



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

October 2, 2014

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

**RE: Steven Lenzner v. PECO Energy Company
PUC Docket No.: C-2014-2440459**

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

cc: Certificate of Service (via First Class Mail)

sl/LO

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

STEVEN LENZNER

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2014-2440459

NOTICE TO PLEAD

To: Steven Lenzner

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: October 2, 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**

STEVEN LENZNER

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2014-2440459

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. 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.

1. On or about September 2, 2014, Complainant filed a Formal Complaint against Respondent, PECO, requesting to receive a Commission-ordered payment agreement. A copy of Complainant's Formal Complaint is attached hereto as Exhibit 1.

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

3. On September 8, 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 August 6, 1998 under Tier D. New Matter ¶1.

5. PECO averred that Complainant's CAP Tier changed to Tier C on September 13, 2012. New Matter ¶2.

6. PECO averred that Complainant recertified in the CAP program on July 3, 2014 under Tier B. New Matter ¶3

7. PECO averred that Complainant remains actively enrolled in the CAP program.

New Matter ¶4

8. PECO averred that the Complainant's balance is \$2,065.64. New Matter ¶5.

9. PECO further averred that the entire balance on Complainant's account is comprised of CAP arrears. New Matter ¶6.

10. 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 ¶7.

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

12. 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).

13. 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."

14. 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.

15. 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).

16. 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).

17. 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 sole relief Complainant seeks is 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 sole relief Complainant seeks.

18. Because no factual dispute exists and the Complaint 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 instant complaint with prejudice, as it relates to a request for a prohibited payment agreement on CAP arrears, and the Complaint 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**

STEVEN LENZNER

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2014-2440459

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

Steven Lenzner

3330 Guilford Street

Philadelphia, PA 19136



Shawane L. Lee

DATED: October 2, 2014

EXHIBIT “1”

Zaketa, Anita D.:(BSC)

From: Lee, Shawane L.:(BSC)
Sent: Tuesday, September 02, 2014 2:02 PM
To: Zaketa, Anita D.:(BSC)
Subject: FW: PA PUC eServe Notice

Importance: High

Anita,

Below is a formal complaint we were served with today. Can you open this complaint in CIMS?

Thanks

From: eServe@pa.gov [mailto:eServe@pa.gov]
Sent: Tuesday, September 02, 2014 1:20 PM
To: Lee, Shawane L.:(BSC)
Cc: O'Neill, Leslie:(BSC)
Subject: PA PUC eServe Notice
Importance: High

Dear Shawane L Lee,

A(n) **Formal Complaint** has been served in this proceeding. This document is docketed as **C-2014-2440459**.

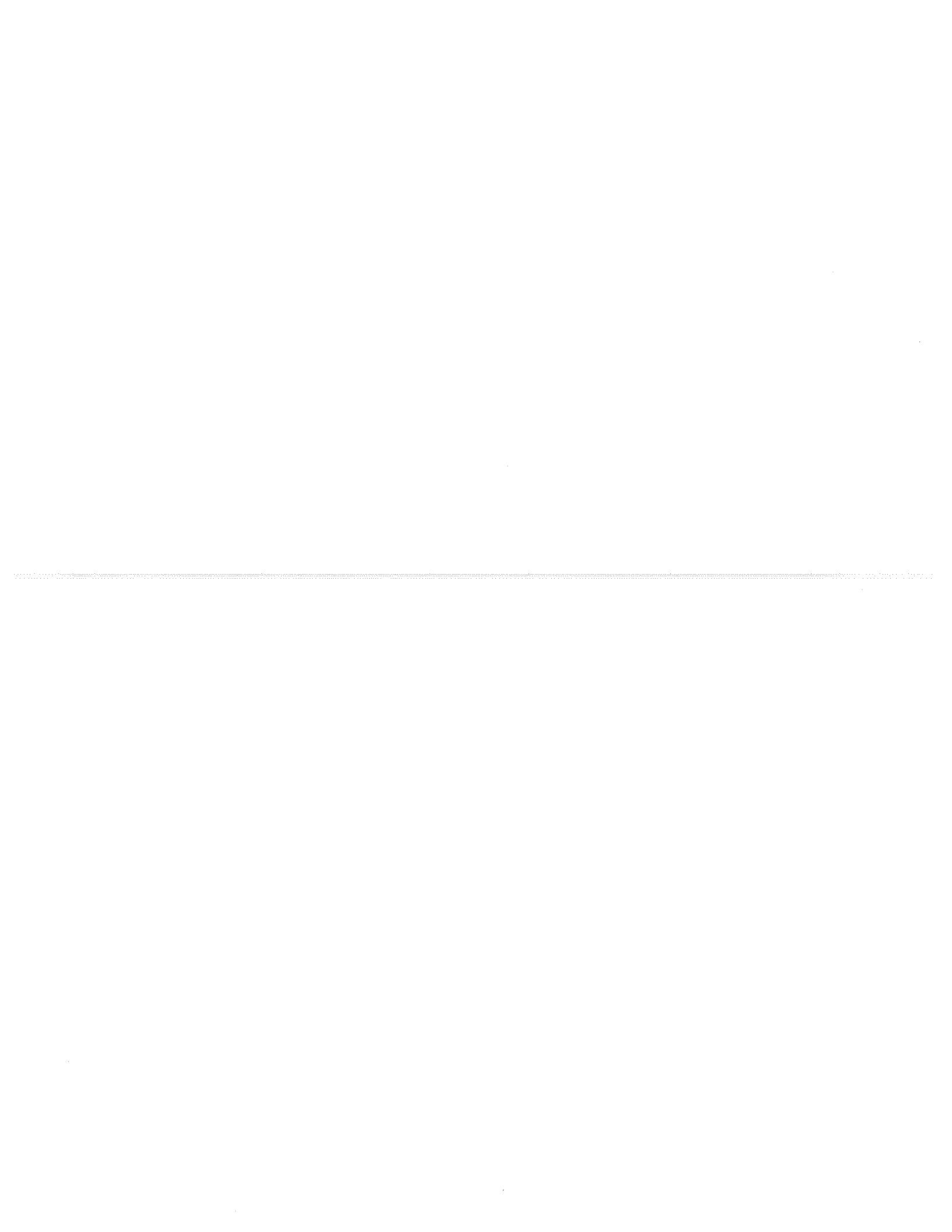
You may view this document at

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 Steven Lenzner

Street/P.O. Box 3330 Guilford St Apt #

City Philadelphia State PA Zip 19136

County Philadelphia

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

(215) 338-1503 (home) () (mobile)

E-mail Address (optional): elenzner2@verizon.net

Utility Account Number (from your bill)

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

3. Type of Utility Service

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> ELECTRIC | <input type="checkbox"/> WASTEWATER/SEWER |
| <input type="checkbox"/> GAS | <input type="checkbox"/> TELEPHONE/TELECOMMUNICATIONS (local, long distance) |
| <input type="checkbox"/> WATER | <input type="checkbox"/> MOTOR CARRIER (e.g. taxi, moving company, limousine) |
| <input type="checkbox"/> 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.

Please see attached

- 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).

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 want PECO to put me back on my original 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.

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 Steven Lenzner, 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).

Steven Lenzner _____ 9/2/14 _____
(Signature of Complainant) (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 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.

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Bureau of Consumer Services
BCS No: 3271166

This is to inform you that I would like to file a formal complaint. The **original complaint is not about helping me make payment arrangements**, I have started this several times, PECO changed my arrangements (which I did not request) then told me I had to pay \$405.00 dollars deposit for breaking payment arrangements with what I make per month. I (or anyone else for that matter), would agree to pay over \$400.00 dollars at once instead of the \$165.00 that I owed. If I needed a few more days to pay the \$165.00 I certainly would not have had enough money to pay \$400.00 and some dollars I have paid the \$166.00 (which was my agreement amount and now I will still lose my power on Monday 8th. **I will state again that this is not about helping me with payment arrangements** this is about PECO being able to change agreements without telling customers that they will have to pay a deposit of 20% on bill if they make new agreement. **Nobody would agree to that if they knew that what they had to pay at that time will triple.** I think it is sad that they are allowed this practice at a time when people are struggling to make ends meet. I want to pay all my bills on time but it is hard when I am making less than 1/3 I was just a few years ago. Now I will be forced to pay PECO triple of what I thought I needed (to keep power on for my children) or basely due without food or other essentials during, their next month. As I will lose my power on Monday 8th, I would appreciate your fast response for my request, thank you for any help I can get.

Thank You
Steven Lenzner

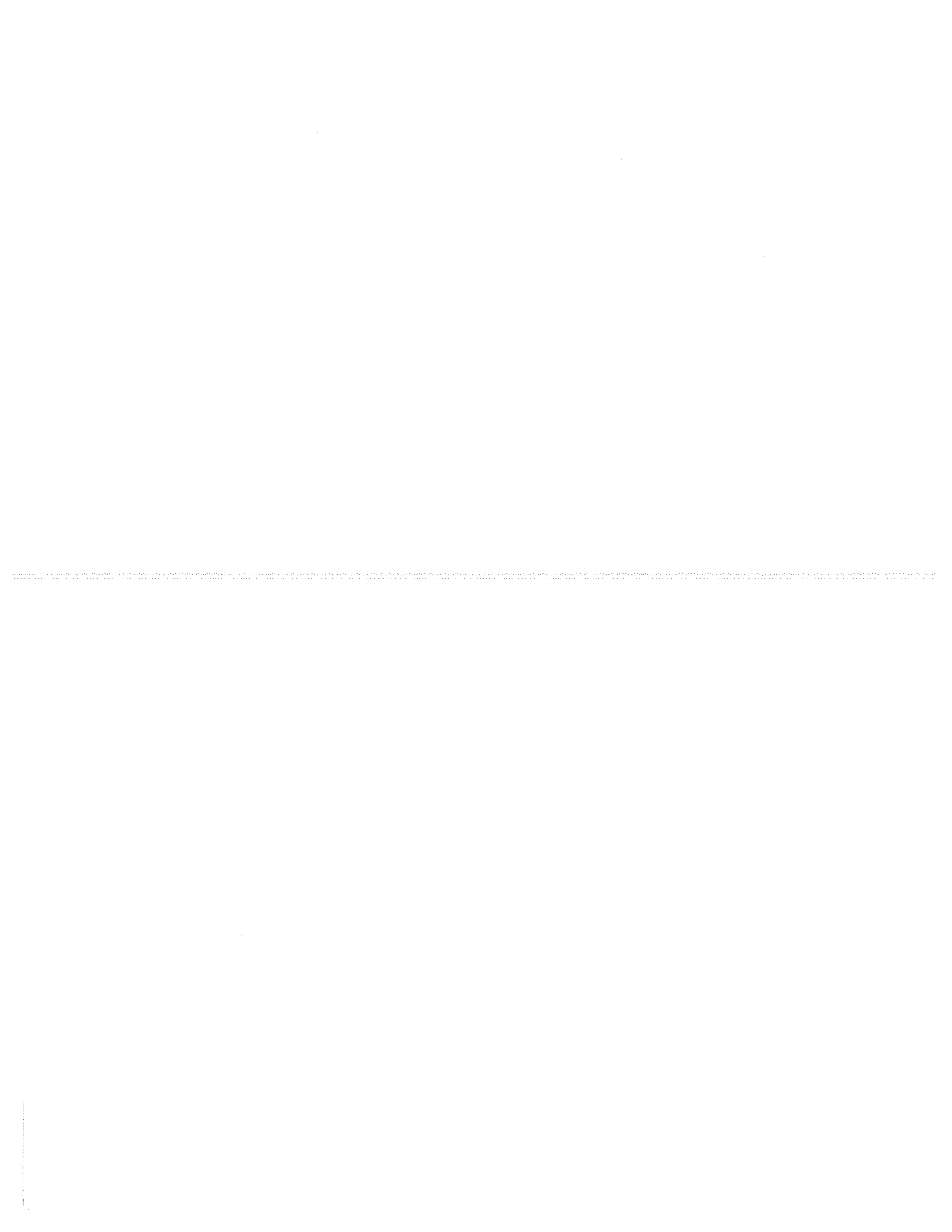
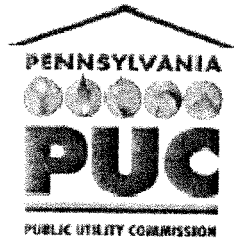


EXHIBIT “2”



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-2014-2440459
Description:	Steven Lenzner - PECO Energy Company Answer and New Matter to Formal Complaint
Transmission Date:	9/8/2014 9:42:19 AM
Filed On:	9/8/2014 9:42:19 AM
eFiling Confirmation Number:	1563170

Uploaded File List

File Name	Document Class	Document Type
Steven Lenzner - 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

September 8, 2014

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

RE: Steven Lenzner v. PECO Energy Company
PUC Docket No.: C-2014-2440459

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's 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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

STEVEN LENZNER	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2014-2440459
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On September 2, 2014, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Stephen Lenzner (hereafter "Complainant") in the above captioned docket. Pursuant to 52 Pa. Code § 5.61, PECO Energy 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 his formal Complaint, the Complainant requests that PECO Energy reinstate him to his payment agreement. PECO Energy requests dismissal pursuant to 66 Pa. C.S. §1405(c).

The Complainant had an account with PECO Energy for service at 3330 Guilford Street, Philadelphia, PA 19136 under account number 66241-88009. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant was initially enrolled in PECO Energy's

Customer Assistance Program (“CAP”) on August 6, 2008 under Tier D at this service address. The Complainant’s CAP Tier changed to Tier C on September 13, 2012. The Complainant re-certified in the CAP program on July 3, 2014 under Tier B. See CAP History, attached hereto as Exhibit “2”. The Complainant is actively enrolled in the CAP program.

On August 4, 2014, the Complainant filed an informal complaint with the Bureau of Consumer Services (“BCS”) at case number 003271166, requesting a payment agreement to stop a pending termination. See Case Details Report #003271166, attached hereto as Exhibit “3”. On August 8, 2014, the BCS issued a Decision Report, dismissing the complaint pursuant to 66 Pa.C.S. § 1405(c). See BCS Decision Report #003271166, attached hereto as Exhibit “4”.

The Complainant’s current balance is \$2,065.64. See Exhibit “1”. The entire balance is comprised of CAP arrears. The Complainant is not entitled to a PUC ordered payment agreement on his balance as the balance is comprised of CAP arrears. 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 a 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 was initially enrolled in PECO Energy's Customer Assistance Program ("CAP") on August 6, 1998 under Tier D at 3330 Guilford Street, Philadelphia, PA 19136 under account number 66241-88009.

2. The Complainant's CAP Tier changed to Tier C on September 13, 2012.

3. The Complainant re-certified in the CAP program on July 3, 2014 under Tier B. See CAP History, attached hereto as Exhibit "2".

4. The Complainant is actively enrolled in the CAP program. See Exhibit "1".

5. The Complainant has a \$2,065.64 balance.

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

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

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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

STEVEN LENZNER	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2014-2440459
	:	
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: September 8, 2014

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

STEVEN LENZNER	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2014-2440459
	:	
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:

Steven Lenzner
3330 Guilford Street
Philadelphia, PA 19136

Dated at Philadelphia, Pennsylvania, September 8, 2014.



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



Exelon Business Services Company
Legal Department

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September 8, 2014

Steven Lenzner
3330 Guilford Street
Philadelphia, PA 19136

**RE: Steven Lenzner v. PECO Energy Company
PUC Docket No.: C-2014-2440459**

Dear Mr. Lenzner:

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"

*** Account Information ***

Account Number: 66241-88009
 Account Status: Active
 Requested By: STEVEN LENZNER
 (215)338-1503 Extension:

Mail To: STEVEN LENZNER
 3330 GUILFORD ST
 PHILADELPHIA PA 19136

Current Bill: \$50.00
 Billed Prior: \$2015.64
 Balance Due: \$2065.64
 Service Address: 3330 GUILFORD ST
 PHILADELPHIA PA 19136

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

Meter Bill Grp: 07
 Rate: CAP Opt B Electric Residential Service

*** Current Account Status ***

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KV
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09/05/12	Late Payment Charge											
09/07/12	ELECTRIC SERVICE	08/07/12 09/06/12	64488	105458724	\$28.51		\$28.51					
09/13/12	Regular Bill				\$185.09		\$185.09					
10/08/12	BUDGET BILLING	09/06/12 10/07/12				\$2329.52	\$2329.52	\$2144.43	10/01	1646		
10/08/12	DEFERRED PAYMENT AGREEMENT				\$86.00		\$86.00					
10/08/12	Regular Bill				\$38.83		\$38.83					
11/05/12	Bill Out DPA due to Default	10/07/12 11/05/12			\$2290.69		\$2290.69					
11/06/12	Late Payment Charge				\$86.00		\$86.00					
11/07/12	Regular Bill				\$32.58		\$32.58					
11/07/12	Payment Agreement					0.71						
11/07/12	Late Payment Charge				\$1.29		\$1.29					
11/29/12	Payment					\$87.29						
12/07/12	BUDGET BILLING	11/05/12 12/06/12			\$86.00		\$86.00					
12/07/12	DEFERRED PAYMENT AGREEMENT				\$38.83		\$38.83					
01/07/13	Bill Out DPA due to Default				\$2251.86		\$2251.86					
01/07/13	Late Payment Charge				\$1.34		\$1.34					
01/10/13	BUDGET BILLING	12/06/12 01/09/13			\$86.00		\$86.00					
01/10/13	Regular Bill				\$32.90		\$32.90					
02/06/13	Late Payment Charge	01/09/13 02/10/13			\$86.00		\$86.00					
02/11/13	BUDGET BILLING				\$86.00		\$86.00					
02/11/13	Regular Bill				\$33.38		\$33.38					
03/12/13	BUDGET BILLING	02/10/13 03/11/13			\$86.00		\$86.00					
03/12/13	Regular Bill				\$33.38		\$33.38					
03/12/13	Late Payment Charge				\$566.94		\$566.94					
04/08/13	Payment				\$2135.37		\$2135.37					
04/10/13	BUDGET BILLING	03/11/13 04/09/13			\$86.00		\$86.00					
04/10/13	Regular Bill				\$86.00		\$86.00					
05/07/13	BUDGET BILLING	04/09/13 05/07/13			\$38.82		\$38.82					
05/07/13	DEFERRED PAYMENT AGREEMENT				\$38.82		\$38.82					
05/24/13	Regular Bill				\$211.00		\$211.00					
06/06/13	BUDGET BILLING	05/07/13 06/06/13			\$86.00		\$86.00					
06/06/13	DEFERRED PAYMENT AGREEMENT				\$38.82		\$38.82					
06/28/13	Payment				\$86.00		\$86.00					
07/11/13	BUDGET BILLING	06/06/13 07/11/13			\$65.00		\$65.00					
	Budget Bill Detail				\$124.64		\$124.64					
	Budget Bill Detail				\$124.64		\$124.64					
	Actual Bill Amount:				203.06		203.06					
	Actual Bill Amount:				-103.30		-103.30					



EXHIBIT “2”

CAP HISTORY

NAME: STEVEN LENZNER
ACCOUNT: 66241-88009
ADDRESS: 3330 GUILFORD ST
PHILADELPHIA PA 19136
Docket: C-2014-2440459

Account 66241-88009 initially enrolled on CAP Tier D on 8/6/2008

Activity Date	CAP Activity	CAP Rate
07/03/14	CAP Rate Change	CAP Opt B Electric Residential Service
06/26/14	Sent Proof of No-Income Letter	
06/26/14	Sent CAP Appl and No-Income Ltr	
09/13/12	CAP Rate Change	CAP Opt C Electric Residential Service
09/06/12	Sent CAP Application Packet	
04/20/12	CAP Rate Change	CAP Opt D Electric Residential Service
12/31/10	CAP Rate Change	CAP Opt D1 Electric Residential Service
09/30/10	CAP Rate Change	zCAP Opt D Electric Residential Service
05/13/10	CAP Rate Change	zCAP Opt C Electric Residential Service
07/27/09	CAP Rate Change	zCAP Opt E Electric Residential Service

Activity Date	CAP Activity	CAP Rate
09/13/12	CAP Rate Change	CAP Opt C Electric Residential Service
09/06/12	Sent CAP Application Packet	
04/20/12	CAP Rate Change	CAP Opt D Electric Residential Service
12/31/10	CAP Rate Change	CAP Opt D1 Electric Residential Service
09/30/10	CAP Rate Change	zCAP Opt D Electric Residential Service
05/13/10	CAP Rate Change	zCAP Opt C Electric Residential Service
07/27/09	CAP Rate Change	zCAP Opt E Electric Residential Service
08/06/08	Enrolled	zCAP Opt D Electric Residential Service
07/21/08	Sent CAP Application Packet	
11/16/09	Sent CAP Application Packet	

EXHIBIT “3”



September 5, 2014

Case Details Report

BCS Case #: 003271166
Customer Name: STEVEN LENZNER
Service Address: 3330 GUILFORD ST

BCS Bill Account #: 6624188009

Mailing Address: PHILADELPHIA, PA 19136

Home Phone: (215) 338-1503
Business Phone: () -
Business name:
Alternate contact:

Date Case Opened: 2014-08-04
Date Cut Out: 2014-08-09

PAR Case: Y
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000
Service class: R
Previous case #:
Universal Service: N
Contact Type: E-MAIL
Amount in Arrears: \$0.00

Adults: 2
Children: 2
Children Ages:
Gross Income: \$433.33
Miscellaneous Info:

Complaint Reason:
ON - PAR NEEDED (# 61)

Customer Problem Description:
CUSTOMER RECEIVED A SHUT OFF NOTICE FOR \$166 FOR THE END OF JUNE.
CUSTOMER CALLED THE COMPANY AND THEY SUGGESTED A NEW AGREEMENT
NOW THE CUSTOMER HAS ANOTHER SHUT OFF NOTICE FOR 8/9/14 AND THE
COMPANY WANTS \$505.21 NEED A PUC PAR

Company Position:
07/30/2014 PAY \$505.21 AND ENTER A NEW PAR.

EXHIBIT “4”

