

HARRY J. COOPER. Esquire

Attorney at Law

P.O. Box 545

Chalfont, PA 18914-0545

(267) 419-8081

(267) 218-6058 {cell}

(267) 470-4422 {Facsimile}

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2013 OCT 21 PM 12:36

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

SECRETARY
PUBLIC UTILITY COMMISSION
P.O. BOX 3265
HARRISBURG, PA. 17105-3265

RE: LISA MARTIN P-2013-2360697
PECO ENERGY COMPANY

Dear Secretary:

Enclosed please find the Exception
of Lisa Martin in this matter.

Very truly yours,



Harry J. Cooper

BEFOR THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Lisa Martin :
vs. : F-2013-2360697
Peco Energy Company :

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Exceptions of Lisa Martin

The denial of providing Complainant's counsel with discovery prior to the hearing clearly was unfair as it denied counsel the ability to properly prepare for the hearing and a continuance was denied. Also the late-filing exhibit should not have been admitted and again this was clearly prejudicial to the Complainant. The hearing should have been rescheduled so that Complainant and Counsel would have had enough time to respond to the late-filed exhibit.

Exceptions to Findings of Fact

1. Admitted.
2. Admitted.
3. Complainant did live at 242 New Galena Road in 2006.
4. Admitted.
5. Exception- not a belief it is fact as Complainant never requested service for the rear apartment. Also, the testimony elicited an admission that anyone can request service if they are in possession of the necessary information.
6. This is admitted and is further supported by the fact that Peco had not attempted to serve a bill or collect from Claimant at this address until after she requested service.
7. The June and October bills were never mailed to complainant. The computer can generate these bills with any date. Also if Peco was trying to collect \$9000, it would be reasonable to send certified mail to confirm receipt.
8. Complainant requested termination prior to the date as a result of being out of the property by foreclosure, this request was in January of 2010.
9. Complainant can only take exception due to fact that this action was allegedly done by Peco.
10. Unknown to Complainant
11. Admitted

12. Admitted

13. Complainant takes exception to this entire conclusion and denies ever receiving a bill until she requested service at 63 Sellersville Road.

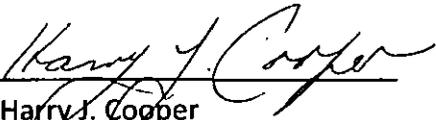
Complainant Exception to Discussion

Complainant is burdened with the obligation of proof when clearly this burden should be shifted to Peco who keeps the records. Complainant can only provide testimony of cancellation of service as it is done by a telephone call and after the call is made the outcome is dependent on the employees of Peco. Also, as she was out of the house she could not have information as to when and if the electric was off. Additionally, Peco acknowledged that anyone with the right information could open an account, even in Complainant's name. And if she never saw the bill for rear apartment then she would not have knowledge of the existence. Until she requested service she never received the bill in time to dispute it.

Exception to Conclusion of Law

Complainant cannot dispute the listing of the Codes and Cases cited. It is the application of rules to the facts of this case that are objectionable. Complainant did provide this information and Peco could not deny it, also Peco has no record of its mailing and receipt of same. In point of fact, Peco did not notify the Complainant until she requested service at 63 Sellersville Road, notwithstanding the computer generated bill produced late by Peco.

Therefore, Complainant takes exception to the Order and requests a full fact finding hearing in a fair and impartial setting with all evidence produced in a timely fashion.


Harry J. Cooper
Attorney for Complainant



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