



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

July 30, 2014

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

RE: Dawn Gallagher v. PECO Energy Company
PUC Docket No.: C-2014-2428846

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Motion for Judgment on the Pleadings* with regard to the matter referenced above.

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,

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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

DAWN GALLAGHER
Complainant

v.

DOCKET NO. C-2014-2428846

PECO ENERGY COMPANY
Respondent

NOTICE TO PLEAD

To: Dawn Gallagher

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: July 30, 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 UTILITIES COMMISSION**

DAWN GALLAGHER
Complainant

v.

PECO ENERGY COMPANY
Respondent

DOCKET NO. C-2014-2428846

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. 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. 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 June 25, 2014, Complainant filed a Formal Complaint against Respondent, PECO, by ticking off the first, second, and fifth boxes set forth in Section 4 of the complaint: “The utility is threatening to shut off my service or has already shut off my service”, “I would like a payment agreement”, and “Other”. A copy of Complainant’s Formal Complaint is attached hereto as Exhibit 1.

2. In the Complainant’s request for relief, she states that she “...would like to be put on a payment arrangement.” See Exhibit 1.

3. PECO was served with the Formal Complaint on June 27, 2014.

4. On July 9, 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.

5. PECO averred in its New Matter that Complainant was enrolled in its Customer

Assistance Program (CAP) on September 24, 2005 under Tier D. New Matter ¶1.

6. PECO averred that the Complainant's CAP enrollment has been continuous since September 24, 2005. New Matter ¶2.

7. PECO also averred that the Complainant was last re-certified in the program on October 24, 2012 under Tier D. New Matter ¶3.

8. PECO further averred that the entire balance on the Complainant's account is comprised of CAP arrears. New Matter ¶5.

9. 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 ¶¶6-7.

10. To date, 20 days have passed since PECO filed its New Matter.

11. PECO has not been served with a response to its New Matter, and therefore it requests that the facts stated therein be deemed admitted. 52 Pa.Code §5.63(b) (providing that facts in new matter may be deemed admitted if there is no reply).

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 the following: "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 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. Because no factual dispute exists and the Complainant fails to state a claim for which relief can be granted, PECO is entitled to judgment as a matter of law.

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
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

DAWN GALLAGHER
Complainant

v.

PECO ENERGY COMPANY
Respondent

DOCKET NO. C-2014-2428846

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
Dawn Gallagher
2330 E. Hagert Street
Philadelphia, PA 19125



Shawane L. Lee

DATED: July 30, 2014

EXHIBIT “1”

O'Neill, Leslie:(BSC)

From: eServe@pa.gov
Sent: Friday, June 27, 2014 10:00 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-2014-2428846**.

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.*

PECO ENERGY
EXHIBIT 1

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

RECEIVED
2014 JUN 25 AM 10:35
PA P.U.C. BUREAU
SECRETARY'S BUREAU

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 Dawn Gallagher

Street/P.O. Box 2330 E. Hagert St. Apt # _____

City Philadelphia State Pa Zip 19125

County Philadelphia

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

(215) 341-8540 (home) () _____ (mobile)

E-mail Address (optional): thedawnner@aol.com

Utility Account Number (from your bill) 0040400501

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.

(one)
Peco

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): Pecc claims I am on a Cap Rate Program and I am not, they continue to mail me the Cap application hoping I would fill out and validate their claim.

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 would like my account investigated of all charges and rates and late fees assessed during the time I assumed responsibility for and also would like to be put on a payment arrangement.

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(PFA)

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 From 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.

I've spoken with Peco on numerous occasions and they still refuse to help me.

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 Dawn Gallagher, 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).

Dawn Gallagher (Signature of Complainant) 6-18-14 (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. Two Ways to File Your Formal Complaint

Electronically. You must create an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/efiling/default.aspx>.

Note: If you are appealing your Bureau of Consumer Services (BCS) decision, you must file your formal complaint by mail.

Mail. Mail the completed form with your original signature and any attachments, by certified mail, first class mail, or overnight delivery to this address:

Secretary
Pennsylvania Public Utility Commission
400 North Street
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.

Dawn Valadez
2330 S. Wagoner St.
Rm. 101
Alma, Ga 31705



2

Secretary
Pennsylvania Lottery Commission
400 North Street
Harrisburg, PA 17102
SECRETARY'S BUREAU

THIS MAIL HAS BEEN PROCESSED
BY THE POSTAGE DIVISION
AT HARRISBURG, PA 17102

2014 JUN 25 AM 10:35

RECEIVED

1712080079

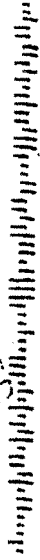
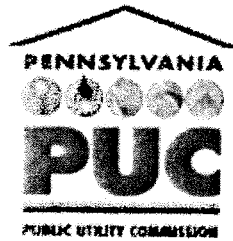


EXHIBIT “2”



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-2014-2428846
Description:	Dawn Gallagher - PECO Energy Company Answer and New Matter to Formal Complaint
Transmission Date:	7/8/2014 5:59:29 PM
Filed On:	7/9/2014 8:00:00 AM
eFiling Confirmation Number:	1554617

Uploaded File List

File Name	Document Class	Document Type
Dawn Gallagher - 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

July 8, 2014

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

RE: Dawn Gallagher v. PECO Energy Company
PUC Docket No.: C-2014-2428846

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company Answer and New Matter to Formal Complaint* with regard to the matter referenced above.

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,

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

Scheduling Recommendation: **Call of the Docket**

sl/LO

PENNSYLVANIA PUBLIC UTILITY COMMISSION

DAWN GALLAGHER :
Complainants :
v. : DOCKET NO. C-2014-2428846
PECO ENERGY COMPANY :
Respondent :

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, July 8, 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**

DAWN GALLAGHER	:	
Complainants	:	
	:	
v.	:	DOCKET NO. C-2014-2428846
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On June 27, 2014, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Dawn Gallagher (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 states that she should not be enrolled in PECO Energy's Customer Assistance Program ("CAP") but PECO Energy keeps mailing her CAP applications to validate the company's claim that she is in the program. The Complainant requests that her account be investigated of all charges, rates and late fees assessed. The Complainant also requests a payment agreement. PECO Energy requests dismissal pursuant to 66 Pa. C.S. §1405(c).

The Complainant Steven Gallagher established an account with PECO Energy for service at 2330 East Hagert Street, Philadelphia, PA 19125 under account number 00404-00501. See Account Activity Statement, attached hereto as Exhibit "1". At her request, the Complainant was later added to the account as a primary account holder. The account was enrolled in PECO Energy's Customer Assistance Program ("CAP") under Tier D on September 24, 2005. The Complainant last recertified in the program on October 24, 2012. Her next scheduled recertification is on October 24, 2014. See CAP History, attached hereto as Exhibit "2".

Since the Complainant and Steven Gallagher have had the account, they have filed a total of seven (7) informal complaints with the Bureau of Consumer Services ("BCS") at case numbers 002293930, 002527480, 002668848, 002905230, and 002957993 requesting payment agreements, disputing their entitlement to medical certifications or disputing terminations for non-payment. See BCS Decision Reports, attached hereto as Exhibit "3". More recently, the Complainant filed an informal complaint with the BCS at case number 003220180, requesting a payment agreement. The BCS issued a Decision Report on April 11, 2014, dismissing the complaint pursuant to 66 Pa. C.S. §1405(c). See BCS Decision Report #003220180, attached hereto as Exhibit "4". On April 23, 2014, the Complainant filed another informal complaint at case number 003227856, requesting a payment agreement. On April 29, 2014, the BCS issued a Decision Report, closing the informal complaint case as a duplicate of case number 003220180.

The BCS also noted:

CUST IS NOT ELIGIBLE FOR A PUC PAR BECAUSE THE
ACCT BALANCE IS ALL CAP ARREARS. CAP DISMISSAL
LTR SENT TO CUST.

See BCS Decision Report #003227856, attached hereto as Exhibit "5".

The Complainant's balance is \$7,908.70, which is comprised entirely of CAP arrears. See Exhibit "1". The Complainant is not entitled to a PUC ordered payment agreement on her balance. 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." Consequently, pursuant to 66 Pa.C.S. § 1405(c), the PUC has no jurisdiction to give the Complainant another payment agreement.

5. Denied.

6. Admitted

7. Admitted.

8. PECO Energy neither admits nor denies the allegations in paragraph 8. 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's account was enrolled in PECO Energy's Customer Assistance Program ("CAP") under Tier D on September 24, 2005.

2. The Complainant's account has been continuously enrolled in the CAP program since September 24, 2005.

3. The Complainant was last re-certified in the program on October 24, 2012 under Tier D with a monthly income of \$1,733.33 for 3 adults.

4. The Complainant's balance is \$7,908.70.

5. The Complainant's entire balance is comprised of CAP arrears.

6. The Complainant is not entitled to a PUC ordered payment agreement on this balance as it is comprised entirely of CAP arrears.

7. 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."

8. 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.

9. 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
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DAWN GALLAGHER	:	
Complainants	:	
	:	
v.	:	DOCKET NO. C-2014-2428846
	:	
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: July 8, 2014

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DAWN GALLAGHER	:	
Complainants	:	
	:	
v.	:	DOCKET NO. C-2014-2428846
	:	
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:

Dawn Gallagher
2330 East Hagert Street
Philadelphia, PA 19125

Dated at Philadelphia, Pennsylvania, July 8, 2014.



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
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Fax: 215.568.3389
Shawane.Lee@exeloncorp.com



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July 8, 2014

Dawn Gallagher
2330 East Hagert Street
Philadelphia, PA 19125

RE: Dawn Gallagher v. PECO Energy Company
PUC Docket No.: C-2014-2428846

Dear Ms. Gallagher:

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”

PECO Account Activity Statement

Date: 07/01/14
Page: 1 of 4

*** Account Information ***

Account Number: 00404-00501
Account Status: Active
Requested By: Dawn GALLAGHER
(215) 739-1832 Extension:

Mail To: Dawn GALLAGHER
2330 E HAGERT ST
PHILADELPHIA PA 19125
Current Bill: \$133.79
Billed Prior: \$7774.91
Balance Due: \$7908.70
Service Address: 2330 E HAGERT ST
PHILADELPHIA PA 19125
Meter Bill Grp: 15
Rate: CAP Opt D Electric Residential Service

*** Current Account Status ***

Credit Amount: \$0.00
Deposit Requested: \$0.00
Deposit On-Hand: \$0.00

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH
05/18/10	Late Payment Charge	04/20/10 05/19/10			\$34.91		\$3611.10	\$3496.10	06/11	921
05/20/10	BUDGET BILLING				\$115.00					
** Budget Bill Detail ** Actual Bill Amount: 111.21 BB Deferred Amount: -56.08										
06/16/10	Late Payment Charge	05/19/10 06/20/10			\$34.91		\$3632.78	\$3478.01	07/13	1588
06/21/10	BUDGET BILLING				\$154.77					
** Budget Bill Detail ** Actual Bill Amount: 210.85 BB Deferred Amount: 0.00										
06/24/10	Payment	06/20/10 07/20/10			\$75.00					
07/01/10	RECONNECT FEE - CUT-OUT NON-PAY				\$30.52					
07/21/10	Late Payment Charge	06/20/10 07/20/10			\$268.35		\$3881.65	\$3538.30	08/12	1973
07/21/10	ELECTRIC SERVICE				\$34.55					
08/17/10	Late Payment Charge	07/20/10 08/18/10			\$254.90		\$4171.10	\$3916.20	09/10	1883
08/19/10	ELECTRIC SERVICE				\$38.37					
09/15/10	Late Payment Charge	08/18/10 09/19/10			\$175.20		\$4384.67	\$4209.47	10/12	1506
09/20/10	ELECTRIC SERVICE				\$93.05					
10/19/10	Regular Bill	09/19/10 10/18/10			\$41.00		\$4518.72	\$4425.67	11/10	953
10/19/10	Late Payment Charge				\$75.24					
10/22/10	Credit				\$290.00	\$113.92				
10/22/10	Late Payment Charge	10/18/10 11/16/10			\$1.13		\$774.13	\$408.89	12/09	833
11/17/10	ELECTRIC SERVICE				\$97.84					
11/17/10	CANCELLED DEPOSIT				\$873.10					
12/14/10	Late Payment Charge	11/16/10 12/19/10			\$2.60		\$875.26		01/11	965
12/20/10	ELECTRIC SERVICE				\$43.74					
01/24/11	ELECTRIC SERVICE	12/31/10 01/23/11			\$40.95		\$960.39	\$875.70	02/15	960
01/24/11	Regular Bill				\$47.40					
02/22/11	ELECTRIC SERVICE	01/23/11 02/21/11			\$3.87		\$1011.66	\$964.26	03/16	740
02/22/11	Late Payment Charge				\$4.58					
03/23/11	ELECTRIC SERVICE	02/21/11 03/22/11			\$44.71		\$1060.95	\$1016.24	04/14	723
03/23/11	Regular Bill				\$5.25					
04/19/11	Late Payment Charge	03/22/11 04/20/11			\$46.30					
04/21/11	ELECTRIC SERVICE									

PECO Account Activity Statement

Date: 07/01/14
Page: 2 of 4

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH
04/21/11	Regular Bill	04/20/11 05/19/11	89508	059098550	\$72.78		\$1112.50	\$1066.20	05/16	732
05/20/11	ELECTRIC SERVICE									
05/23/11	Regular Bill				\$5.94		\$1185.28	\$1112.50	06/13	898
06/20/11	Late Payment Charge				\$7.03					
06/21/11	ELECTRIC SERVICE	05/19/11 06/20/11	91122	059098550	\$185.91					
06/21/11	DEPOSIT									
06/21/11	Regular Bill									
07/21/11	ELECTRIC SERVICE	06/20/11 07/20/11	92796	059098550	\$215.37		\$1384.16	\$1198.25	07/13	1614
07/21/11	Regular Bill									
08/17/11	Late Payment Charge				\$13.05		\$1599.53	\$1384.16	08/12	1674
08/19/11	ELECTRIC SERVICE	07/20/11 08/18/11	94491	059098550	\$219.07					
08/19/11	Regular Bill						\$1831.65	\$1612.58	09/12	1695
09/19/11	Late Payment Charge				\$16.34					
09/20/11	ELECTRIC SERVICE	08/18/11 09/19/11	95794	059098550	\$149.89					
10/18/11	Regular Bill									
10/19/11	Late Payment Charge				\$18.59		\$1997.88	\$1847.99	10/12	1303
10/19/11	ELECTRIC SERVICE	09/19/11 10/18/11	96597	059098550	\$61.66					
11/15/11	Regular Bill						\$2078.13	\$2016.47	11/10	803
11/17/11	Late Payment Charge				\$19.51					
11/17/11	ELECTRIC SERVICE	10/18/11 11/16/11	97268	059098550	\$39.09					
11/17/11	Regular Bill						\$2136.73	\$2097.64	12/09	671
12/01/11	Payment Agreement									
12/01/11	Transfer									
12/20/11	BUDGET BILLING	11/16/11 12/19/11			\$1000.00	\$846.73				
12/20/11	BUDGET BILLING									
12/20/11	DEFERRED PAYMENT AGREEMENT				\$105.00					
12/20/11	Regular Bill	12/20/11 01/23/12			\$16.66		\$411.66	\$290.00	01/11	891
01/17/12	Bill Out DPA due to Default				\$983.34					
01/18/12	Late Payment Charge				\$14.95					
01/24/12	BUDGET BILLING	12/19/11 01/23/12			\$105.00					
01/24/12	BUDGET BILLING									
01/24/12	Regular Bill	01/23/12 02/21/12			\$15.03		\$1514.95	\$1409.95	02/15	751
02/21/12	Late Payment Charge				\$105.00					
02/22/12	BUDGET BILLING									
02/22/12	Regular Bill	02/22/12 03/12/12			\$3995.91		\$1634.98	\$1529.98	03/15	592
02/29/12	Transfer Debit				\$10.39	\$220.00				
03/12/12	Payment									
03/20/12	Late Payment Charge				\$10.39					
03/22/12	BUDGET BILLING	02/21/12 03/21/12			\$105.00					
03/22/12	BUDGET BILLING									
03/22/12	Regular Bill	03/21/12 04/19/12			\$105.00	\$124.00	\$5236.28	\$1135.37	04/13	592
03/29/12	LINEAP Payment									
04/20/12	BUDGET BILLING									
04/20/12	Regular Bill	04/19/12 05/20/12			\$71.00	\$305.48	\$5217.28	\$5112.28	05/14	634
05/21/12	BUDGET BILLING									
05/21/12	Regular Bill	05/20/12 06/19/12			\$71.00	\$333.87	\$5288.28	\$5217.28	06/12	707
06/20/12	BUDGET BILLING									
06/20/12	Regular Bill	06/19/12 07/19/12			\$71.00	\$295.81	\$5359.28	\$5288.28	07/12	1122
07/20/12	BUDGET BILLING									
07/20/12	Regular Bill	07/19/12 08/19/12			\$71.00	\$138.20	\$5430.28	\$5359.28	08/13	1933
08/10/12	Payment Agreement									
08/10/12	LINEAP Payment				\$866.72					
08/20/12	BUDGET BILLING	07/19/12 08/19/12			\$71.00	\$135.00				
08/20/12	BUDGET BILLING									
08/20/12	DEFERRED PAYMENT AGREEMENT				\$16.67					

EECO Account Activity Statement

Date: 07/01/14

Page: 3 of 4

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH
08/20/12	Regular Bill									
09/17/12	Bill Out DPA due to Default				\$850.05		\$4516.23	\$4428.56	09/11	1675
09/18/12	Late Payment Charge	08/19/12 09/18/12			\$78.62					
09/19/12	BUDGET BILLING				\$85.00					
09/19/12	Regular Bill	08/19/12 09/18/12			\$85.00					
10/16/12	Late Payment Charge	09/18/12 10/17/12			\$80.20		\$5529.90	\$5444.90	10/11	1642
10/18/12	BUDGET BILLING				\$85.00					
10/18/12	Regular Bill	09/18/12 10/17/12			\$85.00					
11/12/12	RECONNECT FEE - CUT-OUT NON-PAY				\$75.00		\$5695.10	\$5610.10	11/09	859
11/14/12	Late Payment Charge	10/17/12 11/15/12			\$81.48					
11/16/12	BUDGET BILLING				\$85.00					
11/16/12	Regular Bill	10/17/12 11/15/12			\$85.00		\$5936.58	\$5776.58	12/10	728
12/19/12	Late Payment Charge	11/15/12 12/18/12			\$82.76					
12/19/12	BUDGET BILLING				\$84.00					
12/19/12	Regular Bill	11/15/12 12/18/12			\$84.00		\$6113.34	\$6019.34	01/10	844
01/15/13	Late Payment Charge	12/18/12 01/22/13			\$94.00					
01/23/13	BUDGET BILLING				\$84.17					
01/23/13	Regular Bill	12/18/12 01/22/13			\$84.17		\$6291.51	\$6197.51	02/14	913
02/19/13	Late Payment Charge	01/22/13 02/20/13			\$85.38					
02/21/13	BUDGET BILLING				\$94.00					
02/21/13	Regular Bill	01/22/13 02/20/13			\$94.00		\$6470.89	\$6376.89	03/15	677
03/20/13	Late Payment Charge	02/20/13 03/21/13			\$85.47					
03/22/13	BUDGET BILLING				\$94.00					
03/22/13	Regular Bill	02/20/13 03/21/13			\$94.00		\$6650.36	\$6556.36	04/15	686
04/18/13	BUDGET BILLING				\$83.00					
04/18/13	Regular Bill	03/21/13 04/18/13			\$83.00		\$6733.36	\$6650.36	05/10	576
04/22/13	Late Payment Charge	04/18/13 05/17/13			\$82.15					
04/26/13	Payment				\$82.15	\$183.00				
05/15/13	Late Payment Charge	04/18/13 05/17/13			\$83.00					
05/17/13	BUDGET BILLING				\$82.48		\$6798.03	\$6715.03	06/10	620
05/17/13	Regular Bill	05/17/13 06/18/13			\$83.00					
06/18/13	BUDGET BILLING				\$83.00					
06/18/13	Regular Bill	05/17/13 06/18/13			\$83.00		\$6963.51	\$6880.51	07/10	1101
07/10/13	Payment				\$79.61	\$294.62				
07/16/13	Late Payment Charge	07/10/13 07/16/13			\$20.00					
07/17/13	Transfer				\$83.00					
07/17/13	RECONNECT FEE - CUT-OUT NON-PAY				\$83.00					
07/18/13	BUDGET BILLING				\$83.00					
07/18/13	Regular Bill	06/18/13 07/18/13			\$83.00		\$6851.50	\$6768.50	08/09	1836
07/19/13	Payment Agreement				\$83.00					
08/16/13	BUDGET BILLING				\$83.00					
08/16/13	Regular Bill	07/18/13 08/16/13			\$83.00		\$6851.50	\$6768.50	08/09	1836
08/16/13	DEFERRED PAYMENT AGREEMENT				\$297.89					
09/16/13	Bill Out DPA due to Default				\$653.61		\$380.89		09/09	1270

PECO Account Activity Statement

Date: 07/01/14
Page: 4 of 4

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUPLICATE DATE	KWH
09/16/13	Late Payment Charge	08/16/13	09/17/13		\$5.23					
09/17/13	BUDGET BILLING				\$83.00					
	** Budget Bill Detail **					7.69				
09/17/13	Regular Bill						\$7022.73	\$6939.73	10/09	1225
09/27/13	Payment									
09/27/13	Payment Agreement									
10/15/13	Late Payment Charge				\$1.25					
10/21/13	BUDGET BILLING	09/17/13	10/19/13		\$83.00					
	** Budget Bill Detail **					-38.16				
10/21/13	DEFERRED PAYMENT AGREEMENT				\$297.89					
10/21/13	Regular Bill						\$470.37	\$89.48	11/12	688
11/11/13	Payment									
11/14/13	Returned Electronic Check									
11/14/13	BUDGET BILLING	10/19/13	11/14/13		\$60.00					
	** Budget Bill Detail **					-97.51				
11/14/13	DEFERRED PAYMENT AGREEMENT				\$83.00					
11/14/13	Regular Bill						\$851.26	\$470.37	12/06	433
11/18/13	Bill Out DPA due to Default				\$5957.83					
11/19/13	Late Payment Charge				\$84.04					
12/11/13	Late Payment Charge				\$85.29					
12/11/13	BUDGET BILLING	11/14/13	12/17/13		\$68.00					
	** Budget Bill Detail **					-133.36				
12/17/13	Regular Bill						\$7046.42	\$6978.42	01/08	589
01/14/14	Late Payment Charge				\$85.77					
01/21/14	BUDGET BILLING	12/17/13	01/21/14		\$68.00					
	** Budget Bill Detail **					-167.00				
01/21/14	Regular Bill						\$7200.19	\$7132.19	02/12	639
02/18/14	Late Payment Charge				\$86.29					
02/24/14	BUDGET BILLING	01/21/14	02/22/14		\$68.00					
	** Budget Bill Detail **					-207.32				
02/24/14	Regular Bill						\$7354.48	\$7286.48	03/18	506
03/20/14	BUDGET BILLING	02/22/14	03/20/14		\$68.00					
	** Budget Bill Detail **					-253.40				
03/20/14	Regular Bill						\$7422.48	\$7354.48	04/11	418
03/25/14	Late Payment Charge				\$86.01					
04/17/14	Late Payment Charge				\$87.03					
04/18/14	BUDGET BILLING	03/20/14	04/18/14		\$46.00					
	** Budget Bill Detail **					-275.25				
04/18/14	Regular Bill						\$7641.52	\$7595.52	05/12	462
05/19/14	BUDGET BILLING	04/18/14	05/19/14		\$46.00					
	** Budget Bill Detail **					-294.49				
05/19/14	Late Payment Charge				\$87.39					
06/17/14	Regular Bill						\$7774.91	\$7728.91	06/10	517
06/17/14	Late Payment Charge				\$87.79					
06/18/14	BUDGET BILLING	05/19/14	06/18/14		\$46.00					
	** Budget Bill Detail **					-282.90				
06/18/14	Regular Bill						\$7908.70	\$7862.70	07/10	823

EXHIBIT "2"

CAP HISTORY FOR ACCOUNT

**NAME: DAWN M GALLAGHER
STEVEN GALLAGHER**

ACCOUNT NUMBER: 00404-00501

**ADDRESS: 2330 E HAGERT ST
PHILADELPHIA PA 19125**

CASE: C-2014-2428846

Status					
Date Taken	CAP Rate	FPL %	Recertification Date	End Date	CAP Status
09/24/05	D	108.00	10/24/14	//	Enrolled in Program

Cap enrolled since 10/10/05; last recertified 10/24/12 with monthly income of \$1,733.33 for 3 adults, 108%FPL; Tier D. Next scheduled recertification date 10/24/14.

PECO ENERGY
EXHIBIT 2

EXHIBIT “3”



July 7, 2014

BCS Decision Report

BCS Case #: 002293930 **Open Date:** 2007-09-13
Customer Name: STEVEN GALLAGHER
Service Address: 2330 E. HAGERT ST

PHILADELPHIA, PA 19125
BCS Bill Account #: 0040400501 **Previous Case #:**
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: KATHRYN LIDDELL

Decision Issued Date: 2007-12-07
Case Closed Date: 2007-12-05

Letter Description:
CHAPTER 14 EGW ON DISMISS LETTER

Total Balance:	\$1324.56	Balance Date:	2007-10-04
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		

Payment Terms:

PAR Description:

Resolution Description:
CASE DISMISSED. ACCORDING TO THE COMPANY REPORT, CUSTOMER IS ENROLLED IN THE COMPANY'S CAP PROGRAM, TIER E. UNDER THE PA LAW CHAPTER 1405 (C), THE PUC IS NOT ALLOWED TO ESTABLISH PAYMENT ARRANGEMENTS FOR CUSTOMERS ENROLLED IN THE COMPANY'S CAP PROGRAM AND/OR HAVE CAP ARREARS IN THE ACCOUNT BALANCE. LETTER SENT.



July 7, 2014

BCS Decision Report

BCS Case #: 002527480 **Open Date:** 2009-04-28
Customer Name: STEVEN GALLAGHER
Service Address: 2330 E. HAGERT ST

PHILADELPHIA, PA 19125
BCS Bill Account #: 0040400501 **Previous Case #:** 2293930
Violation Type: NO **Chapter Type:**
Decision Type: O **Section / Rule:**
Investigator Name: BRANDON THOMAS

Decision Issued Date:
Case Closed Date: 2010-01-26

Letter Description:

Total Balance:	\$1882.50	Balance Date:	
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		

Payment Terms:

PAR Description:

Resolution Description:

VERBAL CLOSE. PAR DISPUTE DISMISSED AND RESOLVED. CUSTOMER IS ON A CAP. CUSTOMER WAS NOT TERMINATED FOLLOWING THE TERM NOTICES SENT ON 3/26/2009 AND 4/15/2009. CUSTOMER HAS MADE MINIMAL PAYMENTS TO REMAIN ON. ADVISED CUST DAWN GALLAGHER OF THE CURRENT ACCT STATUS: LAST PAYMENT 9/2009, \$115 BILL DUE 2/16/2010 AND ACCT BALANCE IS \$2896.46. CUSTOMER SATISFIED.



July 7, 2014

BCS Decision Report

BCS Case #: 002668848 Open Date: 2010-04-19
Customer Name: STEVEN GALLAGHER
Service Address: 2330 E. HAGERT ST

PHILADELPHIA, PA 19125
BCS Bill Account #: 0040400501 Previous Case #: 2527480
Violation Type: NO Chapter Type:
Decision Type: W Section / Rule:
Investigator Name: THOMAS HENNINGER

Decision Issued Date: 2010-04-23

Case Closed Date: 2010-04-20

Letter Description:

CAP BALANCE NO PAYMENT

Total Balance:	\$88888.88	Balance Date:	2010-04-20
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		

Payment Terms:

PAR Description:

Resolution Description:

CU REQUESTS PUC PAR AND DISPUTES THAT THE COMPANY WILL NOT SEND A MEDCERT. COMPANY RECORDS SHOW THAT THIS CUSTOMER IS ACTIVE CAP RATE AND INELIGIBLE FOR TERMS UNDER CH14. COMPANY RECORDS SHOW THAT THE COMPANY MAILED A MEDCERT TO CU 4/2/10 AND HAS NOT RECEIVED COMPLETED FORM AS OF 4/19/10. LAST MENTION OF MEDCERT BY CU WAS 5/4/09. PAY CAP LTR TO CU. CLOSING CASE



July 7, 2014

BCS Decision Report

BCS Case #: 002905230 **Open Date:** 2011-10-28
Customer Name: DAWN STEVEN GALLAGHER
Service Address: 2330 E HAGERT ST

PHILADELPHIA, PA 19125
BCS Bill Account #: 0040400501 **Previous Case #:**
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: MEIKE WIJAYA

Decision Issued Date: 2011-11-09
Case Closed Date: 2011-11-05

Letter Description:
CAP ACCEPTANCE LETTER

Total Balance:	\$2078.13	Balance Date:	2011-10-28
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		
Payment Terms:			

PAR Description:

Resolution Description:
CASE DISMISSED PER 1405C. REVIEWED CO'S REPORT THAT STATES CUST IS IN THE CAP RATE PROGRAM. UNDER PA LAW 1405(C), CUSTOMER ASSISTANCE PROGRAM RATES SHALL BE TIMELY PAID AND SHALL NOT BE THE SUBJECT OF PAYMENT ARRANGEMENTS NEGOTIATED OR APPROVED BY THE COMMISSION. CASE CLOSED, LETTER SENT.



July 7, 2014

BCS Decision Report

BCS Case #: 002957993 Open Date: 2012-04-20
Customer Name: DAWN GALLAGHER
Service Address: 2330 E HAGERT ST

PHILADELPHIA, PA 19125
BCS Bill Account #: 0040400501 Previous Case #:
Violation Type: NO Chapter Type:
Decision Type: W Section / Rule:
Investigator Name: TERRY TROUT

Decision Issued Date: 2012-08-23
Case Closed Date: 2012-08-21

Letter Description:
CAP REVIEWED / NO DECISION

Total Balance:	\$4428.56	Balance Date:	2012-08-20
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$4195.58
Date Payment Due:		Regular Budget Amount:	\$97.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		
Payment Terms:			

PAR Description:

Resolution Description:
CUST IS IN CAP RATE TIER D WHICH IS THE MOST BENEFICIAL RATE BASED ON INCOME VERIFIED BY THE CO. NO PUC PAR ALLOWED FOR CAP ACCTS. CO INDICATES THEY ARE WILLING TO PLACE DAWN GALLAGHER AS THE PRIMARY ACCOUNT HOLDER. CAP VALID LTR SENT TO CUST.

EXHIBIT “4”



July 7, 2014

BCS Decision Report

BCS Case #: 003220180 Open Date: 2014-04-09
Customer Name: DAWN GALLAGHER
Service Address: 2330 E HAGERT ST

PHILADELPHIA, PA 19125
BCS Bill Account #: 0040400501 Previous Case #: 2957993
Violation Type: NO Chapter Type:
Decision Type: W Section / Rule:
Investigator Name: BUREAU OF
CONSUMER SERVICE

Decision Issued Date: 2014-04-11
Case Closed Date: 2014-04-09

Letter Description:

Total Balance:	\$0.00	Balance Date:	
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		

Payment Terms:

PAR Description:

YOU DON'T NEED A LAWYER TO FILE A FORMAL COMPLAINT BEFORE THE PUC. HOWEVER, YOU MAY USE A LAWYER OF YOUR CHOICE. YOU MAY QUALIFY FOR LEGAL REPRESENTATION AT NO COST OR AT A REDUCED FEE BASED ON YOUR INCOME. CONTACT OR VISIT THE WIDENER HARRISBURG CIVIL

Resolution Description:

CASE CLOSED - DISMISSED PER 1405C - THE DATE OF COMPLAINT RESOLUTION AND EXPIRATION OF THE STAY OF TERMINATION IS 4/16/2014

EXHIBIT "5"



July 7, 2014

BCS Decision Report

BCS Case #: 003227856 Open Date: 2014-04-23
Customer Name: DAWN GALLAGHER
Service Address: 2330 E HAGERT ST

PHILADELPHIA, PA 19125
BCS Bill Account #: 0040400501 Previous Case #: 3220180
Violation Type: NO Chapter Type:
Decision Type: W Section / Rule:
Investigator Name: TERRY TROUT

Decision Issued Date: 2014-04-29
Case Closed Date: 2014-04-29

Letter Description:
CAP REAPPLY OR PAY

Total Balance:	\$0.00	Balance Date:	2014-04-23
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0:00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		
Payment Terms:			

PAR Description:

Resolution Description:
CASE CLOSED AS DUPLICATE OF CASE NO. 3220180. CUST IS NOT ELIGIBLE FOR A PUC PAR BECAUSE THE ACCT BALANCE IS ALL CAP ARREARS.CAP DISMISSAL LTR SENT TO CUST.

PECO ENERGY
EXHIBIT 5