

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

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Elisha Michele Johnson v. PECO Energy : Docket No.
Company. Service Dispute. Requests payment : C-20055380
-----x
Arrangements. -----x

Pages 1 through 9 1400 Spring Garden Street
State Office Building
Philadelphia, Pennsylvania

Tuesday, December 27, 2005

Met, pursuant to notice, at 3:28 p.m.

BEFORE:

ANGELA T. JONES, Administrative Law Judge

APPEARANCES:

LISA LUTZ, ESQUIRE
2301 Market Street
Philadelphia, Pennsylvania 19101
(For PECO Energy Company)

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WITNESS INDEX

WITNESSES DIRECT CROSS REDIRECT RECROSS

Anita Armstead

(By Ms. Lutz) 5 -- -- --

(By the Judge) -- 6 -- --

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EXHIBIT INDEX

NUMBER FOR IDENTIFICATION IN EVIDENCE

(None.)

1 having been duly sworn, testified as follows:

2 JUDGE JONES: Please state your
3 full name spelling your last name for the record.

4 THE WITNESS: Anita Armstead,
5 A-R-M-S-T-E-A-D.

6 JUDGE JONES: By whom are you
7 employed.

8 THE WITNESS: PECO Energy.

9 JUDGE JONES: In what capacity?

10 THE WITNESS: Regulatory assessor.

11 JUDGE JONES: Ms. Lutz, you may
12 proceed with your witness.

13 DIRECT EXAMINATION

14 BY MS. LUTZ:

15 Q. Thank you, your Honor. Ms. Armstead, how
16 long have you been employed by PECO?

17 A. 27 years.

18 Q. Would you generally describe your duties as a
19 regulatory assessor?

20 A. Yes. Primarily I investigate and respond to
21 both informal and formal complaints on behalf of
22 PECO.

23 Q. In the course of your employment have you
24 reviewed and become familiar with the records and
25 complaint of Ms. Elisha Michele Johnson?

1 A. Yes, I have.

2 Q. Ms. Armstead, would you please review for us
3 your attempts to contact Ms. Johnson concerning
4 today's hearing?

5 A. Yes. On December 1, 2005 I called her home
6 phone number and I left a message there was no
7 answer. The same day I sent a letter indicating
8 that the hearing was to be held today and asked
9 her to please give me a call to discuss possible
10 settlement. On December 5th I called her again
11 and left a message. On December 14th I called her
12 again there was no answer I left a voicemail. I
13 called her work number, but I wasn't able to leave
14 a message because it asked me what department she
15 worked in and I didn't know, so I couldn't get her
16 at that number. On the 15th I called the work
17 number again and I zeroed out and I was able to
18 leave a message for her. She called me back later
19 that day and told me that she would call me once
20 she got home and I haven't heard from her since
21 then. She never called me back so I was unable to
22 reach her.

23 MS. LUTZ: Thank you. I have no
24 further questions for Ms. Armstead.

25 CROSS-EXAMINATION

1 BY JUDGE JONES:

2 Q. Very well. Ms. Armstead, I am sure I have
3 the right dates in my notes so bear with me.
4 Initial contact was December 1st that was by phone
5 and also by letter.

6 A. Correct.

7 Q. Then there was contact by phone and the no
8 one was home?

9 A. Yes.

10 Q. Then there is was contact on the 5th at the
11 residents and you left a message?

12 A. Correct.

13 Q. Then there was a contact on what date?

14 A. The 14th.

15 Q. That is the one I don't have. That was by
16 phone and you left a voicemail?

17 A. Correct.

18 Q. Then there was a contact on the 15th the work
19 number.

20 A. I left a message for her.

21 Q. You left a message for her. You zeroed out.

22 A. I zeroed out and I got a live person and I
23 was able to ask for her.

24 Q. She called you back and you were able to talk
25 with the complainant?

1 A. Right. She was at work so she couldn't
2 discuss her finances, so I suggested that she call
3 me back and she said she would call me that
4 afternoon and I haven't heard back from her since
5 then.

6 Q. I just wanted to make sure I was clear. The
7 company sent a letter on December 1st. Was the
8 letter ever returned to the company?

9 A. No.

10 Q. So we can assume that it was the correct
11 address.

12 JUDGE JONES: Let the record
13 reflect that the Commission did not get a return
14 of its notice of hearing or my prehearing order.
15 Ms. Lutz, do you have any further testimony for
16 Ms. Armstead based on the questions I have asked
17 her?

18 MS. LUTZ: No, I do not, your
19 Honor.

20 JUDGE JONES: Ms. Armstead, you are
21 excused. Ms. Lutz, do you have a motion for me to
22 entertain?

23 MS. LUTZ: I would like to make a
24 motion to dismiss for failure to prosecute.

25 JUDGE JONES: Very well. I will

1 address that motion in a written decision. Do you
2 have anything further, Ms. Lutz?

3 MS. LUTZ: Nothing further, thank
4 you.

5 JUDGE JONES: We are adjourned.

6 (Whereupon, at 3:34 p.m., the
7 hearing was adjourned.)

8 C E R T I F I C A T E

9

10 I hereby certify, as the stenographic
11 reporter, that the foregoing proceedings were
12 taken stenographically by me, and thereafter
13 reduced to typewriting by me or under my
14 direction; and that this transcript is a true and
15 accurate record to the best of my ability.

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19 COMMONWEALTH REPORTING COMPANY, INC.

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By: *Souenda S. Taylor*

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Souenda S. Taylor

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