



An Exelon Company

Direct Dial: 215.841.6841

January 29, 2015

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

RE: Abdoulaye Kante v. PECO Energy Company
PUC Docket No.: F-2015-2461168

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

s/LO

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ABDOULAYE KANTE

v.

PECO ENERGY COMPANY

:
:
:
:
:

DOCKET NO. F-2015-2461168

NOTICE TO PLEAD

To: Abdoulaye Kante

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: January 29, 2015



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**

ABDOULAYE KANTE

v.

PECO ENERGY COMPANY

:
:
:
:
:

DOCKET NO. F-2015-2461168

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 December 23, 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 January 6, 2015.

3. On January 13, 2015, 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 June 28, 2004 under Tier D. New Matter ¶1.

5. PECO averred that Complainant recertified in the CAP program and has remained enrolled in CAP through each successive year since 2004 to present. New Matter ¶2.

6. PECO averred that Complainant last recertified in the program under Tier D1 on October 23, 2013. New Matter ¶4.

7. PECO averred that Complainant's CAP Tier changed to E1 on September 30, 2014. New Matter ¶5.

8. PECO averred that the Complainant's next scheduled recertification date is September 30, 2015. New Matter ¶6.

9. PECO averred that the Complainant is actively enrolled in the CAP program. New Matter ¶7.

10. PECO averred that the Complainant's balance is \$1,988.72. New Matter ¶8.

11. PECO averred that the Complainant's entire balance is comprised of CAP arrears. New Matter ¶9.

12. 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 ¶10.

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

14. 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).

15. 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."

16. 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.

17. 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).

18. 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).

19. 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.

20. 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**

ABDOULAYE KANTE

v.

PECO ENERGY COMPANY

:
:
:
:
:

DOCKET NO. F-2015-2461168

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

Abdoulaye Kante
527 Littlecroft Road
Upper Darby, PA 19082



Shawane L. Lee

DATED: January 29, 2015

EXHIBIT “1”

O'Neill, Leslie:(BSC)

From: eServe@pa.gov
Sent: Tuesday, January 06, 2015 12:01 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 Form** has been served in this proceeding. This document is docketed as **F-2015-2461168**. You may view this document at **Formal Complaint Form**

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

timely

BCS: 3239343
PECO ENERGY

Must be returned by December 24, 2014

PENNSYLVANIA PUBLIC UTILITY COMMISSION

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: It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name Abdoulaye KANTE
Street/P.O. Box 527 LITTLECROFT APT# Rd
City Upper-Merion State PA Zip 19082
County USA

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

(610) 626-2068 (home) (267) 736-7123 (mobile)

E-mail Address (optional): _____

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 PECO
Street/P.O. Box 2301 MARKET street po BOX 13778
City Philadelphia State PA Zip 19082

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 ENERGY

RECEIVED
2014 DEC 23 AM 12:27
PA P.U.C.
SECRETARY'S BUREAU

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 low income I never pay \$ 210.00 something in this home 17 years now

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 told to peeo Energy I would pay one amount less \$ 210.00 because I need something affordable. for low-income. I send all paperwork about the household income nothing, I dont understand this company this is the Abuse against consumers like me

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 do, call the department of CAP program at pittsburg I send all papers about the household income, nothing it is the same situation. I think this office don't care about ^{Low income}

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 lawclinichb@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 Abdoulaye KANTE, 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).

Abdoulaye Kante
(Signature of Complainant)

12-17-2014
(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.



Emergency and Repairs: 1-800-841-4341 is the number to call for power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: ADDULAYE KANTE
 Account Number: 43266-02203
 Phone Number: 610-626-2068
 Service Address: 527 LITTLECROFT RD, UPPER DARBY

Billing Summary

Bill Date	12/08/2014
Budget bill charges from previous bill	\$82.12
Budget bill charges from previous bill	\$151.00
Budget bill charges from previous bill	\$151.00
Budget bill charges from previous bill	\$151.00
Budget bill charges from previous bill	\$151.00
Budget bill charges from previous bill	\$151.00
Budget bill charges from previous bill	\$151.00
Budget bill charges from previous bill	\$151.00
Budget bill charges from previous bill	\$151.00
Budget bill charges from previous bill	\$181.00
Budget bill charges from previous bill	\$171.00
Late payment charge	\$24.60
Total Other Charges	\$1,817.72

Current Period Charges

Gas	\$215.09	
Electric	\$42.67	
Budget billing amount		\$171.00
Total New Charges	\$257.76	

Total Amount Due on 12/30/2014 **\$1,988.72**

When paying in person, please bring the entire bill.

(continued on next page)



Return only this portion with your check made payable to PECO. Please write your account number on your check.

- Check here to enroll in Power Pay automatic account debit and complete form on reverse side.
- Check here to pledge a donation to MEAF and complete form on reverse side.

To pay by phone call 1-877-432-9384.
 A convenience fee will apply.

43266 0220 30000 0000

3212 1 AV 0.378 32120015212009527 013 01 GYGHZ2 123 12092014
 ADDULAYE KANTE
 527 LITTLECROFT RD
 UPPER DARBY PA 19082-5003

Account Number Payment Receipt Stamp
43266-02203

Payment Amount

Please pay this amount by 12/30/2014 **\$1,988.72**

00000257760000000000

PECO PAYMENT PROCESSING
 PO BOX 37629
 PHILADELPHIA PA 19101-0629

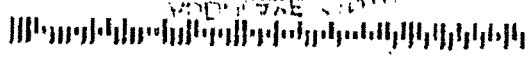
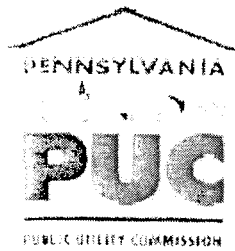


EXHIBIT “2”



PENNSYLVANIA

CONSUMER INFO UTILITY & INDUSTRY FILING & RESOURCES ABOUT PUC CONTACT US

[Login to eFiling](#) | [Contact Us](#) | [Search](#)

- [My Filings](#)
- [New Filing](#)
- [Modify Account](#)
- [POR Search](#)
- [eService Directory](#)
- [Subscriptions](#)
- [Technical Assistance](#)
- [eFiling FAQs](#)
- [Log Off](#)

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:	F-2015-2461168
Description:	Abdoulaye Kante PECO Answer and New Matter with Exhibits replaced conf. #1577651 (had wrong docket number) replaces conf. #1578011 (which did not have exhibits)
Transmission Date:	1/13/2015 3:40:13 PM
Filed On:	1/13/2015 3:40:13 PM
eFiling Confirmation Number:	1578020

Uploaded File List

File Name	Document Class	Document Type
PECO Answer New Matter Abdoulaye Kante.pdf	Communication	Answer to Formal Complaint

PECO ENERGY
EXHIBIT 2



Exelon Business Services Company
Legal Department

2401 Market Street, 22nd Floor
Philadelphia, PA 19103

(15) 265-2383 fax
www.exelon.com

Direct Dial: 215 841-6841

January 13, 2015

Abdoulaye Kante
527 Littlecroft Road
Upper Darby, PA 19082

RE: Abdoulaye Kante v. PECO Energy Company
PUC Docket No.: F-2015-2461168

Dear Mr. Kante:

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,

Shawane Lee
Counsel for PECO Energy Company
SL/lo
Encl.



Exelon Business Services Company

Legal Department

2401 Market Street (SOS 1)
Harrisburg, PA 17104

215 991-4380 fax
www.exeloncorp.com

Direct Dial: 215.841.6841

January 13, 2015

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

RE: Abdoulaye Kante v. PECO Energy Company
PUC Docket No.: F-2015-2461168

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Answer to the Formal Complaint with New Matter* 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 horizontal flourish extending to the right.

Shawane Lee
Counsel for PECO Energy Company

Scheduling Recommendation: **CALL OF THE DOCKET**

sl/LO

PENNSYLVANIA PUBLIC UTILITY COMMISSION

ABDOULAYE KANTE :
Complainants :
v. : DOCKET NO. F-2015-2461168
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, January 13, 2015



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

ABDOULAYE KANTE	:	
Complainants	:	
	:	
v.	:	DOCKET NO. F-2015-2461168
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On January 6, 2015, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Abdoulaye Kante (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 his formal Complaint, Complainant requests a payment agreement and states there are incorrect charges on his bill. The Complainant states that he is low income and needs to pay an amount less than \$210.00 to make his bill affordable. The Complainant alleges that he sent paperwork to PECO Energy with his household income but the company has done nothing. PECO Energy requests dismissal pursuant to 66 Pa. C.S. §1405(c).

The Complainant established service at 3238 Birch Road, Philadelphia, PA 19154 under account number 47698-01105. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant was initially enrolled in PECO Energy's Customer Assistance Program ("CAP") on June 28, 2004 under Tier D. The Complainant recertified in the program and has remained enrolled in CAP through each successive year. On December 8, 2011, PECO Energy forgave \$1,442.81 of the Complainant's balance and issued a 60 month payment agreement on his remaining \$1,000 balance. The Complainant last recertified in the program under Tier D1 on October 23, 2013. On September 30, 2014, the Complainant's CAP Tier changed to E1 based on a monthly income of \$2,938.00 for three adults and two minors. The Complainant's next scheduled recertification date is September 30, 2015. The Complainant is actively enrolled in the CAP program. The Complainant's entire balance is comprised of CAP arrears.

On May 15, 2014, the Complainant filed an informal complaint with the Bureau of Consumer Services ("BCS") at case number 003239343, disputing a \$251.00 and \$213.38 bill. He stated that his bill had only run \$118.00 per month and his bill needed to be adjusted. See Case Details Report #003239343, attached hereto as Exhibit "2". The BCS issued a Decision Report on November 19, 2014, dismissing the case pursuant to 66 Pa. C.S. §1405(c), stating that the March and April 2014 bills in dispute were correct as rendered. See BCS Decision Report #003239343, attached hereto as Exhibit "3".

The Complainant has had six previous company-issued payment agreements all of which have defaulted. The Complainant's balance is \$1,988.72, which is comprised entirely of CAP arrears. See Exhibit "1". The Complainant is not entitled to a PUC ordered payment agreement on his 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 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 June 28, 2004 under Tier D.

2. The Complainant recertified in the program and has remained enrolled in CAP through each successive year since 2004 to present.

3. On December 8, 2011, PECO Energy forgave \$1,442.81 of the Complainant's balance and issued a 60 month payment agreement on his remaining \$1,000 balance.

4. The Complainant last recertified in the program under Tier D1 on October 23, 2013.

5. On September 30, 2014, the Complainant's CAP Tier changed to E1 based on a monthly income of \$2,938.00 for three adults and two minors.

6. The Complainant's next scheduled recertification date is September 30, 2015.

7. The Complainant is actively enrolled in the CAP program.

8. The Complainant's balance is \$1,988.72.

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

10. 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."

11. Consequently, pursuant to 66 Pa.C.S. § 1405(c), the PUC has no jurisdiction to give the Complainant and Ms. Moore a payment agreement.

12. 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**

ABDOULAYE KANTE	:	
Complainants	:	
	:	
v.	:	DOCKET NO. F-2015-2461168
	:	
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: January 13, 2015



Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ABDOULAYE KANTE	:	
Complainants	:	
	:	
v.	:	DOCKET NO. F-2015-2461168
	:	
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:

Abdoulaye Kante
527 Littlecroft Road
Upper Darby, PA 19082

Dated at Philadelphia, Pennsylvania, January 13, 2015.



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

EXHIBIT "1"

*** Account Information ***

Account Number: 43266-02203
Account Status: Active
Mail To: ADDULAYE KANTE
527 LITTLECROFT RD
UPPER DARBY PA 19082

*** Current Account Status ***

Current Bill: \$179.17
Billed Prior: \$1809.55
Balance Due: \$1984.72
Service Address: 527 LITTLECROFT RD
UPPER DARBY PA 19082
Deposit On-Hand: \$0.00
Meter Bill Grp: 06
Rate: CAP Opt E Gas Residential Heating Svc
CAP Opt E Electric Residential Service

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KW
05/04/09	Payment					\$160.67						
05/08/09	BUDGET BILLING	04/08/09 05/07/09			\$132.00							
	** Budget Bill Detail **				Actual Bill Amount: 59.12							
05/08/09	DEFERRED PAYMENT AGREEMENT				BB Deferred Amount: 316.04							
05/08/09	Regular Bill				\$39.89							
06/03/09	Payment						\$171.89		06/01	587		
05/09/09	CANCELED BUDGET BILLING	05/07/09 06/08/09			\$174.80	\$86.01		\$228.05				
06/09/09	DEFERRED PAYMENT AGREEMENT				\$39.89							
06/09/09	Regular Bill						\$213.89		07/01	715		
06/15/09	Adjustment					\$174.80						
06/15/09	BUDGET BILLING	05/07/09 06/08/09			\$402.05							
	** Budget Bill Detail **				Actual Bill Amount: 86.01							
06/15/09	Regular Bill				BB Deferred Amount: 0.00							
07/07/09	Payment Agreement (NEW)						\$441.94		07/08	748		30
07/09/09	BUDGET BILLING	06/09/09 07/08/09			\$2116.96							
	** Budget Bill Detail **				Actual Bill Amount: 62.96							
07/09/09	DEFERRED PAYMENT AGREEMENT				BB Deferred Amount: -84.04							
07/09/09	Regular Bill				\$38.62							
08/03/09	Payment						\$185.62		07/31	780		
08/07/09	CANCELED BUDGET BILLING	07/08/09 08/06/09			\$147.00	\$69.07		\$-161.97				
08/07/09	DEFERRED PAYMENT AGREEMENT				\$38.62							
08/07/09	Regular Bill						\$185.62		09/31	820		
08/18/09	Adjustment					\$147.00						
08/18/09	Budget Bill Settlement					\$14.97						
08/18/09	BUDGET BILLING	07/08/09 08/06/09										
	** Budget Bill Detail **				Actual Bill Amount: 69.07							
08/18/09	Regular Bill				BB Deferred Amount: 0.00							
09/08/09	BUDGET BILLING	08/06/09 09/07/09			\$68.00		\$23.65		09/09	820		
	** Budget Bill Detail **				Actual Bill Amount: 83.05							
09/08/09	DEFERRED PAYMENT AGREEMENT				BB Deferred Amount: 15.05							
09/08/09	Regular Bill				\$38.62							
09/09/09	Payment						\$130.27	\$23.65	09/30	922		
10/01/09	Payment											
10/07/09	BUDGET BILLING	09/07/09 10/06/09			\$68.00							
	** Budget Bill Detail **				Actual Bill Amount: 50.03							
10/07/09	DEFERRED PAYMENT AGREEMENT				BB Deferred Amount: -2.92							
10/07/09	Regular Bill				\$38.62							
11/02/09	Payment						\$106.62		10/31	892		
11/05/09	BUDGET BILLING	10/06/09 11/04/09			\$68.00							
	** Budget Bill Detail **				Actual Bill Amount: 56.10							
11/05/09	DEFERRED PAYMENT AGREEMENT				BB Deferred Amount: -14.82							
11/05/09	Regular Bill				\$38.62							
12/02/09	Payment						\$106.62		11/30	904		
12/08/09	BUDGET BILLING	11/04/09 12/07/09			\$68.00							
	** Budget Bill Detail **				Actual Bill Amount: 69.23							
12/08/09	DEFERRED PAYMENT AGREEMENT				BB Deferred Amount: -13.59							
12/08/09	Regular Bill				\$38.62							
01/04/10	Bill Out DPA due to Default						\$106.62		12/30	714		
01/05/10	Late Payment Charge				\$2085.24							
					\$4.97							

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KV
01/09/10	Payment Agreement					\$2085.24						
01/11/10	Payment					\$106.62						
01/11/10	BUDGET BILLING	12/07/09 01/10/10			\$68.00							
	** Budget Bill Detail **	Actual Bill Amount: 100.28										
	BB Deferred Amount: 18.69											
01/11/10	Regular Bill						572.97	\$4.97	02/02	862		
02/02/10	Payment											
02/09/10	BUDGET BILLING	01/10/10 02/09/10			\$68.00							
	** Budget Bill Detail **	Actual Bill Amount: 84.48										
	BB Deferred Amount: 35.13											
02/09/10	DEFERRED PAYMENT AGREEMENT											
02/09/10	Regular Bill						\$106.62		03/03	735		
03/09/10	Bill Out DPA due to Default				\$2046.62							
03/10/10	BUDGET BILLING	02/08/10 03/09/10			\$68.00							
	** Budget Bill Detail **	Actual Bill Amount: 78.79										
	BB Deferred Amount: 45.92											
03/10/10	Regular Bill						\$2221.24	\$2153.24	04/01	782		
03/19/10	Payment Agreement				\$1687.24							
03/19/10	LINEAR Payment											
03/26/10	LINEAR Payment					\$534.00						
04/08/10	BUDGET BILLING	03/09/10 04/07/10			\$68.00							
	** Budget Bill Detail **	Actual Bill Amount: 50.15										
	BB Deferred Amount: 28.08											
04/08/10	DEFERRED PAYMENT AGREEMENT											
04/08/10	Regular Bill											
05/07/10	BUDGET BILLING	04/07/10 05/06/10					60.45		04/30	601		
	** Budget Bill Detail **	Actual Bill Amount: 51.18										
	BB Deferred Amount: 0.00											
05/07/10	DEFERRED PAYMENT AGREEMENT											
05/07/10	Regular Bill											
06/07/10	Bill Out DPA due to Default						\$112.15	\$0.45	06/01	607		
06/08/10	BUDGET BILLING	05/06/10 06/07/10			\$1622.34							
	** Budget Bill Detail **	Actual Bill Amount: 60.33										
	BB Deferred Amount: -7.67											
06/08/10	Regular Bill						\$1802.50	\$1734.50	06/30	731		
06/25/10	Payment											
07/06/10	BUDGET BILLING	06/07/10 07/07/10			\$43.31							
	** Budget Bill Detail **	Actual Bill Amount: 50.98										
	BB Deferred Amount: 0.00											
07/08/10	Regular Bill						\$1733.65	\$1695.34	07/30	571		
07/21/10	Payment											
08/05/10	Returned Check					\$42.31						
08/06/10	GAS SERVICE	07/07/10 08/05/10	9732	018830111	\$112.15							
08/06/10	ELECTRIC SERVICE	07/07/10 08/05/10	54560	105265317	\$25.00							
08/06/10	Late Payment Charge				\$30.76							
08/06/10	Regular Bill				\$1.68							
09/07/10	GAS SERVICE	08/05/10 09/06/10	9767	018830111			\$1860.94	\$1805.18	08/30	660	20	
09/07/10	ELECTRIC SERVICE	08/05/10 09/06/10	55621	105265317	\$25.00							
09/07/10	Late Payment Charge				\$86.03							
09/07/10	Regular Bill				\$2.52							
09/29/10	Payment											
10/01/10	RECONNECT FEE - CUT-OUT NON-PAY						\$113.55		09/29	1061	15	
10/05/10	Late Payment Charge				\$75.00							
10/05/10	GAS SERVICE				\$2.51							
10/06/10	ELECTRIC SERVICE	09/06/10 10/05/10	9729	018830111	\$25.72							
10/06/10	Regular Bill	09/06/10 10/05/10	56251	105265317	\$46.71							
10/20/10	Payment											
11/02/10	Late Payment Charge						\$2010.88	\$1863.45	10/28	630	32	
11/04/10	GAS SERVICE				\$3.60							
11/04/10	ELECTRIC SERVICE	10/05/10 11/03/10	9839	018830111	\$30.57							
11/04/10	Regular Bill	10/05/10 11/03/10	56722	105265317	\$36.27							
12/07/10	GAS SERVICE						\$1981.32	\$1914.48	11/29	471	40	
12/07/10	ELECTRIC SERVICE	11/03/10 12/06/10	9941	018830111	\$68.22							
12/07/10	Regular Bill	11/03/10 12/06/10	57315	105265317	\$44.33							
12/30/10	Payment											
01/10/11	GAS SERVICE						\$2093.87	\$1981.32	12/29	594	102	
01/10/11	ELECTRIC SERVICE	12/06/10 01/09/11	145	018830111	\$136.09							
		12/06/10 12/31/10	57776	105265317	\$33.54							

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KW
01/10/11	ELECTRIC SERVICE	12/31/10 01/09/11	57934	105265317	\$8.10							
01/10/11	Regular Bill											
02/01/11	Payment						\$2159.60	\$1981.87	02/01	619	204	
02/06/11	Late Payment Charge					\$177.73						
02/09/11	GAS SERVICE	01/09/11 02/09/11	359	018830111	\$9.94							
02/09/11	ELECTRIC SERVICE	01/09/11 02/09/11	58456	105265317	\$158.27							
02/09/11	Regular Bill				\$27.04							
02/17/11	LINEAP Payment						\$2176.22	\$1990.81	03/03	522	214	
03/10/11	GAS SERVICE	02/08/11 03/09/11	513	018830111	\$115.34	\$300.00						
03/10/11	ELECTRIC SERVICE	02/08/11 03/09/11	58937	105265317	\$25.09							
03/10/11	Regular Bill						\$2017.85	\$1876.22	04/01	481	154	
04/11/11	GAS SERVICE	03/09/11 04/08/11	513 E	018830111	\$25.00							
04/11/11	ELECTRIC SERVICE	03/09/11 04/07/11	59417	105265317	\$25.12							
04/11/11	Regular Bill						\$2067.77	\$2017.65	05/03	490		
04/14/11	LINEAP Payment											
04/19/11	Payment Agreement (NEW)					\$400.00						
05/09/11	GAS SERVICE	04/08/11 05/08/11	690	018830111	\$1667.77							
05/09/11	ELECTRIC SERVICE	04/07/11 05/08/11	59911	105265317	\$132.76							
05/09/11	DEFERRED PAYMENT AGREEMENT				\$25.79							
05/09/11	Regular Bill				\$46.33							
06/06/11	Bill Out DPA due to Default						\$204.90		05/31	494	177	
06/07/11	Late Payment Charge				\$1621.44							
06/08/11	GAS SERVICE	05/08/11 06/07/11	725	018830111	\$0.89							
06/08/11	ELECTRIC SERVICE	05/08/11 06/07/11	60659	105265317	\$32.50							
06/08/11	Regular Bill				\$47.65							
07/02/11	GAS SERVICE	06/07/11 07/07/11	757	018830111	\$30.59		\$1907.38	\$1827.23	06/30	748	35	
07/02/11	ELECTRIC SERVICE	06/07/11 07/07/11	61664	105265317	\$27.32							
07/02/11	Regular Bill						\$2035.29	\$1907.38	08/01	1005	32	
08/08/11	GAS SERVICE	07/07/11 08/07/11	784	018830111	\$27.13							
08/08/11	ELECTRIC SERVICE	07/07/11 08/07/11	62865	105265317	\$131.90							
08/08/11	Regular Bill						\$2194.32	\$2035.29	08/30	1201	27	
09/07/11	GAS SERVICE	08/07/11 09/06/11	813	018830111	\$28.60							
09/07/11	ELECTRIC SERVICE	08/07/11 09/06/11	63844	105265317	\$92.73							
09/07/11	Late Payment Charge				\$2.80							
09/07/11	Regular Bill						\$2318.45	\$2197.12	09/29	979	29	
10/04/11	Late Payment Charge				\$4.52							
10/06/11	GAS SERVICE	09/05/11 10/05/11	848	018830111	\$32.96							
10/06/11	ELECTRIC SERVICE	09/05/11 10/05/11	64486	105265317	\$35.08							
10/06/11	Regular Bill						\$2391.11	\$2329.07	10/28	642	35	
11/07/11	BUDGET BILLING	10/05/11 11/04/11			\$132.00							
	** Budget Bill Detail **	Actual Bill Amount: 83.38				BB Deferred Amount: -48.62						
11/07/11	Regular Bill						\$2523.11	\$2391.11	11/29	475		
11/09/11	Payment											
11/28/11	LINEAP Payment					\$72.55						
12/07/11	BUDGET BILLING	11/04/11 12/06/11			\$80.57							
	** Budget Bill Detail **	Actual Bill Amount: 129.19				BB Deferred Amount: 0.00						
12/07/11	Regular Bill						\$2431.12	\$2350.55	12/29	604		
12/08/11	Payment Agreement (NEW)											
12/08/11	Transfer (CAP -ISAF)				\$1000.00							
01/10/12	BUDGET BILLING	12/05/11 01/09/12			\$135.80	\$1422.81						
	** Budget Bill Detail **	Actual Bill Amount: 195.72				BB Deferred Amount: 61.72						
01/10/12	DEFERRED PAYMENT AGREEMENT											
01/10/12	Regular Bill				\$16.67							
01/31/12	Credit						\$151.67		02/01	692		
02/02/12	Payment					\$13.00						
02/06/12	Bill Out DPA due to Default					\$135.65						
02/09/12	BUDGET BILLING	01/09/12 02/02/12			\$983.33							
	** Budget Bill Detail **	Actual Bill Amount: 192.57				\$122.00						
02/09/12	Regular Bill						\$1108.35	\$986.35	03/02	621		
03/02/12	Payment					\$141.69						

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KV
03/02/12	Payment Agreement					\$966.66						
03/09/12	BUDGET BILLING	02/08/12 03/08/12			\$122.00							
	** Budget Bill Detail **	Actual Bill Amount: 172.51			BB Deferred Amount: 195.80							
03/09/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
03/09/12	Regular Bill						\$138.67		04/02	579		
03/29/12	Payment					\$138.67						
04/09/12	BUDGET BILLING	03/08/12 04/08/12			\$122.00							
	** Budget Bill Detail **	Actual Bill Amount: 110.58			BB Deferred Amount: 184.38							
04/09/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
04/09/12	Regular Bill						\$138.67		05/01	531		
04/30/12	Payment					\$138.67						
05/09/12	BUDGET BILLING	04/08/12 05/07/12			\$157.00							
	** Budget Bill Detail **	Actual Bill Amount: 87.98			BB Deferred Amount: 115.36							
05/09/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
05/09/12	Regular Bill						\$173.67		05/30	432	19	
05/30/12	Payment					\$87.98						
05/31/12	Payment					\$85.69						
06/07/12	BUDGET BILLING	05/07/12 06/06/12			\$157.00							
	** Budget Bill Detail **	Actual Bill Amount: 80.64			BB Deferred Amount: 39.00							
06/07/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
06/07/12	Regular Bill						\$173.67		06/29	626	35	
06/26/12	Payment					\$173.67						
07/09/12	BUDGET BILLING	06/06/12 07/06/12			\$157.00							
	** Budget Bill Detail **	Actual Bill Amount: 132.06			BB Deferred Amount: 14.05							
07/09/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
07/09/12	Regular Bill						\$173.67		07/31	1005	22	
08/06/12	Bill Out DPA due to Default				\$999.98							
08/06/12	LIHEAP					\$135.00						
08/07/12	BUDGET BILLING	07/06/12 08/06/12			\$157.00							
	** Budget Bill Detail **	Actual Bill Amount: 137.27			BB Deferred Amount: -\$5.67							
08/07/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
08/07/12	Regular Bill						\$1078.98	\$921.98	08/29	1101	21	
08/31/12	Payment					\$157.00						
09/05/12	Late Payment Charge				\$13.76							
09/06/12	BUDGET BILLING	08/05/12 09/05/12			\$157.00							
	** Budget Bill Detail **	Actual Bill Amount: 136.29			BB Deferred Amount: \$2.62							
09/06/12	Regular Bill						\$1063.74	\$935.74	09/28	1044	30	
09/26/12	Payment Agreement (reinstated)				\$849.97							
09/27/12	Payment					\$141.76						
10/05/12	Late Payment Charge				\$ 8.83							
10/05/12	BUDGET BILLING	09/05/12 10/04/12			\$128.00							
	** Budget Bill Detail **	Actual Bill Amount: 79.23			BB Deferred Amount: -\$46.05							
10/05/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
10/05/12	Regular Bill						\$200.84		10/30	625	10	
11/01/12	Payment					\$200.84						
11/05/12	BUDGET BILLING	10/04/12 11/04/12			\$128.00							
	** Budget Bill Detail **	Actual Bill Amount: 86.16			BB Deferred Amount: -\$81.99							
11/05/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
11/05/12	Regular Bill						\$140.67		11/27	533	45	
11/30/12	Payment					\$140.67						
12/06/12	BUDGET BILLING	11/04/12 12/05/12			\$124.00							
	** Budget Bill Detail **	Actual Bill Amount: 180.78			BB Deferred Amount: -\$27.11							
12/06/12	DEFERRED PAYMENT AGREEMENT				\$16.67							
12/06/12	Regular Bill						\$140.67		12/28	533	45	
01/02/13	Bill Out DPA due to Default				\$815.53							

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCP	KW
01/02/13	Late Payment Charge				\$11.65							
01/03/13	Payment					\$140.67						
01/03/13	Payment Agreement (reinstated)				\$816.63							
01/09/13	BUDGET BILLING	12/05/12 01/09/13			\$124.00							
	** Budget Bill Detail **	Actual Bill Amount: 233.93										
01/09/13	DEFERRED PAYMENT AGREEMENT					BB Deferred Amount: 92.82						
01/09/13	Regular Bill				\$16.67							
02/05/13	Bill Out DPA due to Default				\$799.96		\$152.32	\$11.65	01/31	586		216
02/05/13	Late Payment Charge				\$2.11							
02/05/13	BUDGET BILLING	01/08/13 02/07/13			\$124.00							
	** Budget Bill Detail **	Actual Bill Amount: 262.36										
02/08/13	Regular Bill					BB Deferred Amount: 220.98						
02/28/13	Payment Agreement (reinstated)				\$799.56		\$1076.39	\$954.39	03/04	502		256
03/01/13	Payment					\$152.32						
03/11/13	BUDGET BILLING	02/07/13 03/10/13			\$166.00							
	** Budget Bill Detail **	Actual Bill Amount: 251.64										
03/11/13	DEFERRED PAYMENT AGREEMENT					BB Deferred Amount: 312.62						
03/11/13	Late Payment Charge				\$16.67							
03/11/13	Regular Bill				\$1.86							
03/21/13	Payment					\$126.11	\$304.64	\$127.97	04/02	496		343
04/02/13	Bill Out DPA due to Default				\$783.29							
04/02/13	BUDGET BILLING	03/10/13 04/08/13			\$160.00							
	** Budget Bill Detail **	Actual Bill Amount: 195.38										
04/09/13	Late Payment Charge					BB Deferred Amount: 348.00						
04/09/13	Regular Bill				\$13.97							
05/02/13	LINEAP Payment					\$100.00	\$1135.79	\$875.79	05/31	429		179
05/07/13	Late Payment Charge				\$15.06							
05/08/13	BUDGET BILLING	04/08/13 05/07/13			\$160.00							
	** Budget Bill Detail **	Actual Bill Amount: 106.90										
05/08/13	Regular Bill					BB Deferred Amount: 294.92						
05/09/13	Payment Agreement				\$765.62		\$1210.87	\$1050.87	05/30	435		77
05/09/13	LINEAP Payment					\$400.00						
05/29/13	Payment					\$44.25						
06/07/13	BUDGET BILLING	05/07/13 06/06/13			\$160.00							
	** Budget Bill Detail **	Actual Bill Amount: 84.48										
06/07/13	DEFERRED PAYMENT AGREEMENT					BB Deferred Amount: 219.38						
06/07/13	Regular Bill				\$16.67							
07/05/13	Payment					\$176.67	\$176.67		07/01	561		45
07/09/13	BUDGET BILLING	06/06/13 07/08/13			\$160.00							
	** Budget Bill Detail **	Actual Bill Amount: 101.49										
07/09/13	DEFERRED PAYMENT AGREEMENT					BB Deferred Amount: 150.87						
07/09/13	Regular Bill				\$16.67							
07/31/13	Payment					\$176.67	\$176.67		07/31	807		32
08/07/13	BUDGET BILLING	07/08/13 08/06/13			\$160.00							
	** Budget Bill Detail **	Actual Bill Amount: 126.50										
08/07/13	DEFERRED PAYMENT AGREEMENT					BB Deferred Amount: 127.37						
08/07/13	Regular Bill				\$16.67							
09/03/13	Payment					\$176.67	\$176.67		08/29	1001		28
09/05/13	LINEAP Payment					\$200.00						
09/06/13	BUDGET BILLING	08/06/13 09/05/13			\$160.00							
	** Budget Bill Detail **	Actual Bill Amount: 110.03										
09/06/13	DEFERRED PAYMENT AGREEMENT					BB Deferred Amount: 77.40						
09/06/13	Regular Bill				\$16.67							
09/12/13	Miscellaneous							\$-23.33	09/30	854		30
					\$699.94							

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	- CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KW
09/12/13	Payment Agreement (reinstated)				\$676.61							
10/07/13	BUDGET BILLING	09/05/13 10/06/13			\$160.00							
	** Budget Bill Detail **	Actual Bill Amount: 76.82			BB Deferred Amount: -5.78							
10/07/13	DEFERRED PAYMENT AGREEMENT				\$16.11							
10/07/13	Regular Bill						\$176.11		10/29	507		39
10/31/13	Payment											
11/05/13	BUDGET BILLING	10/06/13 11/04/13			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 79.79			BB Deferred Amount: -76.99							
11/05/13	DEFERRED PAYMENT AGREEMENT				\$16.11							
11/05/13	Regular Bill						\$167.11		11/27	340		53
12/02/13	LINEAR Payment					\$100.00						
12/02/13	Bill Out OPA due to Default				\$644.39							
12/05/13	BUDGET BILLING	11/04/13 12/05/13			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 159.95			BB Deferred Amount: -72.04							
12/06/13	Regular Bill						\$862.50	\$711.50	12/30	373		136
12/16/13	Payment					\$67.00						
01/09/14	BUDGET BILLING	12/05/13 01/08/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 253.00			BB Deferred Amount: 29.96							
01/09/14	Regular Bill						\$946.50	\$795.50	01/31	439		229
02/10/14	BUDGET BILLING	01/08/14 02/09/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 278.54			BB Deferred Amount: 157.50							
02/10/14	Regular Bill						\$1097.50	\$946.50	03/04	421		258
02/11/14	BUDGET BILLING	02/09/14 03/10/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 262.48			BB Deferred Amount: 268.93							
03/11/14	Regular Bill						\$1248.50	\$1097.50	04/02	388		233
03/14/14	LINEAR Payment					\$500.00						
03/15/14	Payment Agreement (NEW)				\$748.50							
03/24/14	Payment					\$62.38						
04/09/14	BUDGET BILLING	03/10/14 04/08/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 190.07			BB Deferred Amount: 108.05							
04/09/14	DEFERRED PAYMENT AGREEMENT				\$62.38							
04/09/14	Regular Bill						\$151.00		05/01	373		146
05/05/14	Payment					\$151.00						
05/09/14	BUDGET BILLING	04/08/14 05/08/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 86.01			BB Deferred Amount: 243.06							
05/09/14	DEFERRED PAYMENT AGREEMENT				\$62.38							
05/09/14	Regular Bill						\$213.38		05/02	367		48
06/02/14	Bill Out OPA due to Default				\$561.36							
06/09/14	BUDGET BILLING	05/08/14 06/08/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 79.78			BB Deferred Amount: 171.84							
06/09/14	DEFERRED PAYMENT AGREEMENT				\$62.38							
06/09/14	Regular Bill						\$426.76	\$213.38	07/01	485		36
07/09/14	BUDGET BILLING	06/08/14 07/08/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 97.92			BB Deferred Amount: 118.76							
07/09/14	Regular Bill						\$1139.12	\$988.12	07/31	774		29
08/05/14	Late Payment Charge				\$0.88							
08/07/14	BUDGET BILLING	07/08/14 08/06/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 99.55			BB Deferred Amount: 67.31							
08/07/14	Regular Bill						\$1291.00	\$1140.00	08/29	778		30
09/03/14	Late Payment Charge				\$3.15							
09/09/14	BUDGET BILLING	08/06/14 09/07/14			\$151.00							
	** Budget Bill Detail **	Actual Bill Amount: 96.66			BB Deferred Amount: 12.97							
09/08/14	Regular Bill						\$1445.15	\$1294.15	09/30	772		30
10/07/14	BUDGET BILLING	09/07/14 10/06/14			\$181.00							
	** Budget Bill Detail **	Actual Bill Amount: 90.74			BB Deferred Amount: -77.29							
10/07/14	Late Payment Charge				\$5.42							
10/07/14	Regular Bill						\$1631.57	\$1450.57	10/29	462		28

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KV
11/04/14	Late Payment Charge				\$6.98							
11/05/14	BUDGET BILLING	10/05/14 11/04/14			\$171.00							
	** Budget Bill Detail **	Actual Bill Amount: 79.21				BB Deferred Amount: -169.09						
11/05/14	Regular Bill						\$1809.55	\$1638.55	12/01	325		91
12/08/14	BUDGET BILLING	11/04/14 12/07/14			\$171.00							
	** Budget Bill Detail **	Actual Bill Amount: 257.76				BB Deferred Amount: -82.32						
12/08/14	Late Payment Charge				\$9.17							
12/08/14	Regular Bill						\$1988.72	\$1817.72	12/30	340		220

EXHIBIT "2"



January 9, 2015

Case Details Report

BCS Case #: 003239343 BCS Bill Account #: 4326602203
Customer Name: ABDOULAYE KANTE
Service Address: 527 LITTLECROFT RD

UPPER DARBY, PA 19082
Mailing Address:

Home Phone: (610) 626-2068
Business Phone: () -
Business name: SAME
Alternate contact: NO OTHER CONTACT INFO.

Date Case Opened: 2014-05-15 Date Cut Out: 9999-12-31
PAR Case: N
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 Universal Service: N
Service class: R Contact Type: TELEPHONE
Previous case #: Amount in Arrears: \$0.00

Adults: 2
Children: 2
Children Ages: 11,15
Gross Income: \$1299.99
Miscellaneous Info:
NO OTHER CONTACT INFO.

Complaint Reason:
BILLING DISPUTES (# 18)

Customer Problem Description:
PAR W/DISPUTE THE CUSTOMER IS DISPUTING THE \$251 AND THE 213.38 PAYMENT FOR NEXT MONTH. THE CUSTOMER STATED THAT THE BILL HAS ONLY RAN HIM 118 PER MONTH. THE CUSTOMER IS SAYING IT IS WRONG AND NEEDS THE COMPANY TO ADJUST HIS BILLS.

Company Position:
05/15/2014 PECO ELECTRRIC IS ASKING FOR \$251.

SEARCHED
SERIALIZED
INDEXED
FILED
JAN 14 2015
FBI - PHILADELPHIA
2

EXHIBIT "3"



January 9, 2015

BCS Decision Report

BCS Case #: 003239343 Open Date: 2014-05-15
Customer Name: ABDOULAYE KANTE
Service Address: 527 LITTLECROFT RD

UPPER DARBY, PA 19082
BCS Bill Account #: 4326602203 Previous Case #:
Violation Type: NO Chapter Type:
Decision Type: W Section / Rule:
Investigator Name: BOBBI ANDERSON

Decision Issued Date: 2014-11-19
Case Closed Date: 2014-11-17

Letter Description:
BLANK LETTER - DECISION

Total Balance: \$1080.18 Balance Date: 2014-05-23
Amount to Restore Service: \$0.00 Amount to Continue Service: \$0.00
Date Payment Due: Regular Budget Amount: \$151.00
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:
DISMISSED.... 1. BASED ON THE INFORMATION PROVIDED BY PECO, THE CAP RATE DISCOUNT APPLIES TO THE FIRST 650 KILOWATT-HOURS OF YOUR ELECTRIC CONSUMPTION EACH MONTH. THE COMPANY BILLS ALL OF YOUR ELECTRIC USAGE ABOVE THE 650 KILOWATT-HOUR LIMIT, AT THE STANDARD RATE. 2. BECAUSE OF THE MONTHLY DISCOUNT, THE CAP PROGRAM IS THE MOST ADVANTAGEOUS RATE AVAILABLE TO YOU. 3. BASED ON THE INFORMATION PROVIDED BY PECO, YOU DID NOT PAY YOUR MONTHLY CAP BILLS AS REQUIRED, AND AS A RESULT, YOU ACCUMULATED A PAST DUE CAP BALANCE. 4. YOUR MARCH UTILITY BILL CONTAINED YOUR CURRENT CAP BUDGET AND YOUR ENTIRE PAST DUE CAP BALANCE. THE TOTAL AMOUNT DUE (1,248.50) WAS CORRECT AS RENDERED. 5. YOUR APRIL UTILITY BILL CONTAINED YOUR CURRENT CAP BUDGET AND THE INSTALLMENT DUE ON YOUR 3/18/2014 PAYMENT AGREEMENT. THE TOTAL AMOUNT DUE (213.38) WAS

REC'D MAILING
3

Exelon.

January 9, 2015

CORRECT AS RENDERED. 6. YOUR OUTSTANDING ACCOUNT BALANCE AS OF 11/3/2014 (1,631.57) IS CORRECT AS RENDERED. 7. BASED ON 66 PA. C.S. 1405(C), THE PUC CANNOT ISSUE A PAYMENT AGREEMENT FOR YOUR OUTSTANDING BALANCE.