



An Exelon Company

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

Direct Dial: 215.841.6841

June 9, 2016

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

RE: Natasha Tinson v. PECO Energy Company
PUC Docket No.: F-2016-2546103

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Motion to File Answer to Complainant's Formal Complaint Nunc Pro Tunc* 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 long horizontal flourish extending to the right.

Shawane Lee
Counsel for PECO Energy Company

SL/alb
Enclosure

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NATASHA TINSON	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2016-2546103
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

**PECO ENERGY'S MOTION TO FILE ANSWER TO COMPLAINANT'S
FORMAL COMPLAINT NUNC PRO TUNC**

Respondent, PECO Energy Company ("PECO"), pursuant to 52 Pa. Code §1.2 respectfully petitions this Honorable Commission to accept the attached Answer to Complainant's Formal Complaint for filing *nunc pro tunc*.

1. On May 18, 2016, the Public Utility Commission served PECO Energy with a formal complaint filed by the Complainant, Natasha Tinson.
2. Pursuant to 52 Pa. Code § 5.61(a), PECO's Answer to the Complainant's formal complaint was due for filing on or before June 7, 2016, when PECO was served with notice of the complaint.
3. Due to an administrative oversight, PECO is filing the Answer two (2) days beyond the notice of service of the complaint.
4. PECO respectfully requests that this Honorable Commission accept the filing of PECO Energy's Answer *nunc pro tunc*.
5. 52 Pa. Code § 1.1 et seq. governs the rules of administrative practice and procedure before the Public Utility Commission.

6. 52 Pa. Code § 1.2 states that the procedural rules of Title 52 shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which it is applicable. The section further states that the "presiding officer at any stage of an action or proceeding may disregard an error or defect of procedure which does not affect the substantive rights of the parties."

7. Furthermore, the Pennsylvania Commonwealth Court has held that the PUC has authority to waive procedural defects when they do not affect the substantive rights of the parties. Info. Connections, Inc. v. Pennsylvania Public Utility Commission, 630 A.2d 498 (Pa. Cmwlth. 1993).

8. PECO Energy respectfully submits that the late filing of its answer was due to an administrative oversight.

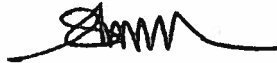
9. More importantly, the acceptance of its Answer *nunc pro tunc* does not affect the substantive rights of the Complainant in this matter.

10. Further, the hearing in this matter has not been scheduled; therefore, there is no delay in the adjudication of this case.

11. Accordingly, PECO Energy respectfully requests that PECO's Answer be accepted for filing *nunc pro tunc* so that this matter can be decided on the merits.

WHEREFORE, PECO Energy Company respectfully requests that PECO's
Response to Complainant's Answer be accepted for filing *nunc pro tunc*.

Respectfully Submitted,



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NATASHA TINSON	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2016-2546103
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

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.



Date: June 9, 2016

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

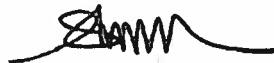
NATASHA TINSON	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2016-2546103
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

I, Shawane L. Lee, hereby certify that I have this day served a copy of PECO Energy Company's Motion to File Answer to Complainant's Formal Complaint *Nunc Pro Tunc* in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Natasha Tinson
18 South Street, 2nd Front
Pottstown, PA 19464

Dated at Philadelphia, Pennsylvania, June 9, 2016



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.co



**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

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eFiling Successfully Transmitted



Your filing has been electronically received. Upon review of the filing for conformance with the Commission's filing requirements, a notice will be issued acknowledging such compliance and assigning a Docket Number. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

Print this page for your records. The date filed on will be the current day if the filing occurs on a business day before or at 4:30 PM Harrisburg, PA time. It will be the next business day if the filing occurs after 4:30 PM Harrisburg, PA time or on weekends or holidays.

If your filing exceeds 250 pages, you are required to submit one paper copy of the filing within 3 business days of submitting the electronic filing. This paper copy can be mailed to: Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120 . Please print a copy of this page and attach it to the paper copy of your filing as the first page.

eFiling Confirmation	
Docket Number:	F-2016-2546103
Description:	Natasha Tinson - PECO Energy Company Answer to Formal Complaint
Transmission Date:	6/9/2016 3:17:09 PM
Filed On:	6/9/2016 3:17:09 PM
eFiling Confirmation Number:	1637300

Uploaded File List

File Name	Document Class	Document Type
Natasha Tinson - Answer to Formal Complaint.pdf	Communication	Answer to Formal Complaint



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June 9, 2016

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
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RE: Natasha Tinson v. PECO Energy Company
PUC Docket No.: F-2016-2546103

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Very truly yours,

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Shawane Lee
Counsel for PECO Energy Company

SL/ab
Enclosure

cc: Scheduling Recommendation: Call of the Docket

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NATASHA TINSON	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2016-2546103
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

ANSWER OF RESPONDENT
PECO ENERGY COMPANY

On May 18, 2016, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Natasha Tinson (hereafter "Complainant") in the above captioned docket. Pursuant to 52 Pa. Code § 5.61, PECO responds to the Complaint and states:

1. Admitted.
2. Admitted.
3. Admitted.
4. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint.

In her Complaint, Complainant states that PECO is threatening to terminate or has already terminated her service. The Complainant requests a payment agreement. The Complainant states that she is on a fixed income. PECO Energy avers that the Complainant's complaint should be dismissed pursuant to 66 Pa.C.S. § 1405(c).

PECO Energy's records indicate that the Complainant established electric service at 18 South Charlotte Street, Front, Pottstown, PA under account number 64198-97097. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant enrolled in PECO's

Customer Assistance Program (“CAP”) under Tier D1 on June 27, 2014. At the time of her enrollment, PECO isolated \$3,180.50 in pre-program arrears for possible forgiveness. On September 23, 2015, the Complainant recertified in the program under Tier D. The Complainant is scheduled to recertify in the program on September 23, 2017. The Complainant is actively enrolled in CAP. The Complainant’s entire balance is comprised of CAP arrears.

On August 20, 2015, the Complainant filed an informal complaint with the Bureau of Consumer Services (“BCS”) at case number 003376447, requesting a payment agreement on her balance. See Case Details Report #003376447, attached hereto as Exhibit “2”. On August 24, 2015, the BCS issued a Decision Report, dismissing the Complainant’s case pursuant to 66 Pa.C.S. § 1405(c). See BCS Decision Report #003376447, attached hereto as Exhibit “3”.

The Complainant’s balance is \$2,625.86. See Exhibit “1”. The Complainant is not entitled to a payment agreement on her balance pursuant to 66 Pa.C.S. § 1405(c) as the balance is comprised of CAP arrears.

5. Denied.

6. Admitted

7. Admitted.

8. PECO Energy neither admits nor denies the allegations in paragraph 8. PECO is without knowledge or information sufficient to form a belief as to the truth of this averment and, therefore, such allegation is deemed denied.

9. Paragraph 9 is a Verification and Signature to which no response is required.

10. Paragraph 10 contains information regarding Filing, to which no response is required.

NEW MATTER OF RESPONDENT, PECO ENERGY COMPANY

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 5.62(b), further responds to the Complaint and states:

1. The Complainant enrolled in PECO's Customer Assistance Program ("CAP") under Tier D1 on June 27, 2014.
2. At the time of her enrollment, PECO isolated \$3,180.50 in pre-program arrears for possible forgiveness.
3. On September 23, 2015, the Complainant recertified in the program under Tier D.
4. The Complainant is scheduled to recertify in the program on September 23, 2017.
5. The Complainant is actively enrolled in CAP.
6. The Complainant's balance is \$2,625.86.
7. The Complainant's entire balance is comprised of CAP arrears.
8. 66 Pa.C.S. § 1405(c) provides that, "(c)ustomer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the commission."
9. Consequently, pursuant to 66 Pa.C.S. § 1405(c), the PUC has no jurisdiction to give the Complainant a payment agreement.
10. PECO Energy avers that the Complainant's complaint should be dismissed pursuant to 66 Pa. C.S. §1405(c).

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

Respectfully Submitted,



**Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389**

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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.



Date: June 9, 2016

Shawane L. Lee

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I, Shawane L. Lee, hereby certify that I have this day served a copy of PECO Energy Company's Answer in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Natasha Tinson
18 South Street, 2nd Front
Pottstown, PA 19464

Dated at Philadelphia, Pennsylvania, June 9, 2016



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

EXHIBIT “1”

*** Account Information ***

Account Number: 64198-97097
Account Status: Active
Requested By: NATASHA TINSON
NATASHA TINSON
(610) 323-4582 Extension:

Mail To:
NATASHA TINSON
2ND FLR FRMT
18 S CHARLOTTE ST
POTTSTOWN PA 19464

*** Current Account Status ***

Current Bill: \$194.84
Billed Prior: \$2431.02
Balance Due: \$2625.86
Service Address: 18 S CHARLOTTE ST
FRONT POTTSTOWN PA 19464
Credit Amount: \$0.00
Deposit Requested: \$172.50
Deposit On-Hand: \$0.00
Meter Bill Grp: 14
Rate: CAP Opt D Electric Residential Heating Svc

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	ENR	CCR	ENR
10/31/13	Payment											
11/13/13	Bill Out DPA due to Default	10/16/13 11/13/13	2779	121062445	\$510.24	\$115.00	\$115.00					
11/13/13	ELECTRIC SERVICE				\$192.18							
11/13/13	CANCELLED DEPOSIT				\$57.50							
11/13/13	DEFERRED PAYMENT AGREEMENT				\$24.30							
11/13/13	Late Payment Charge				\$2.14							
11/13/13	Regular Bill				\$2.14							
11/25/13	Payment											
11/25/13	Payment Agreement				\$255.00		\$476.78	\$302.80	12/05	1371		
12/10/13	Late Payment Charge				\$0.36							
12/16/13	ELECTRIC SERVICE	11/13/13 12/16/13	5382	121062445	\$369.44	\$510.24						
12/16/13	DEPOSIT				\$24.30							
12/16/13	DEFERRED PAYMENT AGREEMENT				\$24.30							
12/16/13	Regular Bill				\$24.30							
01/13/14	Bill Out DPA due to Default											
01/14/14	Late Payment Charge				\$485.94		\$615.88	\$222.14	01/07	2603		
01/17/14	ELECTRIC SERVICE	12/16/13 01/17/14	8386	121062445	\$15.07							
01/17/14	DEPOSIT				\$420.47							
01/17/14	Regular Bill				\$420.47							
02/18/14	ELECTRIC SERVICE	01/17/14 02/18/14	11953	121062445	\$497.96		\$1537.36	\$1116.89	02/11	3004		
02/18/14	DEPOSIT				\$21.38							
02/18/14	Late Payment Charge				\$21.38							
03/18/14	Regular Bill				\$21.38							
03/21/14	ELECTRIC SERVICE	02/18/14 03/21/14	14853	121062445	\$28.85		\$2056.70	\$1558.74	03/12	3567		
03/21/14	DEPOSIT				\$377.16							
03/21/14	Regular Bill				\$377.16							
03/31/14	LITHIUM Payment											
04/18/14	ELECTRIC SERVICE	03/21/14 04/17/14	16766	121062445	\$85.38		\$2462.71	\$2085.55	04/14	2900		
04/18/14	ELE-Verde Energy USA				\$191.11							
04/18/14	DEPOSIT				\$191.11							
04/21/14	Debit Transfer Charge											
05/20/14	ELECTRIC SERVICE	04/17/14 05/16/14	18250	121062445	\$480.43		\$2534.20	\$2257.71	05/12	1913		
05/20/14	ELE-Verde Energy USA				\$67.83							
05/20/14	DEPOSIT				\$148.25							
05/20/14	Regular Bill				\$148.25							
06/17/14	Late Payment Charge				\$46.59							
06/20/14	ELECTRIC SERVICE	05/16/14 06/19/14	19078	121062445	\$57.02		\$3230.71	\$3014.63	06/11	1484		
06/20/14	ELE-Verde Energy USA				\$82.72							
06/20/14	DEPOSIT				\$82.72							
06/20/14	Regular Bill				\$82.72							
06/27/14	Deposit				\$179.04		\$3417.04	\$3277.30	07/14	828		
06/27/14	Deposit Interest				\$57.50							
06/27/14	Transfer to PPA				\$3180.50							
06/27/14	Transfer				\$179.04							
07/17/14	ELECTRIC SERVICE	06/19/14 07/17/14	19802	121062445	\$80.21		\$80.21	\$80.21	08/08	724		
07/17/14	Regular Bill				\$80.21							
07/30/14	Payment				\$80.21							
08/15/14	PPA Forgiven				\$530.08							

5

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUPLICATE DATE	DUPLICATE	CCY	IN
08/15/14	ELECTRIC SERVICE	07/17/14	08/15/14	20459	121062445	\$70.42						
08/15/14	Pre-Program Arrears				\$530.08							
09/03/14	Regular Bill					\$70.42	\$70.42		09/08	657		
09/15/14	PPA Forgiven				\$265.04							
09/16/14	ELECTRIC SERVICE	08/15/14	09/16/14	21223	121062445	\$84.23	\$84.23		10/08	764		
10/03/14	Regular Bill					\$84.23						
10/15/14	PPA Forgiven				\$104.30							
10/15/14	ELECTRIC SERVICE	09/16/14	10/15/14	22237	121062445	\$265.04	\$265.04					
10/15/14	Pre-Program Arrears				\$265.04							
10/15/14	Regular Bill					\$104.30	\$104.30		11/06	1014		
11/04/14	Payment					\$265.04						
11/13/14	PPA Forgiven				\$140.47							
11/13/14	ELECTRIC SERVICE	10/15/14	11/13/14	23816	121062445	\$265.04	\$265.04					
11/13/14	Pre-Program Arrears				\$265.04							
12/03/14	Regular Bill					\$140.47	\$140.47		12/05	1579		
12/03/14	Payment					\$265.04						
12/12/14	PPA Forgiven				\$265.04							
12/12/14	Pre-Program Arrears				\$417.86							
12/16/14	CANCELLED ELECTRIC SERVICE	11/13/14	12/16/14	27428	121062445	\$417.86	\$417.86		01/07	3612		
12/16/14	Regular Bill					\$417.86						
12/30/14	Adjustment					\$211.00						
12/30/14	BUDGET BILLING					\$211.00						
12/30/14	Regular Bill	11/13/14	12/16/14		417.86		417.86					
01/08/15	Payment					206.86						
01/20/15	BUDGET BILLING					211.00						
01/20/15	Regular Bill	12/16/14	01/20/15		462.51		462.51		01/21	3612		
02/13/15	Payment					434.37						
02/18/15	PPA Forgiven				\$235.00							
02/18/15	BUDGET BILLING				\$530.08							
02/18/15	Regular Bill	01/20/15	02/18/15		426.73		426.73		02/11	3940		
02/18/15	Payment					235.00						
02/18/15	Pre-Program Arrears				\$235.00							
02/18/15	Regular Bill	02/18/15	02/18/15		626.10		626.10		03/12	3669		
02/18/15	Payment					235.00						
02/18/15	Pre-Program Arrears				\$265.04							
03/19/15	PPA Forgiven				\$235.00							
03/19/15	Pre-Program Arrears				\$235.00							
03/20/15	BUDGET BILLING					793.93						
03/20/15	Regular Bill	02/18/15	03/20/15		402.83		402.83		04/13	3592		
04/16/15	Payment					100.00						
04/17/15	BUDGET BILLING					212.00						
04/17/15	Regular Bill	03/20/15	04/17/15		238.73		238.73		05/11	2309		
04/20/15	Late Payment Charge				\$2.03							
05/18/15	BUDGET BILLING				\$300.00							
05/18/15	Regular Bill	04/17/15	05/18/15		149.60		149.60		06/09	1340		
05/18/15	Late Payment Charge				\$5.21							
05/28/15	Payment					100.00						
06/16/15	Late Payment Charge				\$6.71							
06/17/15	BUDGET BILLING				\$300.00							
06/17/15	Regular Bill	05/18/15	06/17/15		114.99		114.99		07/09	973		
06/25/15	Payment					147.00						
07/14/15	Late Payment Charge				\$9.00							

EXHIBIT "2"

June 9, 2016

Case Details Report

BCS Case #: 003376447 **BCS Bill Account #:** 6419897097
Customer Name: NATASHA TINSON
Service Address: 18 S CHARLOTTE STREET
2ND FL FRONT
POTTSTOWN, PA 19464

Mailing Address:

Home Phone: () -
Business Phone: () -
Business name: SM
Alternate contact:

Date Case Opened: 2015-08-20 **Date Cut Out:** 2015-08-26
PAR Case: Y
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: **Amount in Arrears:** \$772.95

Adults: 1
Children: 0
Children Ages:
Gross Income: \$733.00
Miscellaneous Info:

Complaint Reason:
ON - PAR NEEDED (# 61)

Customer Problem Description:
STRAIGHT PAR CUSTOMER IS SEEKING ASSISTANCE WITH PREVENTION OF SERVICES FROM BEING TERMINATED AND TO BE PLACED ON A PAYMENT ARRANGEMENT. NO EMAIL ADDRESS. THE CELL PHONE NUMBER (484) 300 - 1928 HAS BEEN ALLOWED TO BE SHARED.

Company Position:
08/18/2015 PECO ENERGY IS REQUESTING \$159.00 TO KEEP SERVICES ON.

EXHIBIT “3”

June 9, 2016

BCS Decision Report

BCS Case #: 003376447 **Open Date:** 2015-08-20
Customer Name: NATASHA TINSON
Service Address: 18 S CHARLOTTE STREET
2ND FL FRONT
POTTSTOWN, PA 19464
BCS Bill Account #: 6419897097 **Previous Case #:**
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: BUREAU OF
CONSUMER SERVICE

Decision Issued Date: 2015-08-24
Case Closed Date: 2015-08-20

Letter Description:

Total Balance:	\$0.00	Balance Date:	
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		
Payment Terms:			

PAR Description:

Resolution Description:

CASE CLOSED - DISMISSED PER 1405C - THE DATE OF COMPLAINT RESOLUTION AND EXPIRATION OF THE STAY OF TERMINATION IS 8/29/2015