



Exelon®

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Exelon Business Services Company
Legal Department

2301 Market Street/S23-1
Philadelphia, PA 19103

215 568 3389 Fax
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April 7, 2014

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

RE: Sabrina Joell v. PECO Energy Company
PUC Docket No.: C-2014-2409689

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
- X **Motion for Judgment on the Pleadings**
- Motion to Admit Exhibits
- Motion to Consolidate
- 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: Sabrina Joell (via First Class Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SABRINA JOELL	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2014-2409689
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

NOTICE TO PLEAD

To: Sabrina Joell

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 Motion for Judgment on the Pleadings within 20 days from service of this notice, the facts set forth by PECO Energy Company may be deemed to be true, thereby requiring no other proof. All pleadings, such as a Reply to Motion, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Shawane Lee, and where applicable, the Administrative Law Judge presiding over the issue.

Failure to respond to this Motion could result in the dismissal of your case.

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, Esquire
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated: April 7, 2014



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19101-8699
Tel. (215) 841-6841
Fax. (215) 568-3389
shawane.lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SABRINA JOELL

Complainant

v.

PECO ENERGY COMPANY

Respondent

:
:
:
:
:
:
:

DOCKET NO. C-2014-2409689

MOTION FOR JUDGMENT ON THE PLEADINGS

PECO Energy Company ("PECO"), pursuant to 52 Pa. Code §5.102, respectfully requests that your Honorable Commission dismiss the instant complaint inasmuch as Complainant requests a payment arrangement. Other than the Complainant's dispute regarding late payment charges and an alleged unlawful termination, no factual dispute has been raised in the pleadings, concerning her request for a payment agreement. Pursuant to 66 Pa.C.S. §1405(c), Complainant is ineligible for a Commission-ordered payment agreement, and thus Complainant fails to state a claim upon which relief can be granted in this regard. Therefore, PECO is entitled to judgment as a matter of law with respect to the Complainant's request for a payment agreement.

1. On or about March 3, 2014, Complainant filed a Formal Complaint against Respondent, PECO, requesting to receive a Commission-ordered payment agreement and disputing late payment charges on her account. A copy of Complainant's Formal Complaint is attached hereto as Exhibit 1.

2. PECO was served with the Formal Complaint on March 12, 2014.

3. On March 18, 2014, PECO filed an Answer, New Matter and Notice to Plead. A copy of PECO's Answer and New Matter is attached hereto as Exhibit 2.

4. PECO averred in its New Matter that Complainant was enrolled in its Customer Assistance Program (CAP) on November 19, 2013. New Matter ¶1.

5. PECO also averred that Complainant is an active CAP customer. New Matter ¶2.
6. PECO further averred that the entire balance on Complainant's account is comprised of CAP arrears. New Matter ¶4.
7. As the entire balance consists of CAP arrears, PECO averred that no agreement may be issued under 66 Pa.C.S. §1405(c). New Matter ¶¶5-6.
8. To date, 20 days have passed since PECO filed its New Matter.
9. The Complainant served a response to PECO's New Matter on April 2, 2014.
10. In her response, the Complainant affirms that she was enrolled in the CAP program on November 19, 2013, and reiterates her request for a payment agreement. A copy of Complainant's Answer to PECO's New Matter is attached hereto as Exhibit 3.
11. In her response, the Complainant additionally alleges that her service was unlawfully terminated and she states that she has serious medical issues, including a diagnosis of cancer. See Exhibit "3".
12. Under 66 Pa.C.S. §1405(c), the Commission is precluded from establishing a payment agreement for customers participating in CAP. Section 1405(c) states as follows: "Customer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the commission."
13. The Commission's regulations at 52 Pa. Code §5.102(a) permits any party to move for summary judgment or judgment on the pleadings after the pleadings are closed, but within such time as to not delay a hearing. Under 52 Pa. Code §5.102(d)(1), the presiding officer will grant the motion if the pleadings, depositions, answers to interrogatories, admissions and affidavits show that there is no genuine issue as to a material fact and that the moving party is entitled to judgment as a matter of law.

14. The moving party bears the burden of showing that no genuine issue of material fact exists and that it is entitled to judgment as a matter of law. The Commission must view the record in the light most favorable to the non-moving party, giving that party the benefit of all reasonable inferences. *First Mortgage Co. of Pennsylvania v. McCall*, 459 A.2d 406 (Pa. Super. 1983).

15. The provision at 52 Pa. Code §5.102(c) serves judicial economy by avoiding a hearing where no factual dispute exists. If no factual issue pertinent to the resolution of the case exists, a hearing is unnecessary. *Lehigh Valley Power Committee v. Pennsylvania Public Utility Commission*, 563 A.2d. 557 (Pa. Cmwlth. 1989).

16. The pleadings in this case reveal the following:

- a. There is no factual dispute that (a) Complainant is enrolled in CAP, (b) the entire past due balance is CAP arrears, (c) the Complainant seeks a Commission-ordered payment agreement.
- b. Under 66 Pa.C.S. §1405(c), the Commission is prohibited from ordering a payment agreement for an account holder whose past due balance consists of CAP arrears. Therefore, the Commission cannot grant the payment agreement relief Complainant seeks.

17. To the extent the Complainant's formal complaint requests a payment agreement, PECO is entitled to judgment as a matter of law on that portion of the Complainant's complaint.

18. The only remaining factual issues are whether PECO correctly assessed late payment charges to the Complainant's account and whether the Complainant's service was unlawfully terminated.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the Complainant's request for a payment agreement, as it relates to a request for a prohibited payment agreement on CAP arrears, and the Complaint in this regard, therefore fails to state a claim upon which relief can be granted.

Respectfully submitted,



Shawane L. Lee
PECO Energy Company
2301 Market Street, S23-1
PO Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SABRINA JOELL	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2014-2409689
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Motion for Judgment on the Pleadings upon the party listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

VIA First Class Mail
Sabrina Joell
158 Logan Avenue
Glenside, PA 19038



Shawane L. Lee

DATED: April 7, 2014

EXHIBIT “1”

O'Neill, Leslie:(BSC)

From: eServe@pa.gov
Sent: Wednesday, March 12, 2014 8:01 AM
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-2014-2409689**. 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.*

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 Sabrina Joell
Street/P.O. Box 158 Logan Ave Apt # _____
City glenside State PA Zip 19038
County Montgomery

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

(267) 252-8813 (home) (267) 252-8813 (mobile)

E-mail Address (optional): Sjoell215@AOL.COM

Utility Account Number (from your bill) 17568-99029

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
2014 MAR -8 AM 11:23
SECRETARY'S BUREAU
P.U.C.

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.

Other (explain).

I am being charged approx \$1,000.00 per month in late charges. Please see attached² letter of appeal.
complaint

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.

I am asking that PECO provide me with a payment arrangement. I am asking PECO to remove the \$997.00 late charge (see attached). PECO did not follow rules + I should be granted a payment/budget bill because I was removed from the program then re-installed.

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.

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

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.

If you are 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:

Salma N Joell, 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).

Salma N Joell
(Signature of Complainant)

2/17/14
(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
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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.



Emergency and Repairs: 1-800-841-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: SABRINA JOELL
Account Number: 17568-99029
Phone Number: 267-252-8813
Service Address: 158 LOGAN AV, GLENSIDE

Billing Summary

Table with 2 columns: Description and Amount. Rows include Bill Date (01/21/2014), Budget bill charges from previous bill (multiple entries), Reconnect charge, and Total Other Charges (\$8,436.69).

When paying in person, please bring the entire bill.

(continued on next page)



Return only this portion with your check made payable to PECO. Please write your account number on your check.

- Check here to enroll in Power Pay automatic account debit and complete form on reverse side.
Check here to pledge a donation to MEAF and complete form on reverse side.

To pay by phone call 1-877-432-9384. A convenience fee will apply.

17568 9902 90000 0000

6861 1 AV 0.357 6861000681013657 025 01 QJFHK7 124 01222014
SABRINA JOELL
158 LOGAN AVE
GLENSIDE PA 19038-1018

Account Number 17568-99029 Payment Receipt Stamp

Payment Amount box

Please pay this amount by 02/12/2014 \$8,695.69

00000699380000167774

PECO - PAYMENT PROCESSING
PO BOX 37629
PHILADELPHIA PA 19101-0629



175689902900086956940438695690



Emergency and Repairs: 1-800-841-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: **SABRINA JOELL**
 Account Number: **17568-99029**

Page **2**

Current Period Charges		
Electric	\$699.38	
Budget billing amount		\$259.00
Total New Charges	\$699.38	
Total Amount Due on 02/12/2014		\$8,695.69

General Information

Next scheduled meter reading: **February 19, 2014**
 PECO, 2301 Market St, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call **1-800-494-4000** before the due date.
 Si tiene alguna pregunta, favor de llamar al numero **1-800-494-4000** antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7**
- www.pECO.com/ebill - Go paperless: receive and pay your bill
 - www.pECO.com/service - Start, stop and transfer your service
 - www.pECO.com/SmartIdeas - Save energy and money
 - Pay by phone with credit/debit card at **1-877-432-9384** (\$2.35 fee)

Message Center

You are on the Customer Assistance Program (CAP) Rate. You are saving money by paying a CAP rate.
 New charges contain estimated total state taxes of \$50.63, including \$41.28 for State Gross Receipts Tax.
 Your **Total Account Balance of \$9,177.83** includes your Total Amount Due and all other Arrangement/Agreement balances that are on this account.

Budget Billing Deferred Balance

Last Month's Deferred Balance	\$41.76
+Total Current Charges	\$699.38
- Current Budget Billing Amount Due	\$259.00
This Month's Deferred Balance	\$482.14

Meter Information

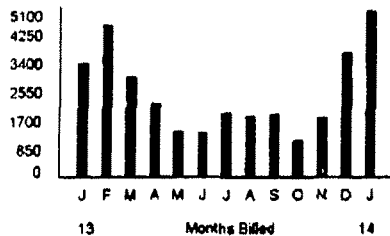
Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Usage
				Previous	Present			
01/20	107073932	General Service	Tot kWh	34227 Actual	39225 Actual	4998	1	4998
Total kWh Used						4,998		

Electric Residential Service CAP Opt C - Current Period Detail

Service 12/16/2013 to 01/20/2014 - 35 days

Customer charge		\$7.09
Generation Charges	4,998 kWh X \$0.08970	448.32
Transmission Charges	4,998 kWh X 0.00800	39.98
Distribution Charges	4,998 kWh X 0.05940	296.88
State Tax Adjustment		-0.64
CAP Adjustment		\$-92.25
Total Current Charges		\$699.38

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	4,998	142.8	35	38
Last Month	3,707	112.3	33	40
Last Year	3,375	105.4	32	40

Avg kWh per Month	2,463
Total Annual kWh Usage	29,580



DO NOT MAIL THIS PORTION WITH YOUR PAYMENT

PECO acct # 17568-99029 2/17/14

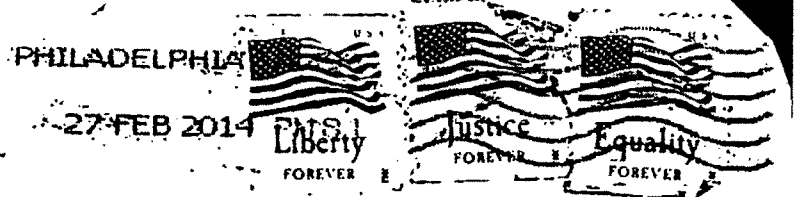
Peco[1]

Peco was notified via telephone with a CAP representative at the end of September 2013 of an increase in our monthly income. My 23 year daughter Jasmina Hill graduated from nursing school and her annual income went from zero to \$48,000.00 per year. At this time income was reported via telephone again to a CAP representative. We were removed from the CAP program. By mid October 2013 Jasmina Hill moved out into her own apt. Immediately I notified PECO again and I completed a new CAP application and I furnished PECO CAP via fax with our monthly income along with a signed rental agreement lease of Jasmina Hill's new residence. When I called 1 week after faxing all info. to verify that it was received, I was told by CAP representative that all information was received and we would be eligible for a new arrangement and that we met the poverty level guidelines to be placed back into the CAP program with a percentage discount once info was verified and processed. I called back in the beginning of November 2013 and PECO CAP stated via telephone that I would not receive an agreement. I then received a suspension/shut notice and I filed a complaint via telephone with the PUC. I explained to PECO that I recently underwent major abdominal surgery and I was receiving radiation and chemotherapy as I have been diagnosed with stage 2 cancer of the pelvis. PECO would not grant me a medical extension stating that I needed to pay \$4,329.17 in order to be considered for a medical extension. I explained my current medical need for electric, and I told them that I need my electric for the nebulizer and Intravenous pump machine that the visiting nurse uses to deliver my iv medications: PECO would not agree. I believe that I was misinformed by PECO CAP and that I am entitled to a new arrangement.

Sahuna Hill

PECO has also been charging me \$997.43 a month in late charges. That makes it impossible for me to catch up. Please help us.

S.N. Joell
158 Logan Ave
Glenside, PA 19038



RECEIVED

2014 MAR -3 AM 11:25

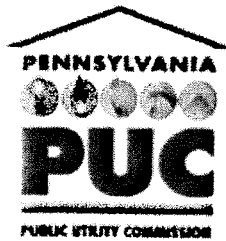
PA P.U.C.
SECRETARY'S BUREAU

Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

17105326565



EXHIBIT “2”



PENNSYLVANIA PUBLIC UTILITY COMMISSION

CONSUMERINFO UTILITY&INDUSTRY FILING&RESOURCES ABOUTPUC CONTACTUS

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eFiling Successfully Transmitted



Your filing has been electronically received. Upon review of the filing for conformance with the Commission's filing requirements, a notice will be issued acknowledging such compliance and assigning a Docket Number. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

Print this page for your records. The date filed on will be the current day if the filing occurs on a business day before or at 4:30 PM Harrisburg, PA time. It will be the next business day if the filing occurs after 4:30 PM Harrisburg, PA time or on weekends or holidays.

If your filing exceeds 250 pages, you are required to submit one paper copy of the filing within 3 business days of submitting the electronic filing. This paper copy can be mailed to: Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120 . Please print a copy of this page and attach it to the paper copy of your filing as the first page.

eFiling Confirmation	
Docket Number:	C-2014-2409689
Description:	Sabrina Joell - Answer and New Matter
Transmission Date:	3/18/2014 11:25:30 AM
Filed On:	3/18/2014 11:25:30 AM
eFiling Confirmation Number:	1540382

Uploaded File List

File Name	Document Class	Document Type
Sabrina Joell - Answer and New Matter.pdf	Communication	Answer to Formal Complaint

PECO ENERGY
EXHIBIT



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

March 18, 2014

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

**RE: Sabrina Joell v. PECO Energy Company
PUC Docket No.: C-2014-2409689**

Dear Ms. Chiavetta:

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

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Very truly yours,

Shawane Lee
Counsel for PECO Energy Company
SL/lo

Scheduling Recommendation: **X Call of the Docket**

Not Call of the Docket

PENNSYLVANIA PUBLIC UTILITY COMMISSION

SABRINA JOELL :
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v. : DOCKET NO. C-2014-2409689
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File with:
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Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

With a copy to:
Shawane L. Lee, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, March 18, 2014



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
215-841-6863
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SABRINA JOELL	:	
Complainant	:	
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v.	:	DOCKET NO. C-2014-2409689
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On March 12, 2014 PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Sabrina Joell (hereafter "Complainant") in the above captioned docket.

Pursuant to 52 Pa. Code § 5.61, PECO responds to the Complaint and states:

1. Admitted.
2. Admitted.
3. Admitted.
4. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant complaint.

In her Formal Complaint, Complainant alleges that she is being charged \$1,000 a month in late payment fees. The Complainant requests a payment agreement. PECO Energy avers that the Complainant was properly assessed late fees pursuant to the company tariff and the Complainant's request for a payment agreement should be dismissed pursuant to 66 Pa.C.S. § 1405(c).

The Complainant has an account for electric service at 158 Logan Avenue, Glenside, PA 19038 under account number 17568-99029. See Account Activity Statement, attached hereto as

Exhibit “1”. The Complainant was enrolled in PECO Energy’s Customer Assistance Program (“CAP”) on November 19, 2013, under Tier C. The Complainant remains actively enrolled in the CAP program. Her next re-certification date is November 19, 2015. The Complainant’s entire balance is comprised of CAP arrears.

The Complainant disputes late payment charges that have been assessed to her account. To date, the Complainant has been assessed a total of \$997.43 in late payment charges. The Complainant fails to make timely payments and is therefore properly subject to late fees in accordance with PECO’s Commission approved tariff. The late fees that appear in the “Billing Summary” section of the bill statement represent the cumulative (not monthly) unpaid late fees charged to the account. See Billing Statements, attached hereto as Exhibit “2”.

PECO avers that the late fees are proper. PECO’s Commission approved tariff provides, in relevant part:

17.5 LATE FEES AND COLLECTION COSTS. If payment is made at a Company office or authorized payment agency after the due date shown on the bill, a late fee will be added to the unpaid balance until the entire bill is paid. If payment is made by mail, the late fee will be added if the payment is received by the Company more than five days after the due date shown on the bill. For Rates R, R-H, RS-2, OP, POL and GS this late fee will be 1-1/2 % per month; for all other rates the late fee will be 2% per month.

See Section 17.5 of PECO Energy’s Tariff, attached hereto as Exhibit “3”.

PECO’s Commission approved tariff is prima facie reasonable and has the full force and effect of law. 66 Pa.C.S. § 316; *Kossmann v. PA PUC*, 694 A.2d 1147 (Pa Cmwlft 1997); *Brockway Glass Co. v. PA. PUC*, 437 A.2d 1067 (Pa. Cmwlft 1981). In this case, the Complainant fails to make timely payments and is therefore properly subject to late fees in accordance with PECO’s Commission approved tariff. The late fees that appear in the “Billing

Summary” section of the bill statement represent the cumulative unpaid late fees charged to the account.

The Complainant’s current balance is \$8,954.69. See Account Activity Statement attached hereto as Exhibit “1”. The account activity statement reveals that the Complainant has missed payments, has not paid her bill by the due date, and has incurred late charges as a result. Additionally, PECO Energy avers that the Complainant is not entitled to a payment agreement pursuant to 66 Pa. C.S. §1405(c) as her entire balance is comprised of CAP arrears.

5. Denied.

6. Admitted.

7. Denied.

8. Denied. PECO is without knowledge or information sufficient to form a belief as to the truth of this averment and, therefore, such allegation is deemed denied.

9. Paragraph 9 is a Verification and Signature to which no response is required.

10. Paragraph 10 contains information regarding Filing, to which no response is required.

NEW MATTER OF RESPONDENT, PECO ENERGY COMPANY

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 5.62(b), further responds to the Complaint and states:

1. The Complainant was originally enrolled in PECO Energy’s Customer Assistance Program (“CAP”) on November 19, 2013 under Tier C.
2. The Complainant remains actively enrolled in the CAP program.
3. Her next recertification is due on November 19, 2015.

4. The Complainant currently has a \$8,954.69 balance comprised entirely of CAP arrears. See Exhibit "1".

5. The Complainant is not entitled to a PUC ordered payment agreement on this balance as it contains CAP arrears.

6. Additionally, the Complainant's poor payment history does not demonstrate good faith.

7. The Complainant's account activity statement demonstrates that she does not pay her bill in full on time each month. See Exhibit "1".

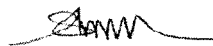
8. 66 Pa.C.S. § 1405(c) provides that, "(c)ustomer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the commission."

9. Consequently, pursuant to 66 Pa.C.S. § 1405(c), the PUC has no jurisdiction to give the Complainant another payment agreement on that portion of her balance.

10. PECO Energy avers that the Complainant's complaint should be dismissed pursuant to 66 Pa. C.S. §1405(c).

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SABRINA JOELL	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2014-2409689
	:	
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: March 18, 2014

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SABRINA JOELL	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2014-2409689
	:	
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:

Sabrina Joell
158 Logan Avenue
Glenside, PA 19038

Dated at Philadelphia, Pennsylvania, March 18, 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



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

March 18, 2014

Sabrina Joell
158 Logan Avenue
Glenside, PA 19038

RE: Sabrina Joell v. PECO Energy Company
PUC Docket No.: C-2014-2409689

Dear Ms. Joell:

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 stylized flourish at the end.

Shawane Lee
Counsel for PECO Energy Company

SL/lo
Encl.

EXHIBIT “1”

CUAR038

PECO Account Activity Statement

Date: 03/14/14

*** Account Information ***

Account Number: 17568-99029
 Account Status: Active
 Requested By: SABRINA JOELL
 (267)252-8813 Extension:

Mail To: SABRINA JOELL
 158 LOGAN AV
 GLENSIDE PA 19038

*** Current Account Status ***

Current Bill: \$259.00
 Billed Prior: \$8695.69
 Balance Due: \$8954.69
 Service Address: 158 LOGAN AV
 GLENSIDE PA 19038

Credit Amount: \$0.00
 Deposit Requested: \$0.00
 Deposit On-Hand: \$0.00
 Meter Bill Grp: 13
 Rate: CAP Opt C Electric Residential Service

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KW
03/20/12	ELECTRIC SERVICE	02/19/12 03/19/12	91588	107073932	\$308.17							
03/20/12	Late Payment Charge				\$35.03							
03/20/12	Regular Bill						\$3059.57	\$2751.40	04/11	2162		
04/17/12	Late Payment Charge				\$39.65							
04/18/12	BUDGET BILLING	03/19/12 04/17/12			\$369.00							
	** Budget Bill Detail **		Actual Bill Amount: 227.16		BB Deferred Amount: -141.84							
04/18/12	Regular Bill						\$3468.22	\$3099.22	05/10	1641		
05/15/12	Late Payment Charge				\$43.06							
05/17/12	BUDGET BILLING	04/17/12 05/16/12			\$289.00							
	** Budget Bill Detail **		Actual Bill Amount: 205.16		BB Deferred Amount: -225.68							
05/17/12	Regular Bill						\$3800.28	\$3511.28	06/08	1504		
05/21/12	Payment					\$83.00						
06/13/12	Late Payment Charge				\$44.90							
06/18/12	BUDGET BILLING	05/16/12 06/17/12			\$289.00							
	** Budget Bill Detail **		Actual Bill Amount: 182.30		BB Deferred Amount: -332.38							
06/18/12	Regular Bill						\$4051.18	\$3762.18	07/10	1359		
07/17/12	Late Payment Charge				\$47.28							
07/18/12	BUDGET BILLING	06/17/12 07/17/12			\$289.00							
	** Budget Bill Detail **		Actual Bill Amount: 195.66		BB Deferred Amount: -425.72							
07/18/12	Regular Bill						\$4387.46	\$4098.46	08/09	1505		
08/14/12	Late Payment Charge				\$48.82							
08/16/12	BUDGET BILLING	07/17/12 08/15/12			\$289.00							
	** Budget Bill Detail **		Actual Bill Amount: 196.42		BB Deferred Amount: -518.30							
08/16/12	Regular Bill						\$4725.28	\$4436.28	09/07	1510		
09/12/12	Late Payment Charge				\$50.38							
09/17/12	BUDGET BILLING	08/15/12 09/16/12			\$238.00							
	** Budget Bill Detail **		Actual Bill Amount: 199.45		BB Deferred Amount: -556.85							
09/17/12	Regular Bill						\$5013.66	\$4775.66	10/09	1530		
10/16/12	BUDGET BILLING	09/16/12 10/15/12			\$238.00							
	** Budget Bill Detail **		Actual Bill Amount: 139.86		BB Deferred Amount: -654.99							
10/16/12	Late Payment Charge				\$52.79							
10/16/12	Regular Bill						\$5304.45	\$5066.45	11/07	1054		
11/13/12	Late Payment Charge				\$53.42							
11/14/12	BUDGET BILLING	10/15/12 11/13/12			\$238.00							
	** Budget Bill Detail **		Actual Bill Amount: 241.32		BB Deferred Amount: -651.67							
11/14/12	Regular Bill						\$5595.87	\$5357.87	12/06	1669		
11/27/12	Payment Agreement					\$5595.87						
12/17/12	BUDGET BILLING	11/13/12 12/16/12			\$216.00							
	** Budget Bill Detail **		Actual Bill Amount: 393.29		BB Deferred Amount: -474.38							
12/17/12	DEFERRED PAYMENT AGREEMENT				\$93.26							
12/17/12	Regular Bill						\$309.26		01/08	2930		

PECO ENERGY
 EXHIBIT 7

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KW
01/14/13	Bill Out DPA due to Default											
01/15/13	Late Payment Charge				\$5502.61							
01/18/13	BUDGET BILLING	12/16/12 01/17/13			\$65.65							
	** Budget Bill Detail **	Actual Bill Amount: 420.63			\$186.00							
01/18/13	Regular Bill						BB Deferred Amount: -239.75					
02/19/13	BUDGET BILLING	01/17/13 02/18/13			\$186.00		\$6063.52	\$5877.52	02/12	3375		
	** Budget Bill Detail **	Actual Bill Amount: 592.79					BB Deferred Amount: 167.04					
02/19/13	Late Payment Charge				\$74.45							
02/19/13	Regular Bill											
03/19/13	Late Payment Charge				\$80.83		\$6323.97	\$6137.97	03/13	4533		
03/20/13	BUDGET BILLING	02/18/13 03/19/13			\$186.00							
	** Budget Bill Detail **	Actual Bill Amount: 356.25					BB Deferred Amount: 337.29					
03/20/13	Regular Bill											
04/16/13	Payment Agreement					\$6590.80	\$6590.80	\$6404.80	04/11	2942		
04/18/13	BUDGET BILLING	03/19/13 04/17/13			\$233.00							
	** Budget Bill Detail **	Actual Bill Amount: 250.80					BB Deferred Amount: 355.09					
04/18/13	DEFERRED PAYMENT AGREEMENT				\$109.85							
04/18/13	Regular Bill											
05/15/13	Bill Out DPA due to Default						\$342.85		05/10	2183		
05/15/13	Late Payment Charge				\$6480.95							
05/17/13	BUDGET BILLING	04/17/13 05/16/13			\$5.15							
	** Budget Bill Detail **	Actual Bill Amount: 119.12			\$233.00		BB Deferred Amount: 241.21					
05/17/13	Regular Bill											
06/10/13	Payment						\$7061.95	\$6828.95	06/10	1349		
06/17/13	Late Payment Charge				\$87.87	\$343.00						
06/18/13	BUDGET BILLING	05/16/13 06/17/13			\$233.00							
	** Budget Bill Detail **	Actual Bill Amount: 103.89					BB Deferred Amount: 112.10					
06/18/13	Regular Bill											
06/25/13	Payment Agreement						\$7039.82	\$6806.82	07/10	1316		
07/18/13	BUDGET BILLING	06/17/13 07/17/13			\$233.00	\$7039.82						
	** Budget Bill Detail **	Actual Bill Amount: 182.51					BB Deferred Amount: 61.61					
07/18/13	DEFERRED PAYMENT AGREEMENT				\$121.38							
07/18/13	Regular Bill											
08/14/13	Bill Out DPA due to Default						\$354.38		08/09	1928		
08/14/13	Late Payment Charge				\$6918.44							
08/16/13	BUDGET BILLING	07/17/13 08/15/13			\$5.32							
	** Budget Bill Detail **	Actual Bill Amount: 167.22			\$233.00		BB Deferred Amount: -4.17					
08/16/13	Regular Bill											
08/28/13	Payment						\$7511.14	\$7278.14	09/09	1824		
08/28/13	Payment Agreement					\$354.38						
09/16/13	Late Payment Charge				\$6918.44							
09/17/13	BUDGET BILLING	08/15/13 09/16/13			\$3.43							
	** Budget Bill Detail **	Actual Bill Amount: 184.42			\$233.00		BB Deferred Amount: -52.75					
09/17/13	DEFERRED PAYMENT AGREEMENT				\$121.38							
09/17/13	Regular Bill											
09/26/13	Reinstate AR from DPA- Cr						\$596.13	\$241.75	10/09	1881		
						\$6918.44						
09/26/13	Reinstate AR from DPA- Db				\$6918.44							
09/26/13	RECONNECT FEE - CUT-OUT NON-PAY				\$75.00							
09/26/13	Bill Out DPA due to Default				\$6797.06							
10/15/13	Late Payment Charge				\$98.15							
10/16/13	BUDGET BILLING	09/16/13 10/15/13			\$233.00							
	** Budget Bill Detail **	Actual Bill Amount: 79.60					BB Deferred Amount: -206.15					
10/16/13	Regular Bill											
							\$7799.34	\$7491.34	11/07	1110		

CUAR038

PECO Account Activity Statement

Date: 03/14/14

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KW
11/12/13	Late Payment Charge				\$99.35							
11/14/13	BUDGET BILLING	10/15/13 11/13/13			\$279.00							
	** Budget Bill Detail **	Actual Bill Amount: 283.25				BB Deferred Amount: -201.90						
11/14/13	Regular Bill											
12/17/13	BUDGET BILLING	11/13/13 12/16/13			\$259.00		\$8177.69	\$7898.69	12/06	1789		
	** Budget Bill Detail **	Actual Bill Amount: 502.66				BB Deferred Amount: 41.76						
12/17/13	Regular Bill											
01/21/14	BUDGET BILLING	12/16/13 01/20/14			\$259.00		\$8436.69	\$8177.69	01/08	3707		
	** Budget Bill Detail **	Actual Bill Amount: 699.38				BB Deferred Amount: 482.14						
01/21/14	Regular Bill											
02/19/14	BUDGET BILLING	01/20/14 02/18/14			\$259.00		\$8695.69	\$8436.69	02/12	4998		
	** Budget Bill Detail **	Actual Bill Amount: 839.09				BB Deferred Amount: 1062.23						
02/19/14	Regular Bill						\$8954.69	\$8695.69	03/13	5888		

Account Status \$10,016.92

EXHIBIT “2”

Name: SABRINA JOELL
Account Number: 17568-99029
Phone Number: 267-252-8813
Service Address: 158 LOGAN AV, GLENSIDE

Billing Summary

Table with 2 columns: Description and Amount. Includes Bill Date (02/19/2014), Budget bill charges from previous bill (multiple entries), Reconnect charge, and Total Other Charges (\$8,695.69).

When paying in person, please bring the entire bill.

(continued on next page)

Return only this portion with your check made payable to PECO. Please write your account number on your check.



- Check here to enroll in Power Pay automatic account debit and complete form on reverse side.
Check here to pledge a donation to MEAF and complete form on reverse side.

To pay by phone call 1-877-432-9384. A convenience fee will apply.

17568 9902 90000 0000

7124 1 AV 0.378 7124/007124/014485 027 01 GXFRBX 12345 02202014
SABRINA JOELL
158 LOGAN AVE
GLENSIDE PA 19038-1018

Account Number 17568-99029 Payment Receipt Stamp

Payment Amount box

Please pay this amount by 03/13/2014 \$8,954.69

00000839090000167774

PECO - PAYMENT PROCESSING
PO BOX 37629
PHILADELPHIA PA 19101-0629

PECO ENERGY 175689902900089546940728954691
EXHIBIT 2

Name: **SABRINA JOELL**
 Account Number: **17568-99029**

Current Period Charges

Electric	\$839.09	
Budget billing amount		\$259.00
Total New Charges	\$839.09	
Total Amount Due on 03/13/2014		\$8,954.69

General Information

Next scheduled meter reading: **March 20, 2014**
 PECO, 2301 Market St, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call **1-800-494-4000** before the due date.
 Si tiene alguna pregunta, favor de llamar al numero **1-800-494-4000** antes de la fecha de vencimiento.

Customer Self Service - Manage Your Account 24/7

- www.peco.com/ebill - Go paperless: receive and pay your bill
- www.peco.com/service - Start, stop and transfer your service
- www.peco.com/SmartIdeas - Save energy and money
- Pay by phone with credit/debit card at **1-877-432-9384** (\$2.35 fee)

Message Center

You are on the Customer Assistance Program (CAP) Rate. You are saving money by paying a CAP rate.

New charges contain estimated total state taxes of \$60.75, including \$49.51 for State Gross Receipts Tax.

Your **Total Account Balance of \$10,016.92** includes your Total Amount Due and all other Arrangement/Agreement balances that are on this account.

Budget Billing Deferred Balance

Last Month's Deferred Balance	\$482.14
+Total Current Charges	\$839.09
- Current Budget Billing Amount Due	\$259.00
This Month's Deferred Balance	\$1,062.23

Meter Information

Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Usage
				Previous	Present			
02/18	107073932	General Service	Tot kWh	39225 Actual	45113 Actual	5888	1	5888

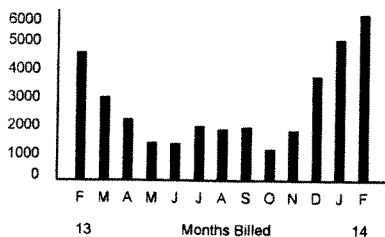
Total kWh Used 5,888

Electric Residential Service CAP Opt C - Current Period Detail

Service 01/20/2014 to 02/18/2014 - 29 days

Customer charge				\$7.09
Generation Charges	5,888 kWh	X	\$0.08970	528.15
Transmission Charges	5,888 kWh	X	0.00800	47.10
Distribution Charges	5,888 kWh	X	0.05940	349.75
State Tax Adjustment				-0.75
CAP Adjustment				-\$92.25
Total Current Charges				\$839.09

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	5,888	203.0	29	27
Last Month	4,998	142.8	35	36
Last Year	4,533	141.6	32	33

Avg kWh per Month	2,576
Total Annual kWh Usage	30,915

DO NOT MAIL THIS PORTION WITH YOUR PAYMENT

EXHIBIT “3”

PECO Energy Company

RULES AND REGULATIONS

17. BILLING AND STANDARD PAYMENT OPTIONS

BILLING PERIOD. Billing for service will be based upon the amount of use and the time interval of its delivery. The customer will be billed in accordance with rule 14.7. Rate values stated for direct application to monthly billing periods will be adjusted when time elapsed between readings is substantially greater or less than a month.

17.2 BILLING OPTIONS. A customer may select one of the following three billing options: (1) Consolidated EDC Billing; (2) Consolidated EGS Billing; and (3) Separate EDC/EGS Billing, as those terms are defined herein. If a customer does not make a selection, the customer shall receive Consolidated EDC Billing. When the Company provides Consolidated EDC Billing or Separate EDC Billing, it will comply with the terms and conditions of the Electric Generation Supplier Coordination Tariff.

17.3 PAYMENT.

(a) The Company's bills to customers are payable upon presentation. Payment for service received must be made on or before the due date shown on the bill. The due date shall be determined by the Company and shall be not less than twenty days from the date of transmittal of the bill for Rates R, R-H, RS-2, POL and GS (excluding Summary Billing Accounts). The due date shall be not less than 15 days from the date of transmittal of the bill for all other rates, including Summary Billing Accounts. Notwithstanding the foregoing, the due date may be up to thirty days for accounts (including Summary Billing Accounts) with the United States of America, the Commonwealth of Pennsylvania, or any of their departments, political subdivisions, or instrumentalities. The Company may allow a reasonable amount of additional time for payment of bills on industrial and commercial accounts of creditworthy customers. If the due date that appears on a customer's bill falls on a Saturday, Sunday, bank holiday, or any other day when the offices of the Company which regularly receive payments are not open to the general public, the due date shall be extended to the next business day. The payment period will not be extended because of the customer's failure to receive a bill unless said failure is due to the fault of the Company.

(b) Payment may be made at any commercial office of the Company or at any authorized payment agency. The customer bears the risk of delivery of payment tendered on or after the date contained in any transmission notice sent to the customer.

(c) The Company may require that a customer that is not creditworthy tender payment by means of a certified, cashier's, teller's, or bank check, or by wire transfer, or in cash or other immediately available funds.

(d) A customer must pay the undisputed portion of disputed bills under investigation. The Company will apply this rule to the disputed portion of disputed bills, if, and only if: (1) the Company has made diligent and reasonable efforts to investigate and resolve the dispute; (2) the result of the investigation is that the Company determines that the customer's claims are unwarranted or invalid; (3) the Commission and/or the Bureau of Consumer Services has decided a formal or informal complaint in the Company's favor and no timely appeal is filed, and (4) the customer nevertheless continues to dispute the same manner in bad faith.

17.4 PAYMENT PROCESSING. When the Company is providing Consolidated EDC Billing, Default Service or Separate EDC Billing, and the customer remits a partial payment to the Company, the payment will be applied as follows:

1. Any past due balances including those for prior PECO basic service charges, for prior EGS receivables purchased by the Company, for prior installment amounts on payment agreements, and also for any reconnection charges.
2. Any current charges including those for PECO basic service charges, for current EGS receivables purchased by the Company, and for current installment amounts on payment agreements.
3. Non-basic service charges.

17.5 LATE FEES AND COLLECTION COSTS. If payment is made at a Company office or authorized payment agency after the due date shown on the bill, a late fee will be added to the unpaid balance until the entire bill is paid. If payment is made by mail, the late fee will be added if the payment is received by the Company more than five days after the due date shown on the bill. For Rates R, R-H, RS-2, OP, POL and GS this late fee will be 1-1/2 % per month; for all other rates the late fee will be 2% per month. If the Company files suit to collect a delinquent balance on an account (whether active or inactive) or to ensure payment of current bills, the customer will be required to pay the Company's out of pocket court costs (including filing, service, and witness fees) as ordered by the court and such costs will be added to commercial and industrial accounts.

17.6 BUDGET BILLING.

(a) At the option of a customer receiving residential service under Rates R, R-H, RS-2, POL and GS, an estimated total bill for all service to be received by the customer over a twelve-month period may be budgeted over the period and an average bill rendered monthly for payment each month. Any difference between the budgeted amounts so paid and the actual charges for a twelve-month budget period will at the customer's option, either be amortized over the next twelve months or incorporated into the 12th month bill. Absent an indication of preference from the customer, the debit or credit will be amortized. Budget billing may be discontinued upon the customer's request at which time any difference between budget billing amounts and actual charges becomes due and payable. If a monthly budget bill is not paid, a late fee will be added to the unpaid balance of actual charges on the next billing date in accordance with Rule 17.3 and 17.5. Any such late fee will be calculated based on the lesser of budget billing arrears and actual charges arrears. The Company may also arrange budget billing for creditworthy commercial and industrial customers.

(b) When the Company provides Consolidated EDC Billing, the EGS's charges will be included in the customer's Budget Billing Plan.

(C) Denotes Change

Issued November 30, 2012

Effective January 28, 2013

EXHIBIT “3”

PENNSYLVANIA PUBLIC UTILITY COMMISSION

SABRINA JOELL

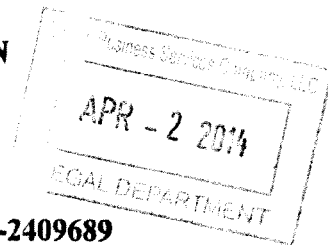
Complainant

v.

PECO ENERGY COMPANY

Respondent

DOCKET NO. C-2014-2409689



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 NEW MATTER of PECO Energy Company within 20 days from service of this notice, a decision may be rendered against you. All pleadings, such as a Reply to NEW MATTER, 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:

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

With a copy to:

Shawane L. Lee, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, March 18, 2014

Handwritten signature of Shawane L. Lee.

Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
215-841-6863
Shawane.Lee@exeloncorp.com

PECO ENERGY
EXHIBIT **3**

(Shawane 3/20/14 (PI)
Lee Counsel for PECO)

To whom it may concern,
I Saluna McJell am writing this letter to provide PECO + PUC with insight regarding my complaint. I am requesting a fair payment arrangement on a \$19,000.00 electric bill. I was diagnosed with stage II uterine cancer in 3/2012. I had multiple treatments of radiation + chemotherapy. Again in 2012 the cancer returned + I was diagnosed with pelvic cancer. I had to undergo another abdominal surgery + aggressive chemo therapy + radiation treatment. Last year I took in my sister + all of her children temporarily as she was in a physically + mentally abusive marriage. My 23 year old daughter Jasmina Hell lived at home + attended nursing school with no income until October 2013. She graduated in May, took her nursing board + obtained full time employment + moved out October 2013. I was on the CAP program I reported our/her new income as any honest individual should + PECO removed me from the program on 1/12 - after I provided PECO

with Jasmira Hill's new lease, pay stubs (P2)
for family + all required documentation
when she. I applied to CAP as soon as
she moved out + I was placed back on
the program on Nov. 19th 2013. I was
not given a new arrangement. My service
was unlawfully disconnected less than
30 min of PEO granting me a hold
on my account. Their reason for cutting
my service off @ 9:30 AM is "I should
have called before 8 AM". PEO doesn't
open before 8 AM. I am begging + pleading
for a new arrangement. I don't have
10,000.00 to pay but I will maintain
+ make every effort to pay my bill
on time. I have saved 400.00 to pay
my bill. I was removed from the program on
10/29/13 + placed back on CAP on 11/19/13. I
sincerely believe that I am entitled to
a new arrangement. My daughter has severe
asthma + requires the use of a nebulizer

(P3) 4-6 times per day in the spring months
as ~~as~~ well as 2-3 times daily in the
winter + summer months. I received a
letter 2 weeks ago stating that I
have used 3 medical emergencies +
that I am no longer entitled.
We cannot lose our elective on Apr. 1st
2014. Please help us.

Salvina D. Jell

Sabrina Joell
158 Logan Avenue
Glenside, PA 19038

PHILADELPHIA PA 190

31 MAR 2014 PM 8 L



Exelon Business Services Company
Legal Department
2301 Market Street / S23
Philadelphia, PA 19103

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