



An Exelon Company

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

Direct Dial: 215-841-6841

May 22, 2015

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

RE: Benjamin Nix, Jr. v. PECO Energy Company
PUC Docket No.: F-2015-2483444
PUC Docket No.: C-2015-2480909

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy's Motion to Consolidate* 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

SL/ab

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BENJAMIN NIX, JR.	:	
	:	
v.	:	DOCKET NO. C-2015-2480909
	:	DOCKET NO. F-2015-2483444
	:	
PECO ENERGY COMPANY	:	

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§ 5.102, you are hereby notified that, if you do not file a written response denying or correcting the enclosed Motion to Consolidate of PECO Energy Company, within 20 days from service of this notice, a ruling may be entered against you. All pleadings 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:
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, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, May 22, 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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BENJAMIN NIX, JR.	:	
	:	
v.	:	DOCKET NO. C-2015-2480909
	:	DOCKET NO. F-2015-2483444
	:	
PECO ENERGY COMPANY	:	

PECO ENERGY COMPANY’S MOTION TO CONSOLIDATE

Respondent, PECO Energy Company (“PECO”), pursuant to 52 Pa. Code § 5.81(a) respectfully petitions this Honorable Commission to consolidate the matters of Benjamin Nix, Jr. v. PECO Energy, the above referenced dockets because the two complaints are identical. In support of this request, PECO avers:

1. On or around May 7, 2015, PECO Energy was served by a Complaint filed by Complainant with the Pennsylvania Public Utility Commission (“PUC”) at Docket Number C-2015-2480909. A copy is attached as Exhibit “1”.
2. In the Complainant’s formal complaint, he alleged that PECO Energy was threatening to terminate or had already terminated his service. The Complainant states there are incorrect charges on his bill and that he is appealing the decision issued by the Bureau of Consumer Services.
3. Specifically, the Complainant ticked the box “Incorrect charges are on my bill”:
4. In his request for relief, the Complaint requested:

My name is R. Rose Taylor. I’m the mother and agent in the Power of Attorney. I will take over in the appeal against PECO. Because I was a witness to my son about this case. PECO abuse mental persons. Today is 4/30/15. Three days before I mail this a Formal Complaint. My son had received one investigation that the Utility Commission

**agree. From Commonwealth of PA Public Utility Commission
Bureau of Consumer Services PO Box 3265 Harrisburg PA 17105.
Any answer to this appeal send to Ms. R. Rose Taylor (mother and
agent in the Power Attorney POC Box 26756 Phila, PA 19134).**

See Exhibit “1”.

5. On or about May 21, 2015, PECO was served with another Complaint from Complainant at Docket No. F-2015-2483444, which is identical to the complaint filed at Docket No. C-2015-248090. A copy is attached as Exhibit “2”.

6. Pursuant to 52 Pa. Code § 5.101(b), PECO timely filed an Answer to both Complaints on May 22, 2015. A copy is attached as Exhibit “3”.

7. PECO Energy avers that the Complaints allege the same issues of service termination and “incorrect billing”.

8. These Complaints should be consolidated pursuant to 52 Pa. Code § 5.81 (a), which holds:

The Commission or presiding officer, with or without motion, may order proceedings involving a common question of law or fact to be consolidated. The Commission or presiding officer may make orders concerning the conduct of the proceeding as may avoid unnecessary costs or delay.

9. Both Complaints cover the same customer, address, and contain common questions of law and fact such that one hearing covering both Complaints will avoid unnecessary costs or delay to the Commission. Each Complaint relates to the same issues and facts, whether the Complainant’s electric service should be terminated and whether the Complainant’s bill is accurate.

10. Accordingly, the two Complaints should be consolidated to save the time, resources and the expense of the parties and the Commission.

WHEREFORE, PECO Energy Company respectfully requests that this Honorable Commission issue an Order consolidating the complaints at docket numbers C-2015-2480909 and F-2015-2483444. Both complaints were filed by the same customer and involve service termination and incorrect billing.

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**

BENJAMIN NIX, JR.	:	
	:	
v.	:	DOCKET NO. C-2015-2480909
	:	DOCKET NO. F-2015-2483444
	:	
PECO ENERGY COMPANY	:	

VERIFICATION

I, Shawane L. Lee, hereby declare that I am an attorney representing 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: May 22, 2015

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BENJAMIN NIX, JR.	:	
	:	
v.	:	DOCKET NO. C-2015-2480909
	:	DOCKET NO. F-2015-2483444
	:	
PECO ENERGY COMPANY	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of PECO Energy Company's Motion to Dismiss in the above matter upon all interested parties by mailing a copy thereof, properly addressed and postage prepaid to:

Benjamin Nix, Jr.
1428 North 53rd Street, 3rd Floor
Philadelphia, PA 19131

Dated at Philadelphia, Pennsylvania, May 22, 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

EXHIBIT 1

Botak, Amy:(PECO)

From: eServe@pa.gov
Sent: Thursday, May 07, 2015 9:22 AM
To: Lee, Shawane L.:(PECO)
Cc: Botak, Amy:(PECO)
Subject: PA PUC eServe Notice

Importance: High

Dear Shawane L Lee,

A(n) **Formal Complaint** has been served in this proceeding. This document is docketed as **C-2015-2480909**.

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.*

PECO ENERGY
EXHIBIT 1

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 BENJAMIN NIX, JR.
Street/P.O. Box 1428 N53 ST. Apt # 3RD FLR.
City PHILA State PA Zip 19131
County

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

(267) 444-4032 (home) () (mobile)

E-mail Address (optional): NONE.

Utility Account Number (from your bill) 0389013110

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.

RECEIVED

APR 30 2015

PA PUBLIC UTILITY COMMISSION 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):

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

4. Reason for Complaint

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

The utility is threatening to shut off my service or has already shut off my service.

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.

4/30/15
My name is Ms. R. Rose TAYLOR
I am the mother and Agent in the Power
of Attorney. I will take over in the
appeal against PECO. Because I was
a witness to my son. about this case
need abuse mental persons. Today
is 4/30/15. Three days before I mail
this a Formal Complaint. My son had received
one investigation that the Utility Commission
agree. From Commonwealth of PA
PA Public Utility Commission Bureau of
Consumer Services PO Box 3265 Harrisburg PA 17105

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.

Any answer to this Appeal send to.
MS. R. ROSE TAYLOR (mother and Agent in the Power
PO Box 26756 Phila PA 19134 Attorney

6. **Protection From Abuse (PFA)**

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. **Prior Utility Contact**

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

- c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. **Legal Representation**

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

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 BENJAMIN NIX JR, 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).



(Signature of Complainant)

4/30/15

(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.

MS. R R TAYLOR / Benjamin Nix Jr.
PO BOX 26756
Phila PA 19134

FIRST CLASS



1000

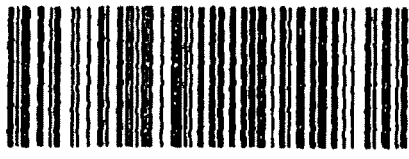


17120

U.S. POSTAGE
PAID
PHILADELPHIA, PA
19102
APR 30, 15
AMOUNT
\$4.00
00110621-23

Secretary
Pennsylvania Public Utility Commission
400 North St.
Harrisburg, Pennsylvania 17120

7014 1820 0000 9279 5841



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL

17120502114



EXHIBIT 2

Botak, Amy:(PECO)

From: eServe@pa.gov
Sent: Thursday, May 21, 2015 2:02 PM
To: Lee, Shawane L.:(PECO)
Cc: Botak, Amy:(PECO)
Subject: [EXTERNAL] 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-2015-2483444**. 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 2

2 Time

Timely
BCS: 3276679
PECO ENERGY

Must be returned by May 27, 2015

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 BENJAMIN NIX JR.

Street/P.O. Box 1428 N53 ST Apt # 3RD FLR.

City PHILA State PA Zip 19131

County _____

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

(267) 444 4032 (home) () (mobile)

E-mail Address (optional): none

Utility Account Number (from your bill) _____

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

PECO **RECEIVED**

MAY 18 2015

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 name is Ms. R. Rose Taylor. I'm the mother and agent in the Power of Attorney to Benjamin Nix Jr. I will take over in the appeal against PECO. Because I was a witness to my son, about this case. PECO abuse mental persons. Today I mail for the second time this form 4/30/15. First time 4/30/15. Three days before was mailed this form for the first time. My son have received papers of one investigation, that was negative for my son and was acceptable for the Public Utility Commission. (This is a second complaint all the papers are signed. Any answer to this appeal send to MS. R. Rose Taylor (mother and agent in the Power Attorney) PO Box 26756 Phila PA 19134
B Nix Jr.

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.

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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.

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Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. **Prior Utility Contact**

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

- c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. **Legal Representation**

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

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 BENJAMIN NIX JR., 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).

B. Nix, Jr. _____ 5/12/15 _____
(Signature of Complainant) (Date)

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not signed** by one of these individuals, the PUC **will not accept it**.

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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.

Benjamin Nix Jr.
1428 N 53rd St
C/O P.O. Box 26756
Phila PA 19134

U.S. POSTAGE PAID PHILADELPHIA, PA 19102 MAY 15, 15 AMOUNT \$4.00 00110821-13



1000



17120

Secretary
Pennsylvania Public Utility
Commission
400 North St
Harrisburg Pennsylvania 17120

7013 1710 0000 4748 9691

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



7013 1710 0000 4748 9691

1712030211


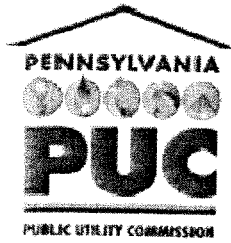


EXHIBIT 3



PENNSYLVANIA
PUBLIC UTILITY COMMISSION

CONSUMERINFO UTILITY&INDUSTRY FILING&RESOURCES ABOUTPUC CONTACTUS

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

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- [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-2015-2483444
Description:	Benjamin Nix, Jr. - PECO Energy Company Answer to the Formal Complaint
Transmission Date:	5/22/2015 10:20:48 AM
Filed On:	5/22/2015 10:20:48 AM
eFiling Confirmation Number:	1592915

Uploaded File List

File Name	Document Class	Document Type
Benjamin Nix, Jr. - Answer to Formal Complaint.pdf	Communication	Answer to Formal Complaint

PECO ENERGY
EXHIBIT 3



An Exelon Company

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

Direct Dial: 215-841-6841

May 22, 2015

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

RE: Benjamin Nix, Jr. v. PECO Energy Company
PUC Docket No.: F-2015-2483444

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy'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 horizontal flourish extending to the right.

Shawane Lee
Counsel for PECO Energy Company

SL/ab

cc: *Scheduling Recommendation: CALL OF THE DOCKET*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BENJAMIN NIX, JR.	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2015-2483444
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On May 7, 2015, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Benjamin Nix, Jr. (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 complaint, Complainant states that PECO Energy is threatening to terminate or has already terminated his service. The Complainant states there are incorrect charges on his bill and that he is appealing the decision issued by the Bureau of Consumer Services.

PECO Energy's records reveal that the Complainant had service at 4840 East Roosevelt Boulevard, 3rd Floor, Philadelphia, PA 19124 under account number 13613-12068. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant made no payments to his account while residing at this address. On April 17, 2013, the Complainant's service was

terminated for a past due balance of \$1,299.55. The Complainant did not have the service restored. Accordingly, the service was discontinued on May 21, 2013, and a final bill issued for \$1,569.88. See Exhibit "1".

On June 13, 2013, the Complainant submitted a medical certificate to have service restored at 4840 Roosevelt Boulevard, 3rd Floor. Accordingly, PECO Energy established a new account for the Complainant on June 13, 2013 under account number 13613-12086. See Account Activity Statement, attached hereto as Exhibit "2". On June 17, 2013, PECO transferred the Complainant's unpaid \$1,569.88 balance from account number 13613-12068 into the Complainant's new account. The Complainant made no payments to his account while residing at this address. Accordingly, on August 21, 2013, PECO Energy terminated the Complainant's service for a past due balance of \$1,717.12. On September 14, 2013, a new applicant applied for service and placed service in their name. On September 16, 2013, PECO Energy issued a final bill in the amount of \$1,763.45 and mailed it to the Complainant at the service address. See Exhibit "2".

On December 13, 2013, the Complainant contacted the company to apply for service at 1428 North 53rd Street, 3rd Floor, Philadelphia, PA 19131. The company advised the Complainant that he had an unpaid balance in the amount of \$1,763.45 from his service at 4840 East Roosevelt Boulevard, 3rd Floor. The Complainant advised that he had moved from the property in August 2013; and therefore, his bill should not be that high. Accordingly, PECO Energy cancelled charges from August 16, 2013 through September 14, 2013 for 14 kilowatt hours in the amount of \$9.71. The company also cancelled late payment charges of \$21.78. The Complainant was charged \$1.24 for charges from 8/16/13 - 8/20/13. On January 18, 2014, PECO Energy established an account for service at 1428 North 53rd Street, 3rd Floor under

account number 03890-13110. See Account Activity Statement, attached hereto as Exhibit “3”. On January 27, 2014, PECO Energy transferred a \$1,763.45 balance from the Complainant’s account number 13613-12068 into the Complainant’s new account. The balance included the \$9.71 adjustment for the charges billed from August 16, 2013 through September 14, 2013 and \$21.78 in late payment charges.

On July 28, 2014, the Complainant enrolled in PECO’s Customer Assistance Program (“CAP”) under Tier E. Due to the Complainant’s CAP enrollment, the company placed the Complainant’s \$1,878.18 balance on a sixty (60) month payment agreement. The Complainant is actively enrolled in the CAP program. The agreement defaulted on October 18, 2014. The Complainant is next scheduled to recertify in the program on July 28, 2016.

On August 20, 2014, the Complainant filed an informal complaint with the Bureau of Consumer Services (“BCS”) at case number 003276679. In his informal complaint, the Complainant stated that he had moved out of the property back in January 2014 and the company billed him from September 2013 until now. See Case Details Report #003276679, attached hereto as Exhibit “4”. On April 23, 2015, the BCS issued a Decision Report, dismissing the Complainant’s informal complaint as follows:

THE UTILITY COMPANY ADJUSTED YOUR BILLING FOR THE 4840 EAST ROOSEVELT BLVD, 3RD FLOOR AND CANCELLED A TOTAL OF \$31.49 AND THEN REBILLED YOU FOR 2 KWH’S INSTEAD OF THE 14 KWH’S THAT YOU WERE ORIGINALLY CHARGED FOR. ON 9/17/14, YOU WERE CONTACTED BY THE UTILITY COMPANY AND AFTER A THOROUGH REVIEW, YOU STATED THAT YOU UNDERSTOOD AND WERE SATISFIED.

See BCS Decision Report #003276679, attached hereto as Exhibit “5”.

The Complainant's balance is \$1,829.25. See Exhibit "3". PECO Energy avers that the Complainant is responsible for the \$1,763.45 balance transferred from 4840 East Roosevelt Boulevard, 3rd Floor.

Pursuant to **52 Pa. Code § 56.35– Payment of Outstanding Balance.**

(a) A public utility may require, as a condition of the furnishing of residential service to an applicant, the payment of any outstanding residential account with the public utility which accrued within the past 4 years for which the applicant is legally responsible and for which the applicant was billed properly.

By way of further response, PECO Energy avers that pursuant to 66 Pa. C.S. §1405(c), the Complainant is not entitled to a payment agreement on a portion of his balance as it is comprised of CAP arrears.

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.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,



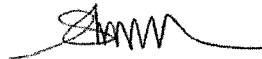
Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BENJAMIN NIX, JR.	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2015-2483444
	:	
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: May 22, 2015

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BENJAMIN NIX, JR.	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2015-2483444
	:	
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:

Benjamin Nix, Jr.
1428 North 53rd Street, 3rd Floor
Philadelphia, PA 19131

Dated at Philadelphia, Pennsylvania, May 22, 2015.



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

EXHIBIT “1”

*** Account Information ***
 *** Current Account Status ***

Account Number: 1613-12068
 Account Status: Final
 Requested By: BENJAMIN NIX JR
 BENJAMIN NIX JR
 (267) 444-4032 Extension:
 Mail To: BENJAMIN NIX JR
 APT 3
 4840 ROOSEVELT BLVD
 PHILADELPHIA PA 19124
 Current Bill: \$0.00
 Billed Prior: \$0.00
 Balance Due: \$0.00
 Service Address: 4840 E ROOSEVELT BL
 RD FL
 PHILADELPHIA PA 19124
 Meter Bill Grp: 12
 Rate: Electric Residential Heating Service

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KW
09/12/12	Late Payment Charge											
09/18/12	ELECTRIC SERVICE	08/15/12 09/13/12	718	031015965	\$9.30		\$9.30					
09/18/12	ELE-Liberty Power Holdings				\$22.52		\$22.52					
09/19/12	Regular Bill				\$26.39		\$26.39					
10/16/12	Late Payment Charge											
10/17/12	ELECTRIC SERVICE	09/13/12 10/14/12	900	031015965	\$10.04		\$10.04					
10/17/12	ELE-Liberty Power Holdings				\$14.55		\$14.55					
10/17/12	Regular Bill				\$18.76		\$18.76					
11/13/12	Late Payment Charge											
11/15/12	ELECTRIC SERVICE	10/14/12 11/12/12	937	031015965	\$10.54		\$10.54					
11/15/12	ELE-ADDITIONAL METER				\$19.73		\$19.73					
11/15/12	ELE-Liberty Power Holdings				\$29.39		\$29.39					
11/15/12	Regular Bill											
11/15/12	Late Payment Charge											
11/19/12	ELECTRIC SERVICE	11/12/12 12/13/12	764	118945841	\$11.26		\$11.26					
12/11/12	ELE-Liberty Power Holdings				\$28.11		\$28.11					
12/12/12	Regular Bill				\$53.19		\$53.19					
01/18/13	Late Payment Charge											
01/22/13	ELECTRIC SERVICE	12/13/12 01/16/13	1530	118945841	\$12.48		\$12.48					
01/22/13	ELE-Liberty Power Holdings				\$39.65		\$39.65					
01/22/13	Regular Bill				\$79.96		\$79.96					
02/19/13	Late Payment Charge											
02/20/13	ELECTRIC SERVICE	01/16/13 02/17/13	2470	118945841	\$14.25		\$14.25					
02/20/13	ELE-Liberty Power Holdings				\$47.02		\$47.02					
02/20/13	Regular Bill				\$95.90		\$95.90					
03/19/13	Late Payment Charge											
03/20/13	ELECTRIC SERVICE	02/17/13 03/18/13	3291	118945841	\$16.41		\$16.41					
03/20/13	ELE-Liberty Power Holdings				\$41.97		\$41.97					
03/20/13	Regular Bill				\$84.63		\$84.63					
04/16/13	ELECTRIC SERVICE	03/18/13 04/15/13	3786	118945841	\$28.07		\$28.07					
04/16/13	ELE-Liberty Power Holdings				\$51.03		\$51.03					
04/16/13	Late Payment Charge											
04/16/13	Regular Bill				\$18.31		\$18.31					
05/14/13	Late Payment Charge											
05/15/13	ELECTRIC SERVICE	04/15/13 05/14/13	3804	118945841	\$19.50		\$19.50					
05/15/13	ELE-Liberty Power Holdings				\$7.84		\$7.84					
05/15/13	Regular Bill				\$1.86		\$1.86					
05/22/13	ELECTRIC SERVICE	05/14/13 05/17/13	3904	118945841	\$0.71		\$0.71					
05/22/13	ELE-Liberty Power Holdings											
05/22/13	Regular Bill											
06/17/13	Transfer					\$1569.88		\$1569.88				

All Readings Are Actual Unless Otherwise Noted.



EXHIBIT “2”

*** Account Information ***

Account Number: 13513-12086
Account Status: Final
Requested By: BENJAMIN NIX JR
(267) 444-4032 Extension:

Mail To: BENJAMIN NIX JR
APT 3
4840 ROOSEVELT BLVD
PHILADELPHIA PA 19124

Current Bill: Billed Prior: Balance Due: Service Address: 4840 E ROOSEVELT BL
3RD FL
PHILADELPHIA PA 19124

Credit Amount: \$0.00
Deposit Requested: \$0.00
Deposit On-Hand: \$0.00
Meter Bill Grp: 12
Rate: Electric Residential Heating Service

*** Current Account Status ***

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF	KW
06/13/13	CANCELLED DEPOSIT				\$50.00		\$50.00					
06/14/13	ELECTRIC SERVICE	06/13/13 06/14/13	3894	118945841	\$0.23		\$0.23					
06/14/13	CONNECTION CHARGE - STANDARD				\$6.00		\$6.00					
06/17/13	Transfer Debt from 13513-12086											
07/15/13	REGULAR BILL	06/14/13 07/15/13	4295	118945841	\$1,569.88		\$1,569.88		07/08			
07/15/13	ELECTRIC SERVICE				\$66.01		\$66.01					
07/15/13	CANCELLED DEPOSIT				\$25.00		\$25.00					
08/13/13	REGULAR BILL											
08/13/13	Late Payment Charge				\$20.65		\$20.65		08/06	401		
08/16/13	ELECTRIC SERVICE	07/15/13 08/16/13	4540	118945841	\$56.31		\$56.31					
08/16/13	CANCELLED DEPOSIT				\$25.00		\$25.00					
08/16/13	REGULAR BILL											
09/12/13	CANCELLED ELECTRIC SERVICE											
09/12/13	DEPOSIT	08/16/13 09/12/13	4594	118945841	\$9.23		\$9.23		09/09	335		
09/12/13	REGULAR BILL											
09/16/13	CANCELLED ELECTRIC SERVICE											
09/16/13	REGULAR BILL	09/12/13 09/16/13	4554	118945841	\$0.48		\$0.48		10/04	14		
09/16/13	Late Payment Charge				\$21.49		\$21.49					
10/16/13	REGULAR BILL											
10/16/13	Late Payment Charge				\$21.64		\$21.64		10/08			
11/15/13	Late Payment Charge				\$0.14		\$0.14					
12/27/13	Late Payment Charge				\$21.64		\$21.64					
12/27/13	CONNECTION ERROR											
12/27/13	ELECTRIC SERVICE	08/16/13 08/20/13	4542	118945841	\$1.24		\$1.24		01/21	2		
12/27/13	REGULAR BILL											
01/27/14	Transfer											

All Readings Are Actual Unless Otherwise Noted.

Handwritten signature and date: 09/17/14

EXHIBIT “3”

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCP	KW
02/04/15	Regular Bill	02/04/15 03/05/15	2830	122114332	\$14.13	\$14.68	\$1830.26	\$1815.58	02/26	112		
02/16/15	Payment											
03/05/15	ELECTRIC SERVICE	03/05/15 04/03/15	2833	122114332	\$13.58	\$14.13	\$1829.71	\$1815.58	03/27	109		
03/05/15	Regular Bill											
03/12/15	Payment											
04/03/15	ELECTRIC SERVICE	04/03/15 05/04/15	2737	122114332	\$13.67	\$13.58	\$1829.16	\$1815.58	04/27	103		
04/03/15	Regular Bill											
04/13/15	Payment											
05/04/15	ELECTRIC SERVICE											
05/04/15	Regular Bill						\$1829.25	\$1815.58	05/26	104		

All Readings Are Actual Unless Otherwise Noted.

EXHIBIT “4”

Exelon.

May 20, 2015

Company Position:
PECO ELECTRIC IS ASKING FOR \$1300.

EXHIBIT "5"



May 20, 2015

BCS Decision Report

BCS Case #: 003276679 Open Date: 2014-08-20
Customer Name: BENJAMIN NIX JR
Service Address: 1428 N 53RD ST 3RD FL

PHILADELPHIA, PA 19131
BCS Bill Account #: 8888888888 Previous Case #:
Violation Type: NO Chapter Type:
Decision Type: W Section / Rule:
Investigator Name: JAMIE HENRY

Decision Issued Date: 2015-04-23
Case Closed Date: 2015-04-21

Letter Description:
EGW PAR W/COMPLEX DISPUTE/NO PAYMENT AGREEMENT/LEVEL 1

Total Balance:	\$1815.38	Balance Date:	2015-03-16
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$32.00
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 CLOSED WITH A DECISIONAS OF UPDATED INFORMATION RECEIVED FROM PECO ENERGY ON 3/16/15, YOUR ACCOUNT BALANCE OWED IS \$1,815.58 WHICH INCLUDED \$127.19 OWED IN CAP ARREARS. YOU HAD A CURRENT BILL OWED OF \$14.13 DUE 3/27/15. THE COMPANY STATED THAT THE LAST CUSTOMER PAYMENT POSTED TO THE ACCOUNT ON 3/12/15 FOR \$14.13. THE BASE BUDGET AMOUNT AT YOUR PROPERTY WAS \$25.00. THE UTILITY COMPANY ADJUSTED YOUR BILLING FOR THE 4840 EAST ROOSEVELT BLVD, 3RD FLOOR AND CANCELLED A TOTAL OF \$31.49 AND THEN REBILLED YOU FOR 2 KWH??S INSTEAD OF THE 14 KWH??S THAT YOU WERE ORIGINALLY CHARGED FOR. ON 9/17/14, YOU WERE CONTACTED BY THE UTILITY COMPANY AND AFTER A THOROUGH REVIEW, YOU STATED THAT YOU UNDERSTOOD AND WERE SATISFIED. THE UTILITY COMPANY ACTED IN ACCORDANCE WITH THE

Exelon.

REGULATIONS AT CHAPTER 56, 56.16 (A) REGULATIONS. CLOSING CASE,
DISPUTE, DECISION RENDERED. **May 20, 2015**