

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Deree J. Norman)	
)	
Complainant)	C-2015-2472605
)	
Vs.)	
)	
PECO Energy Company)	
)	
Respondent)	
)	

**COMPLAINANT DERE J. NORMAN’S MOTION TO SANCTION PECO
ENERGY COMPANY AND ATTORNEY SHAWANE L. LEE FOR
PROFESSIONAL MISCONDUCT, VIOLATION OF PUBLIC
UTILITY RULES AND VIOLATION OF 18 Pa. C.S. § 4904**

INTRODUCTION

Complainant Deree J. Norman respectfully moves this Honorable Commission to Sanction PECO Energy Company (PECO) and Attorney Shawane L. Lee (Mrs. Lee) for Professional Misconduct, violation of Public Utility Rules and violation of 18 Pa. C.S. § 4904.

By and through their attorney Mrs. Lee, PECO, intentionally presented fraudulent statements to this Commission in its Motion for a Continuance. This juvenile attempt to undermine the credibility of the Complainant in regards to his

willingness to be cooperative in seeking a resolution to this matter should be looked upon unfavorably by this Commission. In addition PECO deliberately delayed the distribution of the aforesaid Motion.

Sanctions should be awarded to the Complainant for the unlawful transgressions committed by PECO by and through their attorney Mrs. Lee. The Complainant incorporates herein by reference, a Memorandum of Law in Support of Complainant's Motion to Sanction PECO Energy Company (PECO) and attorney Shawane L. Lee (Mrs. Lee) for Professional Misconduct, violation of Public Utility Rules and violation of 18 Pa. C.S. § 4904.

June 3, 2015

Respectfully submitted,

By: /s/ Deree J. Norman
Deree J. Norman
5367 Thomas Ave
Philadelphia, PA 19143
dereenorman@yahoo.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Deree J. Norman)	
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Complainant)	C-2015-2472605
)	
Vs.)	
)	
PECO Energy Company)	
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Respondent)	
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**COMPLAINANT DERE J. NORMAN’S MEMORANDUM OF LAW IN
SUPPORT OF A MOTION TO SANCTION PECO ENERGY COMPANY AND
ATTORNEY SHAWANE L. LEE FOR PROFESSIONAL MISCONDUCT,
VIOLATION OF PUBLIC UTILITY RULES AND
VIOLATION OF 18 PA. C.S. § 4904**

I. INTRODUCTION

Complainant Deree J. Norman respectfully moves this Honorable Commission to Sanction PECO Energy Company (PECO) and attorney Shawane L. Lee (Mrs. Lee) for Professional Misconduct, violation of Public Utility Rules and violation of 18 Pa. C.S. § 4904.

By and through their attorney Mrs. Lee, PECO, intentionally presented fraudulent statements to this Commission in their Motion for a Continuance. This juvenile attempt to undermine the credibility of the Complainant in regards to his

willingness to be cooperative in seeking a resolution to this matter should be looked upon unfavorably by this Commission. In addition PECO deliberately delayed the distribution of the aforesaid Motion. Sanctions should be awarded to the Complainant for the unlawful malfeasance committed by PECO by and through their attorney.

II. SUMMARY OF EVENTS

On May 21, 2015 at 6:25 AM Mrs. Lee sent an e-mail to the Complainant informing the Complainant that PECO wished to perform a high bill field investigation. **(Exhibit 1)** Mrs. Lee made no mention or attachment of a formal Motion for a Continuance in the aforementioned e-mail.

On May 21, 2015 at 11:35 AM Amy Botak, Legal Administrative Assistant to Mrs. Lee, sent an e-mail to the Complainant on Mrs. Lee's behalf inquiring as to the Complainant's position on consenting to a continuance. **(Exhibit 2)** Again there was no mention or attachment of a formal Motion for a Continuance.

On May 26, 2015 at 9:46 AM Complaint received a voice mail from Leah of the Public Utility Commission (PUC) who was calling on behalf of the Honorable Mary D. Long. Upon speaking with Leah the Complaint was instructed to write a letter of consent or objection to a continuance in the above captioned case. At no time was the Complainant informed that a formal Motion had ever been filed.

On May 28, 2015 at 1:14 PM the Complaint e-mailed to Amy Botak with Mrs. Lee Copied, a response to whether a continuance should be issued. **(Exhibit 3)** This information was also faxed to Judge Long's attention on May 28, 2015 at 1:29 PM. **(Exhibit 4)**

On May 28, 2015, after receiving the e-mail from the Complainant, PECO mailed a copy of the formal Motion for a Continuance to the Complainant

1. PECO's Motion has a prepaid metered Pitney Bowes postage stamp dated May 22, 2015. **(Exhibit 5)** However, the United States Postal Service has a standing alert on file in regards to the Complainant's address to stamp a delivery date on any local mail from zip codes 19101, 19103, 19104, 19106 and 19107 received more than 6 day after a metered prepaid postage date. *(See Exhibit 5 – USPS Kingsessing Postal Station Stamp date May 29, 2015)*
2. The Complainant's phone records also clearly show that no calls were received from PECO between May 15, 2015 and May 22, 2015 that could have possibly been in regards to a continuance. **(Exhibit 6)**
3. PECO also cannot produce any e-mails, a phone log or a letter that would corroborate their claim as stated in (Item 8.) of their Motion which reads *“several attempts to contact the Complainant, Deree Norman to obtain consent; however, Mr. Norman has not responded to the company.”*

III. ARGUMENT

A. Sanctions Should be Imposed on PECO

1. The Court Should Grant The Plaintiff's Motion Because PECO Is Responsible for Its Employee's Actions.

It is the Complainant's position that PECO is culpable because they should be fully aware of the actions of their in-house council. *(See: Pa. 81.4 R. P. C. 1.13 and 4.1)*

B. Sanctions to be Imposed on Attorney Shawane L. Lee

1. The Commission Should Grant the Complainant's Motion Because Attorney Shawane L. Lee Deliberately Executed and Submitted to this Commission a Document That Contained False Information.

Mrs. Lee's Motion is not well grounded in facts. As shown in exhibits 1, 2 and 6 there was barely a single mention of a continuance. The mere mention that there were several attempts made to contact the Complainant is an utter falsification of the truth. Mrs. Lee's actions are a direct violation of Public Utility Rules under Title 52, Chapter 1, Subchapter D, § 1.35(c)(iii) as well as 18 Pa. C.S. § 4904.

IV. CONCLUSION

These types' sophomoric antics should not be tolerated by this Commission. Furthermore if this is how PECO plans to address the matters at hand, this Commission has the responsibility to stop them before they get out of control. It is both an insult to the Complainant's intelligence and a clear sign of disrespect to the Complainant. In no way should Complainant be subjected to such trivial tactics of misrepresentation in an attempt to undermine his credibility as well as generate an sense of non-cooperation in an effort to bias this Honorable Commission. There is no uncertainty that the actions of PECO, by and through their Attorney Shawane L. Lee, were in violation of the law. In the interest of justice and notwithstanding the outcome of the now canceled telephonic trial, sanctions should be entered against PECO in the amount of \$5,000.00 and Attorney Shawane L. Lee in the amount of \$500.00. This should be paid to the Complainant immediately upon the granting of this Motion.

V. RELEIF

For the foregoing reasons wherefore, the Complainant, Deree J. Norman respectfully requests and prays this Honorable Commission grant his Motion to Sanction PECO Energy Company (PECO) and attorney Shawane L. Lee (Mrs. Lee) for Professional Misconduct, violation of Public Utility Rules and violation of 18 Pa. C.S. § 4904.

June 3, 2015

Respectfully submitted,

By: /s/ Deree J. Norman
Deree J. Norman
5367 Thomas Ave
Philadelphia, PA 19143
dereenorman@yahoo.com

CERTIFICATE OF SERVICE

I, Deree J. Norman, do hereby certify that on June 3, 2015 a true and correct copy of the Complainant's Motion to Sanction PECO Energy Company and Attorney Shawane L. Lee and a Memorandum of Law in Support of Complainant's Motion to Sanction PECO Energy Company and Attorney Shawane L. Lee was delivered to the addresses listed below via electronic delivery.

Shawane L. Lee Esquire
Attorney for Respondent PECO Energy Company
Exelon Business Services
2301 Market Street S23-1
Philadelphia, PA 19103
Shawane.Lee@exeloncorp.com

Amy Botak
Legal Admin Asst: for Respondent PECO Energy Company
Exelon Business Services
2301 Market Street S23-1
Philadelphia, PA 19103
Amy.Botak@exeloncorp.com

Honorable Mary D. Long
Administrative Judge for the Pa. Public Utility Commission
Pa. Public Utility Commission
Piatt Place, Suite 220
301 5th Ave
Pittsburgh, PA 15222

Date: June 3, 2015

By: /s/ Deree J. Norman
Deree J. Norman

Exhibit 1

[Print](#) - [Close Window](#) - Click More at the bottom of the email to print single message

Subject:	RE: Deree Norman v. PECO (C2472605)
From:	Lee, Shawane L.:(PECO) (Shawane.Lee@exeloncorp.com)
To:	dereenorman@yahoo.com;
Cc:	teresa.ferrier@peco-energy.com;
Date:	Thursday, May 21, 2015 6:25 AM

Mr. Norman,

PECO would like to perform a high bill field investigation, which will include the following:

Verify the meter at the property

Take a check reading of the meter to verify the accuracy of the last billed reading.

Complete an analysis of use to verify the potential for billed use

Complete a passing load check to verify meter accuracy

Verify no foreign wiring, grounds, or dissipation problems exist at the time of the filed visit.

Perform an instrument test of the meter

At your soonest convenience, kindly confirm a date and time you are available for the technician to visit.

Thank you.

Exhibit 2

[Print - Close Window](#) - Click More at the bottom of the email to print single message

Subject:	Deree Norman v. PECO (C2472605)
From:	Botak, Amy:(PECO) (Amy.Botak@exeloncorp.com)
To:	Dereenorman@yahoo.com;
Cc:	Shawane.Lee@exeloncorp.com;
Date:	Thursday, May 21, 2015 11:35 AM

Mr. Norman:

Per Shawane Lee, I am writing to request if you will consent to a continuance of the hearing that is scheduled for June 29th. Please let me know.

Thanks so much,

Amy

Amy Botak

Legal Administrative Assistant

PECO Energy Legal Department

2301 Market Street, S23-1, Philadelphia, PA 19103

Office: 215 841 5121 | Fax: 215 568 3389

amy.botak@exeloncorp.com

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Exhibit 3

[Print](#) - [Close Window](#) - Click More at the bottom of the email to print single message

Subject:	Re: Deree Norman v. PECO (C2472605)
From:	Deree Norman (dereenorman@yahoo.com)
To:	Amy.Botak@exeloncorp.com;
Cc:	Shawane.Lee@exeloncorp.com;
Date:	Thursday, May 28, 2015 1:14 PM

Good Afternoon Ms. Botak,

In reference to: C-2015-2472605

Attached Please find my response to your request for a continuance. This information was also forwarded to Judge Mary D Long via fax, as per her request.

Thank you have a blessed day

Sincerely,

Deree J. Norman
5367 Thomas Ave
Philadelphia, PA 19143
267-257-5108
dereenorman@yahoo.com

Exhibit 4

Transaction Report

Send

Transaction(s) completed

No.	TX Date/Time	Destination	Duration	P. #	Result	Mode
414	MAY-28 13:29	4125655692	0'00'28"	004	OK	N ECM

► FaxCoverSheet

5/28/2015

From: Deree J. Norman
Phone: 267-257-5108
Fax: _____

Re: C-2015-2472605

To: Judge Mary D. Long
Phone: 412-565-3550
Fax: 412-565-5692
Company Name: Pa. Public Utility Commission

Comments:

Attach please find the Complainants response to Respondent (PECO's) request for a continuance

Exhibit 5

Lee

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

Exelon®

Business Services
Company



U.S. POSTAGE >> PITNEY BOWES



ZIP 19103 \$ 001.19⁰
02 1W
0001375901MAY 22 2015

*Deree Norman
5367 Thomas Avenue
Philadelphia PA 19143*

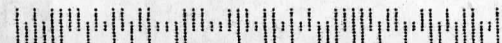


Exhibit 6

Account Activity for: (267) 257-5108Page 14 of
21< Previous (/myaccount/accountHistory.do?currentPage=13) | Next >
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05/14/2015 - 02:17 PM	(267) 257-5108	00:01	0	Cellular
05/14/2015 - 02:13 PM	(215) 468-8300	00:04	0	Cellular
05/14/2015 - 01:52 PM	(775) 322-0444	00:02	0	Cellular
05/14/2015 - 01:51 PM	(267) 257-5108	00:01	0	Cellular
05/14/2015 - 01:41 PM	(301) 821-5431	00:06	0	Cellular
05/14/2015 - 01:24 PM	(610) 662-6714	00:01	0	Cellular
05/14/2015 - 10:27 AM	(610) 662-6714	00:01	0	Cellular
05/14/2015 - 10:20 AM	611	00:06	0	Cellular
05/14/2015 - 10:17 AM	611	00:01	0	Cellular
05/14/2015 - 09:45 AM	(301) 821-5431	00:32	31	Cellular
05/14/2015 - 08:25 AM	(267) 257-5108	00:02	2	Cellular
05/14/2015 - 03:51 AM	(267) 257-5108	00:01	1	Cellular
05/14/2015 - 02:34 AM	(267) 257-5108	00:48	48	Cellular
05/13/2015 - 05:50 PM	611	00:01	0	Cellular
05/13/2015 - 03:50 PM	(267) 257-5108	00:01	1	Cellular
05/13/2015 - 03:30 PM	(610) 352-9100	00:03	3	Cellular
05/13/2015 - 03:13 PM	(267) 257-5108	00:01	1	Cellular
05/13/2015 - 03:10 PM	(267) 257-5108	00:01	1	Cellular
05/13/2015 - 03:07 PM	(267) 303-3886	00:01	1	Cellular

Account Activity for: (267) 257-5108Page 13 of
21< Previous (/myaccount/accountHistory.do?currentPage=12) | Next >
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Date/Time (/myaccount/accountHistory.do? orderBy=RECORD_DATE_DES)	To/From (/myaccount/accountHistory.do? orderBy=RECORD_FROM)	Duration (/myaccount/accountHistory.do? orderBy=RECORD_DURATION)	Total Minutes Used	Type (/myaccount/accountHistory.do? orderBy=RECORD_TYPE)
05/15/2015 - 04:57 PM	(215) 687-3703	00:02	0	Cellular
05/15/2015 - 04:56 PM	(215) 748-0882	00:01	0	Cellular
05/15/2015 - 04:30 PM	(215) 662-2250	00:06	0	Cellular
05/15/2015 - 04:34 PM	(267) 257-5108	00:02	0	Cellular
05/15/2015 - 01:50 PM	(215) 925-1212	00:04	0	Cellular
05/15/2015 - 01:49 PM	(215) 925-6110	00:01	0	Cellular
05/15/2015 - 01:48 PM	(215) 334-2188	00:01	0	Cellular
05/15/2015 - 01:46 PM	(215) 332-8115	00:01	0	Cellular
05/15/2015 - 01:45 PM	(215) 334-2188	00:01	0	Cellular
05/15/2015 - 01:30 PM	(215) 748-0882	00:02	0	Cellular
05/15/2015 - 11:41 AM	(610) 259-4712	00:11	0	Cellular
05/15/2015 - 11:38 AM	(717) 787-8327	00:03	0	Cellular
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05/14/2015 - 02:48 PM	(215) 327-4892	00:01	0	Cellular

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05/17/2015 - 09:04 PM	(215) 748-5098	00:01	0	Cellular
05/17/2015 - 03:19 PM	(267) 432-1423	00:02	0	Cellular
05/16/2015 - 06:08 PM	(267) 252-9967	00:01	0	Cellular
05/16/2015 - 05:12 PM	(267) 636-3264	00:01	0	Cellular
05/16/2015 - 03:21 PM	(267) 257-5108	00:25	0	Cellular
05/16/2015 - 02:44 PM	(267) 257-5108	00:01	0	Cellular
05/16/2015 - 02:43 PM	(610) 662-6714	00:01	0	Cellular
05/16/2015 - 11:53 AM	(301) 821-5431	00:01	0	Cellular
05/16/2015 - 11:21 AM	(610) 662-6714	00:02	0	Cellular
05/16/2015 - 08:55 AM	(267) 257-5108	00:04	0	Cellular
05/16/2015 - 01:23 AM	(484) 431-5673	00:01	0	Cellular
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05/15/2015 - 06:40 PM	(215) 852-8368	00:01	0	Cellular
05/15/2015 - 06:28 PM	(610) 662-6714	00:01	0	Cellular

Account Activity for: (267) 257-5108

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05/19/2015 - 10:47 AM	(610) 662-6714	00:01	0	Cellular
05/19/2015 - 10:38 AM	(610) 662-6714	00:01	0	Cellular
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05/18/2015 - 08:30 PM	(301) 821-5431	00:21	0	Cellular
05/18/2015 - 08:23 PM	(267) 257-5108	00:04	0	Cellular
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05/18/2015 - 03:37 PM	(267) 257-5108	00:01	0	Cellular
05/18/2015 - 02:22 PM	(267) 257-5108	00:01	0	Cellular
05/18/2015 - 11:50 AM	(267) 257-5108	00:01	0	Cellular
05/18/2015 - 11:44 AM	(610) 662-6714	00:01	0	Cellular
05/18/2015 - 11:32 AM	(267) 257-5108	00:08	0	Cellular
05/18/2015 - 10:25 AM	(267) 257-5108	00:03	0	Cellular
05/18/2015 - 09:03 AM	(610) 662-6714	00:02	0	Cellular
05/18/2015 - 09:00 AM	(215) 748-0882	00:02	0	Cellular
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05/17/2015 - 09:34 PM	(267) 257-5108	00:01	0	Cellular

Account Activity for: (267) 257-5108

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21< Previous (/myaccount/accountHistory.do?currentPage=9) | Next >
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05/20/2015 - 06:12 PM	(610) 662-6714	00:01	0	Cellular
05/20/2015 - 05:53 PM	(888) 653-9262	00:01	0	Cellular
05/20/2015 - 05:53 PM	(267) 257-5108	00:01	0	Cellular
05/20/2015 - 03:47 PM	(610) 662-6714	00:01	0	Cellular
05/20/2015 - 03:26 PM	(267) 257-5108	00:01	0	Cellular
05/20/2015 - 02:56 PM	(484) 431-5673	00:03	0	Cellular
05/20/2015 - 02:52 PM	(610) 662-6714	00:05	0	Cellular
05/20/2015 - 02:42 PM	(215) 224-2612	00:09	0	Cellular
05/20/2015 - 02:30 PM	(215) 887-8111	00:07	0	Cellular
05/19/2015 - 07:58 PM	(484) 431-5673	00:02	0	Cellular
05/19/2015 - 04:44 PM	(610) 804-3533	00:01	0	Cellular
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05/19/2015 - 04:32 PM	(717) 787-8327	00:03	0	Cellular
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05/19/2015 - 02:04 PM	(267) 257-5108	00:01	0	Cellular

Account Activity for: (267) 257-5108

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05/21/2015 - 03:20 PM	(267) 257-5108	00:05	0	Cellular
05/21/2015 - 03:10 PM	(610) 626-3590	00:01	0	Cellular
05/21/2015 - 02:49 PM	(267) 252-9967	00:01	0	Cellular
05/21/2015 - 02:47 PM	(267) 252-9967	00:01	0	Cellular
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05/21/2015 - 01:21 PM	(267) 230-3541	00:02	0	Cellular
05/21/2015 - 01:20 PM	(267) 230-3541	00:01	0	Cellular
05/21/2015 - 01:00 PM	(267) 230-3541	00:01	0	Cellular
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05/21/2015 - 12:41 PM	(267) 432-1423	00:03	0	Cellular
05/21/2015 - 12:42 PM	(267) 257-5108	00:01	0	Cellular
05/21/2015 - 12:11 PM	(267) 596-4012	00:01	0	Cellular
05/21/2015 - 12:07 PM	(610) 880-1901	00:02	0	Cellular
05/21/2015 - 12:05 PM	(215) 748-0882	00:02	0	Cellular
05/21/2015 - 11:31 AM	(267) 257-5108	00:01	0	Cellular

Account Activity for: (267) 257-5108

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05/25/2015 - 12:11 PM	(301) 821-5431	00:07	0	Cellular
05/25/2015 - 09:20 AM	(267) 257-5108	00:01	0	Cellular
05/24/2015 - 05:17 PM	(267) 257-5108	00:04	0	Cellular
05/24/2015 - 01:12 PM	(267) 257-5108	00:04	0	Cellular
05/23/2015 - 11:49 AM	(267) 257-5108	00:01	0	Cellular
05/23/2015 - 11:48 AM	(267) 257-5108	00:01	0	Cellular
05/23/2015 - 11:47 AM	(301) 821-5431	00:01	0	Cellular
05/23/2015 - 11:47 AM	(267) 432-1423	00:01	0	Cellular
05/22/2015 - 09:41 PM	(267) 257-5108	00:05	0	Cellular
05/22/2015 - 09:34 PM	(610) 662-6714	00:01	0	Cellular
05/22/2015 - 09:30 PM	(267) 257-5108	00:04	0	Cellular
05/22/2015 - 08:51 PM	(610) 662-6714	00:01	0	Cellular
05/22/2015 - 08:49 PM	(215) 224-2612	00:01	0	Cellular
05/22/2015 - 05:17 PM	(717) 787-8327	00:01	0	Cellular
05/22/2015 - 03:15 PM	(610) 662-6714	00:02	0	Cellular
05/22/2015 - 01:49 PM	(267) 257-5108	00:01	0	Cellular
05/22/2015 - 01:44 PM	(215) 455-1000	00:03	0	Cellular
05/22/2015 - 01:42 PM	(610) 626-3590	00:01	0	Cellular
05/22/2015 - 01:15 PM	(267) 257-5108	00:01	0	Cellular
05/22/2015 - 10:22 AM	(267) 257-5108	00:01	0	Cellular