



An Exelon Company

Legal Department  
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November 2, 2015

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

**RE: Deree Norman v. PECO Energy Company**  
**PUC Docket No.: C-2015-2472605**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy's Response to Complainant's Motion to Compel Full and Complete Response to Complainant's Interrogatories and Request for Production of Documents* 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 stylized flourish at the end.

Shawane Lee  
Counsel for PECO Energy Company

SL/ab

cc: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DEREE NORMAN	:	
	:	
v.	:	DOCKET NO. C-2015-2472605
	:	
PECO ENERGY COMPANY	:	

**PECO ENERGY’S RESPONSE TO COMPLAINANT’S MOTION TO COMPEL FULL  
AND COMPLETE RESPONSE TO COMPLAINANT’S INTERROGATORIES AND  
REQUEST FOR PRODUCTION OF DOCUMENTS**

PECO Energy Company ("PECO Energy"), hereby responds to Complainant’s Motion to Compel Full and Complete Response to Complainant’s Interrogatories and Request for Production of Documents and states the following:

1. PECO Energy neither admits nor denies the allegations in Paragraph 1 of Complainant’s motion.
2. Denied. PECO Energy specifically denies there is fraudulent kilowatt usage or that PECO provided deceptive responses to Complainant’s discovery. By way of further response, the Complainant has sought to evade paying his electric bill with PECO Energy and gas bill with Philadelphia Gas Works by filing frivolous complaints with the Pennsylvania Public Utility Commission. The Complainant has failed to pay for any electric usage charges for an entire year.
3. Admitted.
4. Admitted.
5. Denied. PECO Energy has submitted full responses to the “relevant” Interrogatories and Requests propounded by the Complainant. By way of further response, the company did not provide responses to discovery that sought personal health records, documents

protected by the attorney-client privilege; documents that sought personal payroll information, or documents that were not reasonably calculated to lead to discoverable evidence.

6. Denied. PECO Energy specifically denies that the company has engaged in illegal activity and other indiscretions. By way of further response, the Complainant has in bad faith evaded paying his electric bill with PECO Energy and his gas bill with the Philadelphia Gas Works by abusing the Public Utility Commission formal complaint process. The Complainant has not paid PECO or PGW for services used in over one year and has current litigation with both companies. See Deree Norman v. Philadelphia Gas Works, Docket No. C-2015-2489503 pending before Administrative Law Judge Dennis J. Buckley, attached hereto as Exhibit "1".

7. Paragraph 7 of the Complainant's Motion is a statement of law to which no response is required.

8. Denied. The Complainant has requested information that is irrelevant or which seeks personal health records, employee paystubs, documents protected by the attorney-client privilege or information that is not reasonably calculated to lead to discoverable evidence. PECO did not provide responses and documents to Interrogatory 1 because it is not relevant to this action. The company provided a response and documents to Interrogatory 2 and objected to the remaining request for a Sarbanes Oxley policy because it is irrelevant to this action. The company provided a response to Interrogatory 3 and Interrogatory 4. The company objected to Interrogatory 5 as the Complainant describes PECO's actions as "fraudulent." With regards to the Request for Production, PECO provided a response for Request No. 1. The Complainant has all documents concerning his account, with the exception of any communications protected by attorney-client privilege. The company provided a response to Request No. 2 and provided all contacts on the Complainant's account with the exception of documents or communications protected by the attorney-client privilege. The company provided a response to Request No. 4

with the exception of any documents or communications protected by the attorney-client privilege. Request No. 15 seeks Tom Lerro's health records, which the company has no access to and will not be disclosed because they are irrelevant to this action and are protected by Health Insurance Portability and Accountability Act (HIPPA). Request No. 16 seeks Tom Lerro and Mary McQuilkin's payroll records. This information is not relevant to this action and seeks information that is not reasonably calculated to lead to discoverable evidence.

9. Denied. The Complainant has requested information that is irrelevant or which seeks personal health records, employee paystubs, documents protected by the attorney-client privilege or information that is not reasonably calculated to lead to discoverable evidence. PECO did not provide a response to Interrogatory 1 because it is not relevant to this action. The company provided a response and documents for Interrogatory 2 and objected to the remaining request for a Sarbanes Oxley policy because it is irrelevant to this action. The company provided a response to Interrogatory 3 and Interrogatory 4. The company objected to Interrogatory 5 as the Complainant describes PECO's actions as "fraudulent".

10. Denied. With regards to the Request for Production, PECO provided a response for Request No. 1. The Complainant has all documents concerning his account, with the exception of any communications protected by attorney-client privilege. The company provided a response to Request No. 2 and provided all contacts for the Complainant's account with the exception of documents or communications protected by the attorney-client privilege. The company provided a response to Request No. 4 with the exception of any documents or communications protected by the attorney-client privilege. Request No. 15 seeks Tom Lerro's health records, which the company has no access to and will not be disclosed because they are irrelevant to this action and are protected by Health Insurance Portability and Accountability Act (HIPPA). Response No. 16 seeks Tom Lerro and Mary McQuilkin's payroll records. This

information is not relevant to this action and seeks information that is not reasonably calculated to lead to discoverable evidence.

11. Denied. Mary McQuilkin was produced as a witness at the Friday, October 30, 2015 hearing and testified to her reports.

12. Denied. The Complainant has sought discovery in bad faith in contravention of 52 Pa. Code § 5.36(a)(1) and (2).

13. Denied. PECO Energy avers that the Complainant's Motion to Compel should be dismissed because it seeks discovery sought discovery in bad faith in contravention of 52 Pa. Code § 5.36(a)(1) and (2); seeks information protected by the attorney-client privilege; and seeks information not relevant to this action.

14. Denied. PECO Energy avers that the Complainant's Motion to Compel should be dismissed.

Respectfully Submitted,



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Shawane L. Lee  
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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DEREE NORMAN

v.

PECO ENERGY COMPANY

:  
:  
:  
:  
:

DOCKET NO. C-2015-2472605

**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.



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Shawane L. Lee

Date: November 2, 2015



# **EXHIBIT 1**



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

August 3, 2015

In Re: C-2015-2489503

(SEE ATTACHED LIST)

Deree J. Norman v. Philadelphia Gas Works

Billing Dispute

Telephonic Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial Telephonic Hearing  
Date: Thursday, September 24, 2015  
Time: 10:00 a.m.  
Presiding: Administrative Law Judge Dennis J. Buckley  
PO Box 3265  
Harrisburg, PA 17105-3265  
Phone: 717.787.1399  
Fax: 717.787.0481

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least seven (7) days before the actual hearing and provide the necessary information.

At the above date and time, the Presiding Officer will contact the parties as follows:

DEREE J NORMAN	267.257.5108
LAURETO FARINAS ESQUIRE	215.684.6982

PECO ENERGY  
EXHIBIT 1

If you have any hearing exhibits to which you will refer during the hearing, three (3) copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies **must be received** at least 5 days **before** the hearing.

*Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.*

You must serve the Presiding Officer with a copy of ANY document you file in this case.

**Individuals** representing themselves are not required to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) **must** be represented by an attorney. An attorney representing you should file a Notice of Appearance **before** the scheduled hearing date.

You may represent yourself in the complaint process before the PUC. However, if you want legal representation, you may qualify for reduced- or no-cost services through the **Widener Harrisburg Civil Law Clinic**. The law clinic only serves customers living in Dauphin, Cumberland, Perry, Juniata, Northumberland, Schuylkill, Lebanon, Lancaster or York County whose income is 200 percent or less of the current Federal Poverty Line (FPL), as shown here:

Household Size	2015 Income Limit (200% FPL)
1	\$23,540
2	\$31,860
3	\$40,180
4	\$48,500
5	\$56,820
6	\$65,140
7	\$73,460
8	\$81,780

You may contact the Widener Harrisburg Civil Law Clinic at **717.541.0320** or at [lawclinicb@mail.widener.edu](mailto:lawclinicb@mail.widener.edu). Visit at 3605 Vartan Way, Harrisburg, PA 17110.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least five (5) business days prior to your hearing to submit your request.

If you require an interpreter to participate in the hearings, we will make every reasonable effort to have an interpreter present. Please call the scheduling office at the Public Utility Commission at least ten (10) business days prior to your hearing to submit your request.

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: ALJ Buckley  
Stephen Townend  
Calendar Copy  
File Copy

C-2015-2489503 - DERE E J NORMAN v. PHILADELPHIA GAS WORKS

DEREE J NORMAN  
5367 THOMAS AVE  
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267.257.5108

*-ACCEPTS ELECTRONIC SERVICE-*

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