

PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17105

Mohamed Mansaray

v.

PECO Energy Company

Public Meeting June 19, 2014

2352692-OSA

Docket No. C-2013-2352692

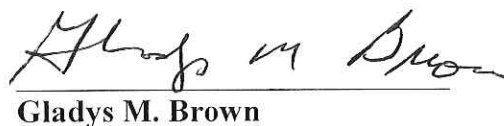
**JOINT DISSENTING STATEMENT OF
COMMISSIONERS JAMES H. CAWLEY AND GLADYS M. BROWN**

Before us is the Proposed Opinion and Order of the Office of Special Assistants which denies the Complainant's Exceptions and adopts the Initial Decision in the above-captioned matter.

Mohamed Mansaray (Complainant) alleged that he overpaid PECO (Company) and that his bills were too high. At the initial hearing, the Complainant, representing himself, asked for an interpreter. The ALJ continued the matter so that an interpreter could be provided. At the subsequent hearing, the interpreter was unexpectedly unavailable and the Complainant requested a continuance. The ALJ presented the Complainant with two options: either proceed in English at the present hearing or have his complaint dismissed without prejudice. The Complainant opted to continue and the ALJ found for the Company.

When a complainant is told that he will be provided an interpreter, an interpreter should be provided. In this instance, the ALJ should have granted the Complainant's request for a continuance to safeguard his right to due process.*


James H. Cawley


Gladys M. Brown

DATED: June 19, 2014

* "The constitutionally protected rights afforded by due process, which apply to administrative proceedings ... include[] the right to be heard which, in certain circumstances, include[s] the right to assistance from an interpreter during the proceedings itself." *Bethlehem Area Sch. Dist. v. Zhou*, 976 A.2d 1284, 1286 (Pa. Commw. Ct. 2009).