in rare situations where good cause exists.” (Prehearing Order, citing 52 Pa. Code § 1.15).

10. No good cause exists here. It is Complainant that has brought this matter against PECO Energy; and therefore, she must make herself available for the hearing. Complainant has not provided proof that she has exercised other options to attend the hearing. For example, she has not submitted any correspondence from her job, stating she is unable to take a break to participate in the hearing. She has not submitted any documentation to demonstrate that she cannot take a vacation day on the day of the hearing. She has not submitted any documentation whatsoever to justify delaying this hearing any further.

11. PECO Energy is required to continue to hold collection activity on the Complainant’s account because of the formal complaint process.

12. The company is holding \$7,870.40 of the Complainant’s unpaid balance as a result of the formal complaint process.

13. Despite Administrative Law Judge David A. Salapa’s Prehearing Order, dated April 8, 2013, which states “the customer must make monthly payments for current consumption on or before the billing due date while this complaint is pending” the Complainant has not paid current bills since she filed the formal complaint.

14. PECO Energy avers that the Complainant's continuance request is to avoid collection activity on her account and termination of her electric service.

15. Indeed, the Complainant has managed to delay this matter for five (5) months because of continuance requests and alleged issues with exhibits.

16. PECO Energy strives for a quick and fair resolution with all customer complaints and asserts that further delay in this proceeding will prejudice PECO Energy and its ratepayers.

17. Accordingly, PECO Energy requests that the Complainant's request for a continuance be denied.

Respectfully Submitted,



Shawane L. Lee
Counsel for PECO Energy Company
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P.O. Box 8699
Philadelphia, PA 19101-8699
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Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
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DOCKET NO. F-2013-2353645

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.



Shawane L. Lee

Date: October 8, 2013

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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 Motion in the above matter upon all interested parties by mailing and emailing a copy, properly addressed and postage prepaid to:

Sherry Dixon
1701 Walnut Ridge
Pottstown, PA 19464

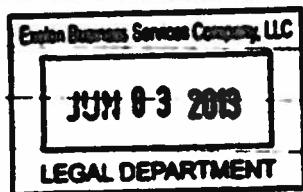


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Shawane.Lee@exeloncorp.com

Dated at Philadelphia, Pennsylvania, October 8, 2013

EXHIBIT “1”

To : whom it may concern I
Sherry Dixon can not make the
court date. On June 12, 10:00am
Because I have my son's Graduation
and I have other formal events
in June and other court dates
that was before this one. So I
ask if I can change the date
from June 12, 2013 to a
forth date in the future.



Thank you
[Signature]

267-475-0343

Attn:

I Sherry Dixon has sent out
copies to all 3 parties
Peco, Miss Lee, Mr. Sale,
Rosemary Chiavetta

PECO ENERGY
EXHIBIT 1

Sherry Dixon
1701 Walnut Lids Est
Pottstown Pa. 19464

PHILADELPHIA PA 190

20 MAY 2013 PM 8 1



Shawnee Lee Esquire
Exelon Business Services
Phila. Pa 19103

EXHIBIT “2”

To whom it may concern I
Sherry Dixon need to ask for
a different time on the day
of the hearing do to my job,
We can not use cell phone's
in the building nor have personal
phone calls. So I need a later
time on this day Oct 31, 2013
Or another day I have to work
at the time of the hearing and on
that date. |

Thank you
Shawane
267-475-0343

To: Mrs. Shawane Lee

