



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 16, 2014

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

**RE: Omar Ali v. PECO Energy Company**  
**PUC Docket No.: F-2014-2417840**

Dear Ms. Chiavetta:

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

cc: Omar Ali (via First Class Mail)  
Susan D. Colwell, Adm. Law Judge (via First Class mail)

sl/LO



## REPLY EXCEPTIONS

PECO Energy Company (“PECO”) hereby replies to the Exceptions filed by Omar Ali (“Complainant”) in the above-referenced matter on October 9, 2014. On April 13, 2014, Complainant filed a formal complaint against PECO. In his formal complaint, Complainant disputed his billing for the service address 17 Woodbine Avenue, Darby, PA and claimed that he never authorized a balance to be transferred from this address. Respondent, PECO Energy filed an Answer on May 12, 2014, averring that the Complainant had two separate accounts for service at 17 Woodbine Avenue, including a gas account. An unpaid balance of \$1,695.28 at 17 Woodbine Avenue transferred to the Complainant’s open active account for service at 17 Woodbine Avenue, Front. A hearing was held before Administrative Law Judge Susan D. Colwell (“ALJ Colwell”) on July 15, 2014. ALJ Colwell issued an Initial Decision on August 25, 2014, wherein she held *inter alia*:

1. That the Complaint filed by Omar Ali against PECO Energy Company at docket no. F-2014-2417840 is dismissed.

The Commission should sustain the Initial Decision of ALJ Colwell. Complainant excepts to the decision issued by ALJ Colwell because he disputes Finding of Fact 11 where ALJ Colwell states “When Complainant’s family vacated the Woodbine address, the balance was transferred to the Angorra Street Account.” Tr. 22. The Complainant additionally alleges that PECO Energy provided inaccurate accounts with errors.

Irrespective of Finding of Fact 11, the record clearly demonstrates that ALJ Colwell correctly determined that the Complainant owes the transferred balance in dispute. The record reflects that the Complainant established an account for service at 17 Woodbine Avenue, Apartment, Darby, PA under account number 18302-54022 for gas service. See PECO Ex 1.

PECO did not receive payment of the bills on the gas account at 17 Woodbine Apartment under account number 18302-54022 in time and in full. Tr. 38; PECO Ex. 1. The Complainant also had a concurrent account for electric and gas service at 17 Woodbine Avenue, Front Apartment under account number 34104-19076. See PECO Ex. 2. The Complainant made regular payments on this account and had a credit balance on the account because of overpayments. PECO Ex. 2. Tr. 44-45.

On August 14, 2013, the Complainant discontinued service for the Apartment gas account number 18302-54022. Because the Complainant had not been paying the bills in full and on time for this specific account, the Complainant incurred an unpaid balance of \$1,695.28. PECO Ex. 1. Accordingly, the unpaid final balance transferred to his open active account for service at 17 Woodbine Avenue, Front Apartment where the Complainant had an account in good standing with a credit balance. See PECO Ex 1 and PECO Ex 2.

Thus, despite ALJ Colwell's Finding of Fact 11, the record and transcript are clear that the Complainant:

1) Established an account for gas service at 17 Woodbine Avenue, Apartment, Darby, PA under account number 18302-54022. PECO Ex. 1.

2) Complainant discontinued service for account number 18302-54022 on August 14, 2013. PECO Ex. 1. PECO Ex. 7.

3) Complainant left an unpaid balance of \$1,695.28 for account number 18302-54022. PECO Ex. 1.

4) The Complainant had an active open account in good standing under account number 34104-19076 for service at 17 Woodbine Avenue, Front Apartment, Darby, PA. PECO Ex. 2. Tr. 44-45. Finding of Fact 23.

5) The \$1,695.28 unpaid balance from the gas account number 18302-54022 transferred to the Complainant's open active account for service under account number 34104-19076. PECO Ex. 1 and PECO Ex. 2. Tr. 42-43 and Tr. 44-45.

ALJ Colwell's Initial Decision should be upheld. Pursuant to 52 Pa. Code § 56.35, PECO Energy is permitted to hold a customer responsible for any outstanding residential account with the company that has accrued within the past 4 years for which the customer is legally responsible and for which the customer was billed properly. In this case, the record and testimony reflects that the Complainant established the account and incurred the balance in dispute; did not make timely payments; and has no evidence to prove that he did make payments to the account or that PECO billed him incorrectly. Accordingly, as ALJ Colwell correctly stated in her Initial Decision:

Complainant has not established a prima facie case that PECO did anything wrong. PECO Exhibit 7 is a chronological listing of events from the establishment of service at Angorra Avenue on December 21, 2001 through December 17, 2013, the date of the letter, and explains the events thoroughly. Complainant has not provided any evidence to establish that any PECO action was a violation of the utility's duty to provide reasonable and adequate service under 66 Pa.C.S. § 1501 nor of any order, regulation or statute administered by the Commission.

See Omar Ali v. PECO Energy Company, Initial Decision (F-2014-2417840, Order entered August 25, 2014).

For the reasons set forth above, PECO respectfully requests that the Commission deny the Complainant's Exceptions and issue an Order upholding the Initial Decision in its entirety.

Respectfully submitted,



---

Shawane L. Lee  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
Direct Dial: 215.841.6841  
Fax: 215.568.3389

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**OMAR ALI**

**COMPLAINANT**

**v.**

**PECO ENERGY COMPANY,**

**RESPONDENT**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**Docket No. F-2014-2417840**

**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: October 16, 2014



\_\_\_\_\_  
Shawane L. Lee

