

Legal Department

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Philadelphia, PA 19101-8699

Business Services
Company

ORIGINAL

Direct Dial: 215.841.6841

May 11, 2006

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

**DOCUMENT
FOLDER**

RECEIVED

MAY 11 2006

**Re: Karl Blackwell v. PECO Energy Company
PUC Docket No. C-20066242**

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

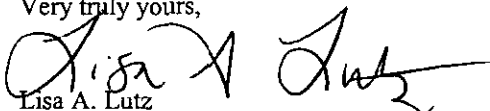
Dear Mr. McNulty:

Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

- X Answer (original and 3 copies)
- Petition (original and 3 copies)
- X Preliminary Objections (original and 3 copies)
- Motion to Dismiss (original and 3 copies)
- Reply to Motion/Petition (original and 3 copies)
- Exceptions (original and 9 copies)
- Reply Exceptions (original and 9 copies)
- Brief (original and 9 copies)
- Reply Brief (original and 9 copies)

Also enclosed is an extra copy of this letter, which I request that you date stamp and return to me in the envelope provided as proof of filing. I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties.

Very truly yours,


Lisa A. Lutz
Counsel for PECO Energy Company

LAL/zr

Enc.

SCHEDULING RECOMMENDATION: X CALL OF THE DOCKET NON-CALL OF THE DOCKET

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAY 11 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

KARL BLACKWELL

v.

PECO ENERGY COMPANY

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ANSWER OF RESPONDENT, PECO ENERGY COMPANY

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code §5.61, responds to the Complaint and states:

1. Admitted.

2. Admitted.

3. Denied. PECO Energy does not provide gas service to Complainant's property.

4. Denied. PECO Energy denies that it has improperly billed Complainant for gas service; PECO Energy does not provide gas service to Complainant's property.

5. This paragraph is a request for relief and no answer is required.

6. PECO Energy is without sufficient information to confirm or deny this statement.

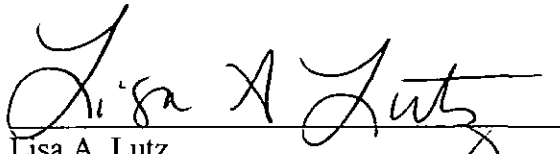
7. Admitted in part and denied in part. PECO Energy admits it has discussed Complainant's PECO Energy electric account with Complainant; however, PECO Energy has not discussed Complainant's gas account with Complainant as PECO Energy does not provide gas service to Complainant's property.

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MAY 17 2006

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

Respectfully Submitted,

A handwritten signature in cursive script that reads "Lisa A. Lutz". The signature is written in black ink and is positioned above a horizontal line.

Lisa A. Lutz

Counsel for PECO Energy Company

2301 Market Street, S23-1

P.O. Box 8699

Philadelphia, PA 19101-8699

(215) 841-6841

lisa.lutz@exeloncorp.com

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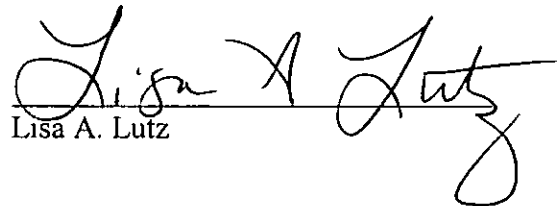
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VERIFICATION

I, Lisa A. Lutz, 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 11, 2006


Lisa A. Lutz

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NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§ 5.101, you are hereby notified that a written response denying or correcting the enclosed Preliminary Objections of PECO Energy Company shall be filed within 10 days from service of this notice. If you do not file an Answer within 10 days, the statements contained in this Preliminary Objection may be deemed to be true, thereby requiring no other proof. All pleadings, such as an Answer to the Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Lisa A. Lutz, and where applicable, the Administrative Law Judge presiding over the issue.

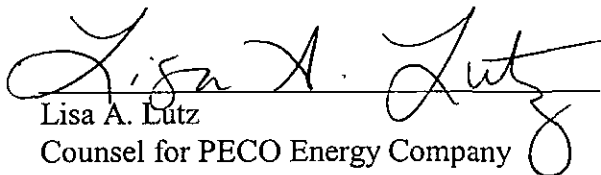
File with:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

With a copy to:

Lisa A. Lutz, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, May 11, 2006.



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street S-23
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PECO ENERGY COMPANY'S PRELIMINARY OBJECTIONS

Respondent, PECO Energy Company ("PECO"), pursuant to 52 Pa. Code § 5.101 respectfully petitions this Honorable Commission to dismiss the instant Complaint for the following reasons:

1. On or about April 5, 2006, Complainant filed a formal complaint with the Pennsylvania Public Utility Commission alleging improper charges for gas service to Complainant's property at 5902 N. Colgate Street, Philadelphia, PA and requesting the Commission to set a new payment agreement on Complainant's gas account.

2. On or about April 20, 2006, PECO Energy was served the above-mentioned formal Complaint.

3. Pursuant to 52 Pa. Code § 5.101, PECO is filing an Answer to the Complaint contemporaneously with this Preliminary Objection.

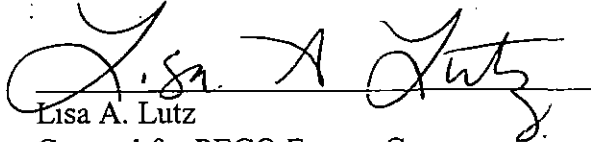
4. Complainant is complaining about gas service to his property; however, PECO Energy does not provide gas service to Complainant's property.

5. Pursuant to Pa. Code § 5.101(a)(1), PECO Energy was improperly served with the pleading initiating this proceeding, and, therefore, requests that PECO Energy be dismissed from this action.

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WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the Complaint because this Complaint is not properly before this Honorable Commission as to PECO Energy Company.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Lisa A. Lutz". The signature is written in black ink and is positioned above a horizontal line.

Lisa A. Lutz

Counsel for PECO Energy Company

2301 Market Street, S23-1

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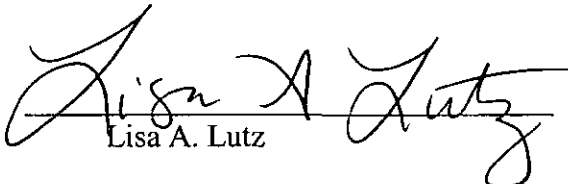
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VERIFICATION

I, Lisa A. Lutz, 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 11, 2006


Lisa A. Lutz

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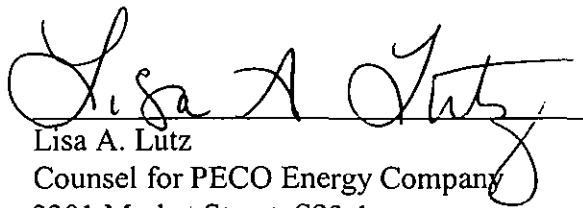
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CERTIFICATE OF SERVICE

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 Certified mail, properly addressed and postage prepaid to:

KARL BLACKWELL
5902 N. Colgate Street
Philadelphia, PA 19144

Dated at Philadelphia, Pennsylvania, May 11, 2006.



Lisa A. Lutz

Counsel for PECO Energy Company

2301 Market Street, S23-1

P.O. Box 8699

Philadelphia, PA 19101-8699

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