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December 4, 2014

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

RE: Linda Gleba v. PECO Energy Company
PUC Docket No.: C-2014-2406175

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: Linda Gleba (via First Class Mail)

sl/LO

REPLY EXCEPTIONS

PECO Energy Company (“PECO Energy”) hereby replies to the Exceptions filed by Linda Gleba (“Complainant”) in the above-referenced matter on November 21, 2014. On February 6, 2014, Complainant filed a formal complaint against PECO Energy. In her formal complaint, Complainant alleges faulty wiring, fraudulent electric billing charges and safety-risk factors at her rental unit. The Complainant additionally alleges there is a failed electrical system due to faulty wiring of light switches and a problem with the meter. For relief, the Complainant requests that PECO Energy and the landlord should each be responsible for paying 1/3rd of the electricity bill.

Respondent, PECO Energy filed an Answer with New Matter on February 27, 2014, stating that the company addressed the Complainant’s high bill issues during an October 16, 2013, October 30, 2013, and December 2, 2013, high bill field investigation along with a December 4, 2013 meter test. PECO Energy averred that based on the field investigations and the meter test, the Complainant’s high bill concerns had been investigated and were unfounded.

A telephonic hearing was held before Administrative Law Judge Jeffrey A. Watson (“ALJ Watson”) on August 22, 2014. The Complainant subpoenaed several witnesses to testify including the current owner of the Complainant’s rental property, the previous owner, and an electrician who visited the premises. ALJ Watson issued an Initial Decision on October 20, 2014, wherein he held *inter alia*:

1. That the Complaint filed by Linda Gleba against PECO Energy Company at Docket No. C-2014-2406175, is denied.

The Commission should sustain the Initial Decision of ALJ Watson. Complainant does not allege ALJ Watson made an error of law or abused his discretion in any manner. Instead,

Complainant excepts to the decision issued by ALJ Watson because she simply disagrees with his decision. Specifically in her exceptions, Complainant states *inter alia*:

Judge Watson did not sign the Initial Decision. The meter spinning out of control may have many causes attributed, for example, underground breaks in electricity, street lighting from the county off a third power line, or fraud. A residential inspection was not performed of the electrical wiring system during my tenure of six months. Prior tenants have vacated with the same issue.

Pursuant to 52 Pa. Code §5.533(b), “[e]ach exception must . . . identify the finding of fact or conclusion of law to which exception is taken and cite relevant pages of the decision,” and “[s]upporting reasons for the exceptions shall follow each specific exception.” Complainant’s attempt to further litigation in this matter by simply disagreeing with the outcome of the Initial Decision without identifying any specific error of law or abuse of discretion fails to satisfy the requirements; is procedurally improper, and should be dismissed summarily.

By way of further response, the record clearly demonstrates that Complainant’s meter and high bill concerns were addressed through three separate field visits on October 16, 2013, October 30, 2013, and December 2, 2013; and an instrument test on the Complainant’s meter on December 4, 2013. Specifically, the record demonstrates that:

- On October 16, 2013, a PECO Energy high bill field technician visited the Complainant’s residence to perform a high bill field investigation. N.T. 175, 196-197.
- During the October 16, 2013 field visit, PECO Energy’s high bill field technician performed a passing load test on the Complainant’s meter and it was determined to be accurate. N.T. 204-205.
- PECO Energy’s high bill field technician returned to the property on October 30, 2013 and performed a passing load test, checked for foreign wiring and checked the meter and found no evidence of foreign wiring. N.T. 210-211.
- On December 2, 2013, PECO Energy sent another high bill field technician to the Complainant’s residence to address her high bill concerns. N.T. 178, 182, 220-223.

- During the December 2, 2013 field visit the technician conducted a passing load test on the meter, which determined there were no issues with the meter. A cost estimate was performed and it showed that the Complainant had the potential to use the amount billed. N.T. 224-232.

As ALJ Watson correctly stated in his Initial Decision:

Based on the evidence presented, Complainant has failed to prove by a preponderance of the evidence that there were incorrect charges on her bill. Complainant has failed to provide any other relevant evidence showing the disputed bills were unreasonably high.

See Linda Gleba v. PECO Energy Company, Initial Decision (C-2014-2406175, Order entered October 20, 2014).

Complainant failed to meet her burden of proof regarding her high bill concerns. First, Complainant presented no evidence there were problems with her billing or that PECO Energy incorrectly billed her. Complainant simply alleged that there was foreign wiring at the property and she felt that she was paying for more electricity than she was using. However, PECO Energy presented two high bill field technicians who visited the property and testified that the meter at the Complainant's residence had been tested and the meter was operating within Company and Commission guidelines. The technicians also investigated both the Complainant's rental unit and the neighboring unit for evidence of foreign wiring and found none. The Complainant presented the testimony of electrician, Bernard Carter, and even he concluded that he found no evidence of foreign wiring at the service address. Further, there had been three high bill field investigations performed at the Complainant's residence on October 16, 2013, October 30, 2013, and December 2, 2013, where an appliance analysis and passing load tests were performed to determine the potential to use the amount billed and to check the accuracy of the meter. The field investigations demonstrated that Complainant has the potential to use the

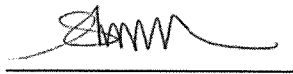
electric for which she was billed and there is nothing that would indicate foreign wiring at the premises.

The Complainant states in her exceptions that “the Landlord and PECO are responsible for the building and electricity” and there were code violations at her rental unit and that she paid rent checks to the landlord but was not informed the property would be sold. Many of the issues the Complainant raises in her formal complaint and she argued at the PUC hearing are between landlord and tenant not PECO Energy. While the Complainant may have a dispute regarding the building condition, faulty wiring at the property or other concerns about her rental unit, these are issues that do not concern PECO Energy and cannot be the basis of a finding against PECO for violating a tariff, statute or regulation.

The evidence demonstrates that the Complainant’s high bill and meter concerns were properly investigated and addressed over several field visits and a separate meter test, including an instrument test of the meter, and there is nothing to indicate that she was billed incorrectly. Accordingly, ALJ Watson’s decision, dismissing the Complainant’s formal complaint should be upheld.

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

Respectfully submitted,



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