



Exelon Business Services Company
Legal Department

2301 Market Street/S23-1
Philadelphia, PA 19103

215 568 3389 Fax
www.exeloncorp.com

Direct Dial: 215.841.6841

April 1, 2014

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

RE: Timothy and Denise Donahue v. PECO Energy Company
PUC Docket No.: C-2014-2409977

Dear Ms. Chiavetta:

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

| | |
|----------|--------------------------------------|
| — | Answer |
| - | Answer & New Matter |
| — | Motion For Continuance Request |
| — | Motion for Judgment on the Pleadings |
| - | Motion to Admit Exhibits |
| - | Motion to Consolidate |
| <u>X</u> | <u>Preliminary Objection</u> |
| — | 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

Not Call of the Docket

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

TIMOTHY AND DENISE DONAHUE :
Complainant :

v. :

PECO ENERGY COMPANY :
Respondent :

DOCKET NO. C-2014-2409977

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 1, 2014



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**

| | | |
|-----------------------------------|---|----------------------------------|
| TIMOTHY AND DENISE DONAHUE | : | |
| Complainant | : | |
| | : | |
| v. | : | DOCKET NO. C-2014-2409977 |
| | : | |
| 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)(4) respectfully petitions this Honorable Commission to dismiss the instant Complaint as legally insufficient.

1. On March 13, 2014, PECO Energy was served with a formal complaint filed by Timothy and Denise Donahue (hereafter “Complainants”).

2. In their formal complaint, the Complainants allege they have had three separate power surges on October 29, 2011, July 28, 2012 and February 4, 2014. The Complainants allege the power surges occur after their service fails or when PECO Energy restores power after their service fails. The Complainants’ state they have paid \$30,545.46 for property damage repairs. The Complainants request that PECO Energy perform work to prevent power surges and to reimburse their repair costs. See Formal Complaint, attached hereto as Exhibit “1”.

3. PECO Energy simultaneously filed an Answer and the instant Preliminary Objection.

4. Pursuant to 52 Pa. Code § 5.101, preliminary objections may be filed against a complaint and dismissed for legal insufficiency. 52 Pa. Code § 5.101(a)(4).

5. Commission procedure regarding the disposition of preliminary objections is similar to that utilized in Pennsylvania civil procedure. Equitable Small Transportation Intervenors. v. Equitable Gas Co., 1994 Pa.PUC LEXIS 69, Docket No. C-00935435 (July 18, 1994).

6. In deciding preliminary objections, the Public Utility Commission must determine, based on the factual pleadings of the petitioner, if relief or recovery is possible. Roc v. Flaherty, 527 A.2d 211 (Pa. Cmwlth 1985).

7. A complaint must be able to recover under the law to survive a preliminary objection. 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”).

8. All of the non-moving party’s averments must be taken as true for the sake of deciding the preliminary objection. County of Allegheny v. Commw. of Pa., 490 A.2d 402 (Pa. 1985).

9. The court does not, however, need to accept, “unwarranted inferences from facts, argumentative allegations, or expressions of opinions.” Feingold v. McNulty, 2009 Phila. Ct. Com. Pl LEXIS 167, *3.

10. 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 to the public interest.

11. 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.2nd 593 (Pa. Commw. Ct. 2003), petition for allowance of appeal denied, 836 A.2d 123 (Pa. 2003).

12. Here, the facts in this matter include the following:

- a. The Complainants allege they have had three power surges.
- b. The Complainants allege the power surges occurred when their electricity service failed or after PECO Energy restored their service.
- c. The Complainants allege the power surges caused \$30,545.46 in property damage repairs.
- d. The Complainants request that the PUC order PECO Energy to reimburse them for the \$30,545.46 in property damage repairs.

13. One of the purported infractions in the Complainants' formal complaint relates to PECO Energy's alleged responsibility to pay for damages arising from surges that occurred at their property.

14. In effect, Complainants are requesting that the Commission award them damages for their damaged property.

15. To the extent the Complainants are requesting a monetary award for their damaged property, the Complainants are not entitled to relief under the law.

16. The Commission lacks jurisdiction to award damages pursuant to 52 Pa. Code § 5.101(a)(1).

17. Accordingly, the portion of the Complainants' formal complaint that seeks \$30,545.46 compensation for damage to their property, should be denied pursuant to 52 Pa. Code § 5.101(a)(1).

REQUEST FOR RELIEF

WHEREFORE, for all of the reasons stated herein, PECO respectfully requests that your Honorable Commission dismiss the instant complaint with prejudice.

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**

| | | |
|-----------------------------------|---|----------------------------------|
| TIMOTHY AND DENISE DONAHUE | : | |
| Complainant | : | |
| | : | |
| v. | : | DOCKET NO. C-2014-2409977 |
| | : | |
| 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 1, 2014

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|-----------------------------------|---|----------------------------------|
| TIMOTHY AND DENISE DONAHUE | : | |
| Complainant | : | |
| | : | |
| v. | : | DOCKET NO. C-2014-2409977 |
| | : | |
| 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:

Timothy and Denise Donahue
6035 Lower Mountain Road
New Hope, PA 18938

Dated at Philadelphia, Pennsylvania, April 1, 2014



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



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Legal Department

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April 1, 2014

Timothy and Denise Donahue
6035 Lower Mountain Road
New Hope, PA 18938

**RE: Timothy and Denise Donahue v. PECO Energy Company
PUC Docket No.: C-2014-2409977**

Dear Mr. and Mrs. Donahue:

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,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a long, sweeping underline.

Shawane Lee
Counsel for PECO Energy Company

SL/lo
Encl.

EXHIBIT “1”

O'Neill, Leslie:(BSC)

From: eServe@pa.gov
Sent: Thursday, March 13, 2014 12:01 PM
To: Lee, Shawane L.:(BSC)
Cc: O'Neill, Leslie:(BSC)
Subject: PA PUC eServe Notice

Importance: High

Dear Shawane L Lee,

A(n) **Formal Complaint** has been served in this proceeding. This document is docketed as **C-2014-2409977**.

You may view this document at

Formal Complaint

You are receiving this email because you are a(n) **Respondent** for this case and have agreed to be served electronically. By selecting electronic service (eService), you have agreed that this notification constitutes valid service. Electronic service of any and all documents will be in place of paper service.

Thank You,
Public Utility Commission
Commonwealth of Pennsylvania

** Please do not respond to this automatically generated email.*

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

Filing this form begins a legal proceeding and you will be a party to the case. If you do not wish to be a party to the case, consider filing an informal complaint.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number:

Name Timothy & Denise Donahue

Street/P.O. Box 6035 Lower Mountain Rd Apt #

City New Hope State PA Zip 18938

County Bucks

Telephone Number(s) Where We Can Contact You During the Day:

(267) 544.0113 (home) (267) 250.5570 (mobile)

E-mail Address (optional): dmdonahue13@verizon.net

Utility Account Number (from your bill) 33564-94019

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

Name

Street/P.O. Box

City State Zip

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

PECO

RECEIVED

MAR - 5 2014

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

3. **Type of Utility Service**

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- ELECTRIC WASTEWATER/SEWER
 GAS TELEPHONE/TELECOMMUNICATIONS (local, long distance)
 WATER MOTOR CARRIER (e.g. taxi, moving company, limousine)
 STEAM HEAT

4. **Reason for Complaint**

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

- The utility is threatening to shut off my service or has already shut off my service.
- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

SEE ATTACHED

- Other (explain).

REIMBURSE DAMAGES
SEE ATTACHED

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. **Requested Relief**

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

1. Provide safe and reliable service
2. Respond to numerous complaints and perform whatever work is necessary to stop power surges from damaging property and putting residents in danger of dying in a fire.
3. Reimburse repair costs of \$30,000.00 + + +

SEE ATTACHED

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. Protection from Abuse

Has a court granted a "Protection from Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this 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 problem involving billing, 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

If your answer to the above question is "yes," attach a copy of the current Protection for Abuse order to this Formal Complaint form.

7. Prior Utility Contact

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES



NO



Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

SEE ATTACHED

- c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

I've spoken to innumerable "customer service" agents who repeatedly said a "supervisor" would need to contact me

Updated 3.3.14: PECO states power surge issue is isolated to this property.
I've spoken to three other properties who have experienced power surges

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

However, if you are interested in receiving legal representation, you may contact the Widener Harrisburg Civil Law Clinic located at 3605 Vartan Way, Harrisburg, PA 17110, by phone at 717-541-0320 or via email at lawclinicb@mail.widener.edu.

For additional information see Widener Harrisburg's Civil Law Clinic's website <http://law.widener.edu/Academics/ClinicalProgramsandProfessionalTraining/Clinics/HarrisburgCivilLawClinic.aspx>. Based on your income, legal representation may be available to you at no cost or a reduced fee.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (if known) _____

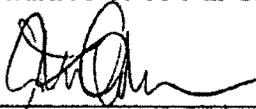
Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

9. **Verification and Signature**

You must sign your complaint. Individuals filing a Formal Complaint **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink**. If you **do not sign** the Formal Complaint, the PUC **will not accept** it.

Verification:

I, Denise M. Donahue, 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).



(Signature of Complainant)

2.20.14

(Date)

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not signed** by one of these individuals, the PUC **will not accept** it.

10. **Filing**

You may electronically file your Formal Complaint with the PUC. To do so, you need to establish an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/efiling/default.aspx>.

If you do not electronically file your Formal Complaint, **mail** the completed form (along with any attachments) 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 |
|---|--|

Note: Formal Complaints sent by fax or e-mail 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 Formal Complaint for your records.

From: "Singh, Steven A:(PECO)" <steven.singh@exeloncorp.com>
Subject: **RE: Response Requested**
Date: March 3, 2014 5:18:31 PM EST
To: Denise Donahue <dmdonahue13@verizon.net>

Dear Mrs. Donahue:

Thank you for your February 28 email requesting a detailed written report regarding PECO's surge investigation.

You are correct that, on February 26, 2014, I informed you that PECO conducted an investigation of this matter. However, you were not satisfied with the results of that investigation. Because of that we are seeking an outside expert to complete an independent review and do not have any report at this time.

I am working to hire an independent expert this week and will be in touch after I know more about the timing of their review and what access they may need to your property.

Steve Singh
Director, BucksMont Region
PECO
215.956.3100 office
610.246.1038 mobile

From: Denise Donahue [mailto:dmdonahue13@verizon.net]
Sent: Monday, March 03, 2014 12:31 PM
To: Singh, Steven A:(PECO)
Cc: O'Brien, Denis P:(Exelon Utilities); Bradford, Darryl M:(BSC); Adams, Craig L:(PECO); Tim Donahue
Subject: Re: Response Requested

Mr. Singh, I expect a written report detailing PECO's exact findings from your thorough investigation by end of business today.

On Mar 3, 2014, at 12:27 PM, Denise Donahue wrote:

Begin forwarded message:

From: Denise Donahue <dmdonahue13@verizon.net>
Date: February 28, 2014 6:51:09 PM EST
To: "Singh, Steven A:(PECO)" <steven.singh@exeloncorp.com>
Cc: "Denis P:(Exelon Utilities) O'Brien" <denis.obrien@exeloncorp.com>, "Darryl M:(BSC) Bradford" <darryl.bradford@exeloncorp.com>, "Craig L:(PECO) Adams" <Craig.Adams@exeloncorp.com>, Tim Donahue <tdonahue@crowncork.com>
Bcc: Kay Callahan <callaks@verizon.net>
Subject: **Re: Response Requested**

Mr. Singh,

When you and I spoke on the phone Wednesday 2.26.14, you told me that "Peco had **completed** a thorough investigation in and around the area". I am **AGAIN** requesting a **detailed written report of the exact findings** that led you to tell me the following:
PECO has no explanation as to why my property and family are continuously put in danger due to power surges.
All PECO equipment has worked properly and as designed during power surges to my property.
My property is not adequately protected, and I will need to contact the "appropriate people" to install protection.
My property is too grounded.
The surge protectors currently in place on the property could be causing power surge issues.
PECO would offer a maximum of \$500.00 to compensate for numerous power **outages**. I should not forward any damages to PECO claims department.

Please confirm that you and I agree that there were (3) separate power surges dated 10.29.11, 7.28.12, and 2.4.14.
You also agreed (as confirmed by the fire department) that at least one other property (6005 Lwr. Mnnt. Rd.) endured a power surge 2.4.14.
You stated that PECO could not find records of power surges to other properties on other dates.
We will poll residents to gather information.

Additionally, I sent you an email on 2.27.14 @ 11:10am after I spoke to PECO linemen working in front of my property who stated they were

"replacing all of the lightning arresters that blew out during the last storm". Please confirm that when you called me regarding that email you stated that the lightning arresters used by PECO are "the best in the industry, however they cannot handle a power surge, which is why they need to be replaced."

Upon receipt of your written report detailing PECO's findings pursuant to your thorough investigation, my attorney, insurance company and the PUC will determine if approval is given to allow PECO's "outside expert" access to my property.

I'd appreciate a speedy, accurate and comprehensive response, as my family and property are left in jeopardy.

On Feb 28, 2014, at 1:58 PM, Singh, Steven A.:(PECO) wrote:

Mrs. Donahue,

Per your request, attached is our response. We would like to engage an independent outside expert to conduct an additional engineering review and analysis. We would like the scope of this review to include the electric systems within your residence. Please review this letter and get back to me with your response. Please feel free to call me directly.

Steve Singh
Director, BucksMont Region
PECO
215.956.3100 office
610.246.1038 mobile

This e-mail and any attachments are confidential, may contain legal, professional or other privileged information, and are intended solely for the addressee. If you are not the intended recipient, do not use the information in this e-mail in any way, delete this e-mail and notify the sender. -EXCIP

<104-03-103 Draft Response to Donohues.doc>

Received 2/28/14

March 3, 2014

Timothy & Denise Donahue
6035 Lower Mountain Road
New Hope, PA 18938

Re: Your PECO Service, Account No. 33564-94019

Dear Mr. and Mrs. Donahue:

In response to your February 20 e-mail to various officers at Exelon and as we discussed, I wanted to update you on our efforts to assist you with the quality of your home's electric service following our recent meeting.

I know you are not satisfied with the current electric service at your home and we are committed to helping determine the cause of the issues and identify any steps that could be taken to help eliminate these issues moving forward. As part of this, I spoke with our executive team and we would like to engage an independent outside expert to conduct additional engineering review and analysis.

This expert would review both PECO's electric utility system and the electric system within your residence. We will pay the cost of the outside expert and, when the analysis is complete, we will work with you to help determine next steps. Our only need from you at this time would be that your electrician be available to answer questions as needed.

Please let us know your thoughts. We are committed to working with you to resolve this issue as quickly as possible and would like to contact an outside expert this week to begin the review.

Sincerely,

Steven Singh
Director, Regional Operations
BucksMont Region
PECO

Author: [Redacted]
Friday, 12:29 PM
Added Text

Author: [Redacted]
Friday, 12:30 PM
Added Text

Author: [Redacted]
Friday, 12:26 PM
Added Text

Author: [Redacted]
Friday, 12:27 PM
Added Text

Author: [Redacted]
Friday, 12:26 PM
Added Text

Author: [Redacted]
Friday, 12:27 PM
Added Text

Author: [Redacted]
Friday, 12:28 PM
Added Text

Author: [Redacted]
Friday, 12:29 PM
Added Text

Author: [Redacted]
Friday, 12:27 PM
Added Text

Author: [Redacted]
Friday, 12:29 PM
Added Text

Author: [Redacted]
Friday, 12:29 PM
Deleted: This letter responds to your email of February 20, 2014.

Author: [Redacted]
Friday, 12:30 PM
Deleted: 2104 to various officers of Exelon Corporation.

Author: [Redacted]
Friday, 12:30 PM
Added Text

Author: [Redacted]
Friday, 12:33 PM
Added Text

Author: [Redacted]
Friday, 12:34 PM
Added Text

Author: [Redacted]
Friday, 12:33 PM
Added Text

Author: [Redacted]
Friday, 12:34 PM
Deleted: I understand that you are not satisfied with PECO.

Author: [Redacted]
Friday, 12:35 PM
Added Text

From: "Singh, Steven A:(PECO)" <steven.singh@exeloncorp.com>
Subject: Re: PECO Account#33564-94019 - Donahue, Timothy & Denise
Date: February 26, 2014 4:35:43 PM EST
To: Denise Donahue <dmdonahue13@verizon.net>
Cc: "O'Brien, Denis P:(Exelon Utilities)" <denis.obrien@exeloncorp.com>, "Bradford, Darryl M:(BSC)" <Darryl.Bradford@exeloncorp.com>, "Adams, Craig L:(PECO)" <Craig.Adams@exeloncorp.com>, "Innocenzo, Michael A:(PECO)" <michael.innocenzo@peco-energy.com>, "phillip.barnett@peco-energy.com" <phillip.barnett@peco-energy.com>, "Cavanaugh, Ellen M:(PECO)" <ellen.cavanaugh@peco-energy.com>, "romulo.diaz@peco-energy.com" <romulo.diaz@peco-energy.com>, "Helt, Eric G:(PECO)" <eric.helt@exeloncorp.com>, "frank.jruska@peco-energy.com" <frank.jruska@peco-energy.com>, "john.mcdonald@peco-energy.com" <john.mcdonald@peco-energy.com>, "Elizabeth.murphy@peco-energy.com" <Elizabeth.murphy@peco-energy.com>, PECO Claims <PECOclaims@exeloncorp.com>, "Hilton, Dana L:(PECO)" <Dana.Hilton@exeloncorp.com>, "Austin, Linda A" <linda.austin@exeloncorp.com>, "Masi, Carol S:(PECO)" <Carol.Masi@exeloncorp.com>, Tim Donahue <tdonahue@crowncork.com>

Mrs. Donahue,

Yes, I will provide you a written response regarding our conversation today.

Thank you,

Steve Singh
Director, BucksMont Region
PECO
215.956.3100 office
610.246.1038 mobile

On Feb 26, 2014, at 4:31 PM, "Denise Donahue" <dmdonahue13@verizon.net> wrote:

Mr. Singh, Would you provide me with a written document detailing your findings and recommendations as related to me during our phone conversation this afternoon.
Thank you, Denise Donahue

On Feb 25, 2014, at 2:34 PM, Singh, Steven A:(PECO) wrote:

Mrs. Donahue,

Thank you for meeting with me yesterday. We are currently reviewing the information we gathered and I will get back to shortly with our action plan.

In the meantime, feel free to email Bob Nickens at Robert.Nickens@exeloncorp.com with any further claim information.

Steve Singh
Director, BucksMont Region
PECO
215.956.3100 office
610.246.1038 mobile

On Feb 25, 2014, at 2:20 PM, "Denise Donahue" <dmdonahue13@verizon.net> wrote:

Mr. Singh, Please inform me of PECO's findings as a result of yesterday's 10am site visit to 6035 Lwr. Mountain Rd., New Hope, PA 18938
Please also detail what measures are being taken by PECO to ensure there will be no more power surges that damage property and endanger occupants.
Your claims representative didn't leave me a business card, and unfortunately more property damage has been identified. If you could provide his email, I will update as repairs are diagnosed and corrected.
I have completed a formal complaint with the PUC, as per instructed.
Thanks in advance for your time and consideration.

Denise Donahue

On Feb 20, 2014, at 3:33 PM, O'Brien, Denis P:(Exelon Utilities) wrote:

Thank you for bringing this matter to my attention.
I will have someone look into this situation for you asap.

From: Denise Donahue [mailto:dmdonahue13@verizon.net]
Sent: Thursday, February 20, 2014 3:23 PM
To: Bradford, Darryl M:(BSC); Crane, Christopher M:(BSC); O'Brien, Denis P:(Exelon Utilities); Adams, Craig L:(PECO); Innocenzo, Michael A:(PECO); phillip.barnett@peco-energy.com; Cavanaugh, Ellen M:(PECO); romulo.diaz@peco-energy.com; Helt, Eric G:(PECO); frank.jruska@peco-energy.com; john.mcdonald@peco-energy.com; Elizabeth.murphy@peco-energy.com; PECO Claims; suyleman@chubb.com; consumer@paoca.org; consumerprotection@co.bucks.pa.us
Cc: Tim Donahue
Subject: PECO Account#33564-94019

Timothy & Denise Donahue
6035 Lower Mountain Road
New Hope, PA 18938
PECO Acct.#: 33564-94019
PUC Case#: 3186982

I am writing in a final effort to receive a response and a permanent solution to an on-going, unresolved safety and damage issue at the property

listed above.

My family has been repeatedly put at risk and my property has been damaged on *THREE* separate occasions during the past two years and four months due to power surges that occur when PECO service fails and/or when PECO restores power after a failure. Specific power surge dates are: October, 29, 2011, July 28, 2012 and February 4, 2014.

These incidents have involved emergency Fire Department calls and evacuations. My children are being put directly at risk due to PECO's failure to address and correct PECO's system failures that are causing **repetitive, dangerous and damaging POWER SURGES** to my property.

To date, the property damage I've paid to repair totals \$30,545.46. A hard copy Peco Claim Registration Form is being submitted today via USPS certified mail, however, it's certain the total damage costs will significantly increase because all of the necessary repairs have not yet been diagnosed and/or completed. See attachment.

I have had *innumerable* telephone conversations with customer service representatives, supervisors and engineer, Erica Grier. The **dangerous and damaging POWER SURGES** continue despite Erica Grier's promise 8/28/2012 that the problem would be correctly addressed and resolved by PECO. I left a voicemail message for Erica Grier on 2.5.14 after the **third dangerous and damaging power surge** and have never received a response from her. I did receive a voicemail from "Andy" (?) on 2.6.14 in regard to my complaint of power surges who stated, "I'm sorry to say you have an issue", and directed me back to the main PECO outage number 215-841-4141. I returned that call, repeated the automated procedure which has been a complete waste of my time and effort on *several* occasions, and eventually spoke to "Ms. Robinson" on 2.7.14. The only advice that Ms. Robinson was able to offer was to shut off the main power to the property if there is a possibility of a power outage. *This advice is patently ridiculous.* Ms. Robinson then stated that PECO would contact me in the next two weeks or so to correct the **dangerous and damaging power surges**. I have not received any contact from PECO, and my family and property are still left at risk.

I filed an informal complaint with the PA Public Utility Commission on 2.7.14. Interestingly, the PUC received communication from PECO stating that power was restored to the property and the issue was resolved. Not only is the issue unresolved, the **dangerous and damaging power surge** issue has not even been addressed by PECO. The PUC has advised that a formal complaint should be filed against PECO, and that procedure is currently being completed.

Please immediately advise when PECO will diagnose and correct the continuous **dangerous and damaging power surges** that destroy my property and put my family at risk of disaster. Please also immediately advise when a PECO case manager will be assigned to compensate me for my property losses. All documentation of property damage is available.

PECO cannot continue to directly cause harm to my family and property.

cc: Congressman Mike Fitzpatrick
1717 Langhorne Newtown Rd., Ste 400
Langhorne, PA 19047

Hon. Bernie O'Neill
755 York Rd., Ste. 105
Warminster, PA 18974

Senator Charles McIlhinney
22 S. Main St., Ste 220
Doylestown, PA 18901

Office of Attorney General
Bureau of Consumer Protection
15th Floor Strawberry Square
Harrisburg, PA 17120

This e-mail and any attachments are confidential, may contain legal, professional or other privileged information, and are intended solely for the addressee. If you are not the intended recipient, do not use the information.

| | | | |
|-----------------------|-----------------------|---------------------|---|
| Attention: | Claims Division | Account #: | 33564-94019 |
| | | Account Name: | Timothy Donahue |
| Company Name: | PECO Energy/Exelon | Location of Damage: | 6035 Lwr. Mountain Rd. New Hope, PA 18938 |
| Address: | 2301 Market St, S16-1 | | |
| City, State Zip Code: | Phila., PA 19103 | Phone #: | 267.250.5570 |
| Date: | 2.20.14 | | |

| Date of Damage/Description | Quantity | Unit Price | Cost |
|---|----------|--------------|--------------------|
| 10.29.2011 Whole House Surge Protectors | 2 | \$325.00 | \$650.00 |
| 10.29.2011 GFI Receptacles | 2 | \$64.00 | \$128.00 |
| 10.29.2011 Maestro Dimmer Switches | 2 | \$119.00 | \$238.00 |
| 10.29.2011 Diva S/P Premium Dimmer | 1 | \$77.00 | \$77.00 |
| 10.29.2011 Diva S/P Premium Dimmer | 1 | \$61.00 | \$61.00 |
| 10.29.2011 Service Fee to diagnose electrical | 1 | \$89.00 | \$89.00 |
| 07.28.2012 Whole Home Elan Sound/Communication System, Doorbells, Security Cameras w/ Install fee | 1 | \$24,060.02 | \$24,060.02 |
| 07.28.2012 Whole Home Onan Generator | 1 | \$2,167.55 | \$2,167.55 |
| 07.28.2012 Service Fee diagnose generator | 1 | \$512.78 | \$512.78 |
| 02.04.2014 Whole house Surge Protectors | 5 | \$325.00 | \$1,625.00 |
| 02.04.2014 Maestro Dimmer Switch | 1 | \$149.00 | \$149.00 |
| 02.04.2014 Service fee to diagnose electrical | 1 | \$462.00 | \$462.00 |
| 02.04.2014 Cuisinart Toaster Oven | 1 | \$119.00 | \$119.00 |
| 02.04.2014 VTech LS6245 Cordless Phone Base/ Answering Machine and (6) handsets | 1 | \$207.11 | \$207.11 |
| 02.04.2014 Hitachi Ultravision 55" Flat screen | 1 | TBD | TBD |
| 02.04.2014 Panasonic Sound Bar | 1 | TBD | TBD |
| 02.04.2014 Integra DPC7.5 6 Disc DVD Player | 1 | TBD | TBD |
| 02.04.2014 DirecTV HD DVR | 1 | TBD | TBD |
| 02.04.2014 Sony Playstation 2 | 1 | TBD | TBD |
| 02.04.2014 Nintendo Wii | 1 | TBD | TBD |
| 02.04.2014 Landscape Lighting/Transformer | TBD | TBD | TBD |
| 02.04.2014 Poolhouse Electronics/Appliances | TBD | TBD | TBD |
| Various Plug-in surge protectors | TBD | TBD | TBD |
| 02.04.2014 Master Suite Kohler "Memoirs" Whirlpool | TBD | TBD | TBD |
| 02.04.2014 Lift Master Prof. Garage Door Opener | TBD | TBD | TBD |
| | | Total | \$30,545.46 |

This is an incomplete list of damages.

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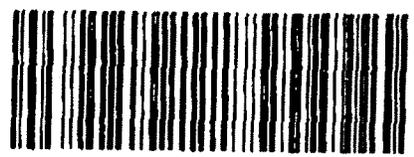
17105

\$11.60
00010915-06

FROM: DONATIVE
6035 Lwr. Mountain Rd
New Hope PA 18938

TO: Secretary
PA PUC
PO Box 3265
Harrisburg, PA
17105-3265

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE
CERTIFIED MAIL



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