

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Linda Harmon

v.

PECO Energy Company

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C-2015-2502663

PREHEARING ORDER

The Commission has scheduled an initial telephonic hearing in this case for Monday, January 25, 2016 at 10:00 a.m. **You must be available when I contact you or I will dismiss your case. If you will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least seven (7) days before the hearing.**

The parties shall comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa.Code § 1.15(b). Requests for changing a hearing date must be sent to me and all parties of record. My address is:

David A. Salapa
Administrative Law Judge
P.O. Box 3265
Harrisburg, Pa. 17105-3265
Telephone: (717) 787-1399
Fax: (717) 787-0481

2. **Commission policy promotes settlements.** The utility shall contact the customer at least one week before the scheduled hearing to discuss possible settlement of this case. If the parties are unable to settle this case, they shall attempt to agree on the issues to be

litigated. If the parties reach an agreement, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. IF A PARTY FAILS TO PARTICIPATE IN THE HEARING, THE HEARING WILL PROCEED WITHOUT THAT PARTY AND A DECISION MAY BE ENTERED AGAINST THAT PARTY.

4. The Responsible Utility Customer Protection Act, 66 Pa.C.S. §§ 1401-1418 applies to this case. This law provides strict requirements that the Commission must follow in handling customer complaints. The application of this law may result in the issuance of less favorable payment terms than a customer's current payment arrangement.

5. The customer must make monthly payments for current consumption on or before the billing due date while this complaint is pending. **FAILURE TO MAKE PAYMENTS MAY RESULT IN THE UTILITY TERMINATING YOUR SERVICE.**

6. As the party seeking affirmative relief from the Commission, the Complainant bears the burden of proof. 66 Pa.C.S. § 332(a).

7. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other parties and three (3) copies to me so that the other parties and I receive the copies at least five (5) days before the hearing. This includes a copy of a Protection from Abuse (PFA) Order if you marked the "yes" response on the Complaint form that asks if you are a victim under a PFA. Proposed exhibits should be properly pre-mark for identification purposes.

8. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following:

- (a) salaries, wages, tips or other compensations;
- (b) pension, retirement or social security benefits;
- (c) Supplemental Security Income (SSI);
- (d) unemployment compensation benefits;
- (e) workers' compensation benefits;
- (f) alimony;
- (g) child support;
- (h) public assistance; and
- (i) any other source(s) of income.

9. The utility must prepare and submit the following documents at least five business days before the hearing:

- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a copy of the most recent BCS decision, if any;
- (c) a brief summary of any payment arrangement(s) made between The utility and the customer.

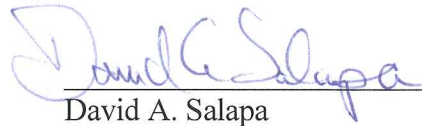
10. Pursuant to 52 Pa.Code §§ 1.21 & 1.22, you may represent yourself if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted Pro Hac Vice represent you.

11. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code § 5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

12. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal hearing and I will conduct it in accordance with the Commission's Rules of Practice and Procedure.

13. If you, or anyone you plan to call as a witness on your behalf, has a limited ability to speak or understand English or are deaf or hearing-impaired, a qualified interpreter can be provided upon your request. If you need an interpreter, please contact the scheduling office for the Office of Administrative Law Judge at (717) 787-1399 at least ten (10) days before the hearing to make your request. The AT&T Relay Service number for persons who are deaf or hearing-impaired is 1-800-654-5988.

Date: December 2, 2015



David A. Salapa
Administrative Law Judge

C-2015-2502336 LINDA HARMON v. PECO ENERGY COMPANY

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