



An Exelon Company

Legal Department
2301 Market Street / S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Direct Dial: 215.841.6841

April 29, 2015

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

RE: Lawrence Rutledge v. PECO Energy Company
PUC Docket No.: C-2015-2474309

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

SL/alb

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LAWRENCE RUTLEDGE

v.

PECO ENERGY COMPANY

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:
:
:

DOCKET NO. C-2015-2474309

NOTICE TO PLEAD

To: Lawrence Rutledge

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: April 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**

LAWRENCE RUTLEDGE

v.

PECO ENERGY COMPANY

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:
:
:
:

DOCKET NO. C-2015-2474309

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. 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 to the extent he requests a payment arrangement. Therefore, PECO is entitled to judgment as a matter of law on this issue.

1. On or about March 26, 2015, Complainant filed a Formal Complaint against Respondent, PECO, requesting to receive a Commission-ordered payment agreement to restore his electric service. A copy of Complainant's Formal Complaint is attached hereto as Exhibit 1.

2. PECO was served with the Formal Complaint on March 30, 2015.

3. On April 9, 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 December 19, 2011 under Tier E1, and recertified in the program on January 2, 2014. New Matter ¶¶1-2.

5. PECO averred Complainant remained actively enrolled in CAP until his service was disconnected on December 15, 2014. New Matter ¶3.

6. PECO averred that Complainant's balance is \$4,453.53. New Matter ¶4.

7. PECO averred that Complainant's entire balance is comprised of CAP arrears.
New Matter ¶5.

8. As the entire balance consists of CAP arrears, PECO averred that no agreement may be issued under 66 Pa.C.S. §1405(c). New Matter ¶¶6-7.

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

10. 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).

11. 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."

12. 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.

13. 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).

14. 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).

15. The pleadings in this case reveal the following:

- a. There is no factual dispute that (a) Complainant is enrolled in CAP, and (b) the entire past due balance is CAP arrears.
- 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 relief Complainant seeks to the extent in which he is requesting a payment arrangement.

16. 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**

LAWRENCE RUTLEDGE	:	
	:	
v.	:	DOCKET NO. C-2015-2474309
	:	
PECO ENERGY COMPANY	:	

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).

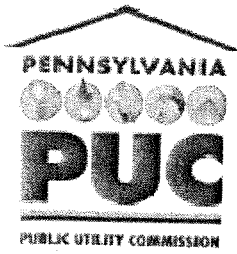
Via First Class Mail
Lawrence Rutledge
339 Bala Terrace West
West Chester, PA 19380



Shawane L. Lee

DATED: April 29, 2015

EXHIBIT “1”



PENNSYLVANIA
PUBLIC UTILITY COMMISSION

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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-2015-2474309
Description:	Lawrence Rutledge - Peco Energy Answer to Formal Complaint
Transmission Date:	4/9/2015 10:55:59 AM
Filed On:	4/9/2015 10:55:59 AM
eFiling Confirmation Number:	1587125

Uploaded File List

PECO ENERGY
EXHIBIT

File Name	Document Class	Document Type
Lawrence Rutledge Answer.pdf	Communication	Answer to Formal Complaint



An Exelon Company

Legal Department
2301 Market Street / S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Direct Dial: 215-841-6841

April 9, 2015

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

RE: Lawrence Rutledge v. PECO Energy Company
PUC Docket No.: C-2015-2474309

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Answer to the 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 long, sweeping underline.

Shawane Lee
Counsel for PECO Energy Company

Scheduling Recommendation: **CALL OF THE DOCKET**

s/LO

PENNSYLVANIA PUBLIC UTILITY COMMISSION

LAWRENCE RUTLEDGE
Complainant

v.

PECO ENERGY COMPANY
Respondent

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DOCKET NO. C-2015-2474309

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, April 9, 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**

LAWRENCE RUTLEDGE	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2015-2474309
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On March 30, 2015, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Lawrence Rutledge (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 to restore his electric service. The Complainant alleges that he has several medical conditions, including a previous stroke, blood clots, high and low blood pressure, seizures and a heart attack. PECO Energy requests dismissal pursuant to 66 Pa. C.S. §1405(c).

The Complainant established service at 339 Bala Trail, West Chester, PA 19380 under account number 17282-01707. See Account Activity Statement, attached hereto as Exhibit "1".

The Complainant was initially enrolled in PECO Energy's Customer Assistance Program ("CAP") on December 19, 2011 under Tier E1. The Complainant recertified in the program on January 2, 2014, under Tier E1. See CAP History, attached hereto as Exhibit "2". The Complainant remained actively enrolled in the CAP program until his service was disconnected on December 15, 2014. The Complainant's entire

On November 12, 2014, the Complainant's electric service was terminated for a past due balance of \$3,546.86. On November 12, 2014, the Complainant filed an informal complaint with the Bureau of Consumer Services ("BCS") at case number 003308284, requesting a payment agreement to have his services restored. See Case Details Report #003308284, attached hereto as Exhibit "2". The BCS issued a Decision Report on November 24, 2014, dismissing the case pursuant to 66 Pa. C.S. §1405(c), stating:

THE CUSTOMER SHOULD COMPLY WITH THE COMPANY'S REQUEST FOR \$3,957.45 TO RESTORE SERVICE (\$3,937.45 BALANCE + \$20.00 RECONNECTION FEE).

See BCS Decision Report #003308284, attached hereto as Exhibit "3".

The Complainant's balance is \$4,453.53, 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 December 19, 2011 under Tier E1.
2. The Complainant recertified in the program on January 2, 2014, under Tier E1.
3. The Complainant remained actively enrolled in the CAP program until his service was disconnected on December 15, 2014.
4. The Complainant's final balance is \$4,453.53.
5. The Complainant's entire balance is comprised of CAP arrears.
6. 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."
7. Consequently, pursuant to 66 Pa.C.S. § 1405(c), the PUC has no jurisdiction to give the Complainant a payment agreement.

8. 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**

LAWRENCE RUTLEDGE
Complainant

v.

PECO ENERGY COMPANY
Respondent

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DOCKET NO. C-2015-2474309

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: April 9, 2015

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LAWRENCE RUTLEDGE
Complainant

v.

PECO ENERGY COMPANY
Respondent

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DOCKET NO. C-2015-2474309

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:

Lawrence Rutledge
339 Bala Terrace West
West Chester, PA 19380

Dated at Philadelphia, Pennsylvania, April 9, 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”

CUAR038

PECO Account Activity Statement

Date: 03/31/15
Page: 1 of 3

*** Account Information ***

Account Number: 17282-01707
Account Status: Written Off
Requested By: LAWRENCE RUTLEDGE
LAWRENCE RUTLEDGE
(484)875-9121 Extension:
Mail To: LAWRENCE RUTLEDGE
339 BALA TER W
WEST CHESTER PA 19380

*** Current Account Status ***

Current Bill: \$0.00
Billed Prior: \$0.00
Balance Due: \$0.00
Service Address: 339 BALA TR
WEST CHESTER PA 19380
Credit Amount: \$0.00
Deposit Requested: \$0.00
Deposit On-Hand: \$0.00
Meter Bill Grp: 19
Rate: CAP Opt El Electric Residential Heating Svc

DATE	CHANGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH
04/22/13	Adjustment	02/26/13 03/27/13			\$315.00	\$422.89				
04/22/13	BUDGET BILLING									
04/22/13	Regular Bill	03/27/13 04/25/13			\$315.00	107.89	\$348.76		05/14	3215
04/26/13	BUDGET BILLING									
04/26/13	Regular Bill	03/27/13 04/25/13			\$315.00	83.92	\$597.52		05/20	2050
04/26/13	DEFERRED PAYMENT AGREEMENT				\$33.76					
04/26/13	Regular Bill	04/25/13 05/27/13			\$1147.89		\$1873.10		06/19	1710
05/20/13	Bill Out DPA due to Default				\$22.96					
05/21/13	Late Payment Charge				\$315.00		\$2188.10		07/16	1200
05/28/13	BUDGET BILLING				\$4.73					
05/28/13	Late Payment Charge	05/27/13 06/24/13			\$315.00		\$2503.10			
06/24/13	BUDGET BILLING									
06/24/13	Regular Bill	06/24/13 07/22/13			\$30.64		\$2188.10			
06/25/13	Late Payment Charge				\$35.37					
07/23/13	Late Payment Charge				\$315.00		\$2569.11		08/15	1503
07/24/13	BUDGET BILLING				\$315.00					
07/24/13	Regular Bill	07/24/13 08/22/13			\$28.00		\$2884.11			
08/13/13	Payment				\$315.00					
08/14/13	Payment				\$199.12					
08/16/13	Payment				\$200.00					
08/20/13	Payment				\$140.00					
08/20/13	Late Payment Charge				\$180.00					
08/22/13	PPA Forgiven				\$87.00					
08/22/13	BUDGET BILLING				\$199.12					
08/22/13	Pre-Program Arrears	07/24/13 08/22/13			\$315.00					
08/22/13	Regular Bill	08/22/13 09/13			\$199.12		\$2507.11		09/13	1742
09/05/13	LITHEAP Payment				\$200.00					
09/11/13	Payment				\$140.00					
09/12/13	Payment				\$180.00					
09/13/13	Payment				\$87.00					
09/18/13	Late Payment Charge				\$22.83					
09/20/13	PPA Forgiven				\$199.12					
09/20/13	Pre-Program Arrears				\$199.12					



09/23/13 BUDGET BILLING
 08/23/13 09/23/13
 ** Budget Bill Detail ** Actual Bill Amount: 296.68 BB Deferred Amount: -275.95 \$315.00
 09/23/13 Regular Bill
 10/01/13 RECONNECT FEE - CUT-OUT NON-PAY
 10/02/13 Payment \$20.00 \$518.41
 10/08/13 Payment \$250.00
 10/22/13 PPA Forgiven \$199.12
 10/22/13 BUDGET BILLING
 ** Budget Bill Detail ** Actual Bill Amount: 178.01 BB Deferred Amount: -412.94 \$315.00
 10/22/13 Late Payment Charge \$16.40
 10/22/13 Pre-Program Arrears \$199.12
 10/22/13 Regular Bill

CUAR038
 BECO Account Activity Statement

Date: 03/31/15
 Page: 2 of 3

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF
11/19/13	Late Payment Charge	10/22/13 11/20/13			\$17.60		\$1820.93	\$1505.93	11/13	1266	
11/20/13	BUDGET BILLING				\$315.00						
11/20/13	Regular Bill	** Budget Bill Detail **			Actual Bill Amount: 272.78	BB Deferred Amount: -455.16	\$2153.53	\$1838.53	12/12	1968	
11/25/13	Payment				\$400.00						
12/02/13	LIHEAP Payment				\$100.00						
12/19/13	PPA Forgiven				\$199.12						
12/19/13	Pre-Program Arrears				\$281.00						
12/26/13	BUDGET BILLING	11/20/13 12/26/13			\$281.00						
12/26/13	Regular Bill	** Budget Bill Detail **			Actual Bill Amount: 466.34	BB Deferred Amount: -269.82	\$1934.53	\$1653.53	01/17	3299	
01/30/14	BUDGET BILLING				12/26/13 01/30/14						
01/30/14	Regular Bill	** Budget Bill Detail **			Actual Bill Amount: 616.30	BB Deferred Amount: 65.48	\$2215.53	\$1934.53	02/21	4427	
02/25/14	BUDGET BILLING				01/30/14 02/25/14						
02/25/14	Regular Bill	** Budget Bill Detail **			Actual Bill Amount: 416.08	BB Deferred Amount: 200.56	\$2496.53	\$2215.53	03/19	2972	
03/14/14	LIHEAP Payment				\$500.00						
03/18/14	Payment Agreement				\$1996.53						
03/26/14	PPA Forgiven				\$199.12						
03/26/14	BUDGET BILLING	02/25/14 03/26/14			\$340.00						
03/26/14	DEFERRED PAYMENT AGREEMENT	** Budget Bill Detail **			Actual Bill Amount: 500.31	BB Deferred Amount: 360.87	\$423.19	\$2336.53	05/16	2211	
03/26/14	Pre-Program Arrears				\$83.19						
03/26/14	Regular Bill				\$199.12						
04/22/14	Bill Out DPA due to Default				\$1913.34						
04/24/14	BUDGET BILLING	03/26/14 04/24/14			\$340.00						
04/24/14	Regular Bill	** Budget Bill Detail **			Actual Bill Amount: 291.48	BB Deferred Amount: 312.35	\$2676.53	\$2336.53	05/16	2211	
05/06/14	Payment				\$423.19						
05/06/14	Payment Agreement				\$1913.34						
05/21/14	Late Payment Charge				\$5.10						
05/23/14	PPA Forgiven				\$199.12						
05/23/14	BUDGET BILLING	04/24/14 05/23/14			\$340.00						
05/23/14	DEFERRED PAYMENT AGREEMENT	** Budget Bill Detail **			Actual Bill Amount: 165.82	BB Deferred Amount: 138.17	\$768.29	\$345.10	06/17	1234	
05/23/14	Pre-Program Arrears				\$83.19						
05/23/14	Regular Bill				\$199.12						
06/23/14	Bill Out DPA due to Default				\$1830.15						

EXHIBIT "2"

CAP HISTORY

NAME: Lawrence Rutledge
ACCOUNT NUMBER: 17282-01707
ADDRESS: 339 Bala Trl
West Chester PA 19380
CASE: C-2015-2474309

- Account was enrolled on CAP Tier E1 on 12/19/11 based on verified monthly income of \$2,021.00 with 3 adults (Lawrence Rutledge, Donovan Rutledge, Alisha Rutledge) at 130% FPL.
- Re-certification completed 01/02/14 CAP Tier E1 based on verified monthly income of \$2,035.40 with 3 adults (Lawrence Rutledge, Donovan Rutledge, Alisha Rutledge) at 125% FPL.

Account 17282-01707 for LAWRENCE RUTLEDGE PECO

CAP Program for Account 17282-01707

Account Edit Help

Status					
Date Taken	CAP Rate	FPL %	Recertification Date	End Date	CAP Status
12/19/11	E1	125.00	01/02/16	/ /	Enrolled in Program

Account 17282-01707 for LAWRENCE RUTLEDGE - PECO

Account: CAP Program for Account 17282-01707

View CAP History for Account 17282-01707

Account Edit Help

Activity Date	CAP Activity	CAP Rate
01/02/14	Re-Certification completed	CAP Opt E1 Electric Residential Heating S
12/19/13	Sent CAP Application Packet	
12/04/13	Re-Certification Letter Sent	
11/19/13	Re-Certification Letter Sent	
09/19/13	Sent CAP Application Packet	
09/16/13	Sent CAP Application Packet	
12/19/11	Enrolled	CAP Opt E1 Electric Residential Heating S
12/19/11	PPA Changed	CAP Opt E1 Electric Residential Heating S
04/13/11	Sent CAP Application Packet	
05/05/11	Sent CAP Application Packet	

Task List

COMMENTS...

12/19/11

Account 17282-01707 for LAWRENCE RUTLEDGE - PECO

Account: Maintain Financial Statement History for Account 17282-01707

View Financial Statement Details for Account 17282-01707

dit Help

Statement Summary

Total Monthly Gross: \$2,021.00 Adults: 3 Children: SSN Not Matched Letter

Percentage Income Change: -19% Significant Life Event: [dropdown]

Statement Detail

Name: [dropdown] Type of Income: [dropdown] Total Monthly Income: \$0.00

Social Security Number

Current: [dropdown] New: [dropdown] Gender: [dropdown] Age: [dropdown] Rate Payer

Name	Rate Payer	Social Security Number	Age	Gender	Total Monthly Income	Type of Income
LAWRENCE RUTLEDGE	Y	***.**-5985	69	Male	1,347.00	Soc. Sec. Supplemental Incon
ALISHA RUTHLEDGE	N	***.**-9602	18	Female	1.00	Other
DONOVAN RUTHLEDGE	N	***.**-5684	21	Male	673.00	Social Security

Add Change Delete Undelete

01/02/14

Account 17282-01707 for LAWRENCE RUTLEDGE PECO

Account Edit Object Actions Help

Maintain Financial Statement History for Account 17282-01707

Statement Edit Help

View Financial Statement Details for Account 17282-01707

Edit Help

Statement Summary

Total Monthly Gross: Adults: Children: SSN Not Matched L

Percentage Income Change: Significant Life Event:

Statement Detail

Name: Type of Income: Total Monthly Income:

Social Security Number

Current: New: Gender: Age: Rate Paye

Name	Rate Payer	Social Security Number	Age	Gender	Total Monthly Income	Type of Income
LAWRENCE RUTLEDGE	Y	***-**-5985	71	Male	1,350.00	Social Security
ALESHA RUTLEDGE	N	***-**-9602	21	Female	0.00	Other
DONOVAN RUTLEDGE	N	***-**-5684	23	Male	685.40	Soc. Sec. Supplemental Inco

Account balance \$4,453.53 is CAP arrears.

EXHIBIT “3”



April 2, 2015

BCS Decision Report

BCS Case #: 003308284 Open Date: 2014-11-19
Customer Name: LAWRENCE RUTLEDGE
Service Address: 339 BALA TERRACE WEST

WEST CHESTER, PA 19380
BCS Bill Account #: 1728201707 Previous Case #:
Violation Type: NO Chapter Type:
Decision Type: Section / Rule:
Investigator Name: CLARK BERNARD

Decision Issued Date: 2014-11-24
Case Closed Date: 2014-11-24

Letter Description:
BLANK LETTER - DECISION

Total Balance:	\$4386.72	Balance Date:	2014-11-20
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		

Payment Terms:

PAR Description:

Resolution Description:
CASE DISMISSED. THE CUSTOMER SHOULD COMPLY WITH THE COMPANY'S
REQUEST FOR \$3,957.45 TO RESTORE SERVICE (\$3,937.45 BALANCE + \$20.00
RECONNECTION FEE). THE COMPANY REPORTS THAT THE CUSTOMER HAS
DEFAULTED ON TWO OR MORE PAYMENT ARRANGEMENTS. 52 PA. CODE ??
56.191 (C)(2)(I) ALLOWS THE COMPANY TO REQUEST FULL PAYMENT OF THE
OUTSTANDING BALANCE PLUS A RECONNECTION FEE IF THE CUSTOMER HAS
DEFAULTED ON TWO OR MORE PAYMENT ARRANGEMENTS. THE CUSTOMER'S
BALANCE CONTAINS CAP ARREARS. THEREFORE, THE CUSTOMER IS NOT
ELIGIBLE FOR A PUC PAYMENT ARRANGEMENT PER 1405 (C).

PECO ENERGY
EXHIBIT 3



April 8, 2015

Case Details Report

BCS Case #: 003308284
Customer Name: LAWRENCE RUTLEDGE
Service Address: 339 BALA TERRACE WEST

BCS Bill Account #: 1728201707

Mailing Address: WEST CHESTER, PA 19380

Home Phone: () -
Business Phone: () -
Business name: SON DONOVAN
Alternate contact:

Date Case Opened: 2014-11-19
PAR Case: Y
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000
Service class: R
Previous case #:

Date Cut Out: 2014-11-11

Universal Service: N
Contact Type: TELEPHONE
Amount in Arrears: \$0.00

Adults: 3
Children: 0
Children Ages:
Gross Income: \$1800.00
Miscellaneous Info:

Complaint Reason:
STRAIGHT OFF- SVC TERMINATED/SUSPENDED-NO DISPUTE- PAR NEEDED (# 82)

Customer Problem Description:
WANTS A PAYMENT ARRANGEMENT.

Company Position:
11/19/2014 WANTS \$3000 TO RESTORE SERVICE.

EXHIBIT “2”

Zaketa, Anita D.:(PECO)

From: Lee, Shawane L.:(PECO)
Sent: Monday, March 30, 2015 10:07 AM
To: Zaketa, Anita D.:(PECO)
Subject: Fwd: PA PUC eServe Notice

Hi Anita,

Here is another complaint just served. Please open.

Thanks

Begin forwarded message:

From: <eServe@pa.gov>
Date: March 30, 2015 at 10:00:42 AM EDT
To: <shawane.lee@exeloncorp.com>
Cc: <leslie.o'neill@exeloncorp.com>
Subject: PA PUC eServe Notice

Dear Shawane L Lee,

A(n) **Formal Complaint** has been served in this proceeding. This document is docketed as **C-2015-2474309**. 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.*

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.

RECEIVED
2015 MAR 26 PM 10:44
PA P.U.C. BUREAU
SECRETARY'S BUREAU

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 LAWRENCE RUTLEDGE
Street/P.O. Box 339 Bala Terr. W Apt #
City West Chester State PA Zip 19380
County CHESTER

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

(484) 798-7133 (home) () (mobile)

E-mail Address (optional):

Utility Account Number (from your bill) 1728201707

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):

- ELECTRIC WASTEWATER/SEWER
 GAS TELEPHONE/TELECOMMUNICATIONS (local, long distance)
 WATER MOTOR CARRIER (e.g. taxi, moving company, limousine)
 STEAM HEAT

4. Reason for Complaint

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

- The utility is threatening to shut off my service or has already shut off my service.
- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.
- Other (explain).

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.

MY DAD IS 73 AND MADE THE ARRANGEMENTS WITH PECC. HE WOULD NOT LET ANYONE READ HIS MAIL. HE HAD A VERY BAD STROKE IN APRIL OF 2014 WHERE HE LOST SPEECH BUT HAS GAINED MOST OF IT BACK STILL PUTS SOME WORDS IN THE WRONG PLACE, HE CANNOT WRITE BECAUSE HIS HAND IS CRAMPED UP FROM STROKE. I DID NOT KNOW WHAT WAS HAPPENING. I TRIED TO GET IT BACK ON BUT BECAUSE HE HAD PREVIOUSLY FAILED COMMITMENTS THEY WOULDNT LET US. I WOULD LIKE TO SWITCH IT OVER TO MY NAME AND TAKE OVER BILL, I DID TRY TO RAISE PAST DUE AMOUNT BUT IT WAS SET IN THE THOUSANDS AND I FOLLOWED EVERY LEAD, CALLED EVERY # IN PHONEBOOK WENT TO ALL THE CHURCHES AND I ONLY HAVE 700.00 WHICH IS WHAT I GET EVERY MONTH, MA DAD HAS A LOT OF MEDICAL PROBLEMS, HE HAD A HEART MONITOR UNTIL ELECTRIC WENT OUT IN NOVEMBER 2014. HE HAS HIGH BLOOD PRESSURE SOMETIMES LOW BLOOD PRESSURE. HE HAS A HISTORY OF BLOOD CLOTS, HE HAS HAD A HEART ATTACK + NUMEROUS SEIZURES AND STROKES, HAS 1 KIDNEY LEFT FUNCTIONING LOW. OUR WATER PIPE BROKE AS WELL BECAUSE OF THE COLD, WE NEED HELP! I WANT THINGS TO GET BETTER. I CARE FOR MY DAD AND GIVE HIM HIS MEDICATIONS AND DO MY BEST TO KEEP HIM ALIVE AND WARM.

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.

THE PUC DECIDED WE MUST PAY
THOUSANDS OF DOLLARS TO TURN IT BACK ON.

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.

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 Donovan Rutledge - Power of Attorney FULL LAWRENCE RUTLEDGE WHO CAN, hereby state that the facts ^{ONLY} above set forth are true and correct (or are true and correct to the best of my ^{KNOW} knowledge, information and belief) and that I expect to be able to prove the same at a ^B hearing held in this matter. I understand that the statements herein are made subject to ^L the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities). ^E

Donovan Rutledge
(Signature of Complainant)

2-22-15
(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:

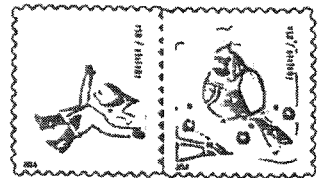
Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

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.

Rutledge
339 Bala Terr. W
West Chester, PA 19380



Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120