

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

Direct Dial: 215.841.6841

June 21, 2016

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

RE: Gilma Merkert v. PECO Energy Company
PUC Docket No.: C-2016-2542972

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Motion for Judgment on the Pleadings* 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,



Shawane Lee
Counsel for PECO Energy Company

SL/alb
Enclosure

cc: Certificate of Service

PENNSYLVANIA PUBLIC UTILITY COMMISSION

GILMA MERKERT

Complainant

v.

PECO ENERGY COMPANY

Respondent

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:
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DOCKET NO. C-2016-2542972

NOTICE TO PLEAD

To: *Gilma Merkert*

Pursuant to 52 Pa. Code §§5.101 and 5.62(c), you are hereby notified that, if you do not file a written response denying or correcting the enclosed Motion for Judgment on the Pleadings within 20 days from service of this notice, the facts set forth by PECO Energy Company may be deemed to be true, thereby requiring no other proof. All pleadings, such as a Reply to Motion, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Shawane Lee, and where applicable, the Administrative Law Judge presiding over the issue.

Failure to respond to this Motion could result in the dismissal of your case.

File with:

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

With a copy to:

Shawane L. Lee, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, June 21, 2016



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
215-841-6841

PENNSYLVANIA PUBLIC UTILITY COMMISSION

GILMA MERKERT :
Complainant :
v. : DOCKET NO. C-2016-2542972
PECO ENERGY COMPANY :
Respondent :
:

MOTION FOR JUDGMENT ON THE PLEADINGS

Respondent, PECO Energy Company (“PECO”), pursuant to 52 Pa. Code § 5.101(a)(4) respectfully petitions this Honorable Commission to dismiss the instant Complaint as legally insufficient.

1. On May 2, 2016, PECO was served with a formal complaint filed by Gilma Merkert (hereafter “Complainant”). A copy of the Complaint is attached hereto as Exhibit “1”.

2. In her formal complaint, Complainant alleges that PECO is threatening to terminate her service. She claims that she pays the bill where she lives, and therefore, she should not be liable to pay for usage charges incurred at her rental property. She states that in September 2013, her tenant requested that a PECO inspector come to the service address because they believed the bill was too high. The inspector found foreign wiring at the residence. Complainant asserts that PECO should have notified her about the high bill and the foreign wiring before transferring the outstanding balance to her account.

3. On May 30, 2016, PECO filed an Answer, New Matter and Notice to Plead. A copy of PECO’s Answer and New Matter is attached hereto as Exhibit 2.

4. PECO averred in its New Matter that this is the Complainant's second formal complaint against PECO Energy for the same service address (4814 North 5th Street, Philadelphia, PA), in which the Complainant disputes a balance for a foreign wiring condition found at her rental property. New Matter ¶9.

5. PECO averred that the Complainant filed a formal complaint docketed at F-2014-2413585. In that Complaint, the Complainant alleged that PECO had acted in error by placing a balance for a house she rented in her name after finding foreign wiring. See Formal Complaint, F-2014-2413585. The Complainant requested that the Commission hold her tenant responsible for the charges. New Matter ¶10

6. PECO averred that on June 11, 2014, the issues raised in the formal complaint at docket number F-2014-2413585 were heard before Administrative Law Judge Susan D. Colwell. New Matter ¶12.

7. PECO averred that ALJ Colwell issued an Initial Decision on July 28, 2014, dismissing the Complainant's Complaint. See Gilma Merkert v. PECO, F-2014-2413585 (Initial Decision entered July 28, 2014). New Matter ¶13

8. PECO averred that in ALJ Colwell's decision, she determined that the Complainant was responsible for the charges associated with the foreign wiring condition. New Matter ¶14. In her Initial Decision, ALJ Colwell stated:

I note that PECO would be unable to hold Complainant responsible for the outstanding bill for her rentals property if she had not permitted foreign wiring to exist. While Complainant can control to whom she leases her property, she has no control over whose name the utility service is in. It is not PECO's service to the rental unit which results in her liability, it is the condition of the rental unit, something that was completely within her control.

The actions of the Respondent were legally sound, and Complainant must seek compensation from her former tenants in another forum. Accordingly, the Complaint is dismissed.

9. PECO averred that the Complainant filed exceptions to ALJ Colwell's Decision and the Commission denied the Complainant's exceptions by Opinion and Order entered February 12, 2015. The Commission noted in their Opinion and Order:

It is clear that electricity usage from two separate units at the property was being recorded through one meter, a situation that constitutes foreign load. Accordingly, we find that PECO properly transferred the electric account and related balance for the Service Address to the Complainant, upon its discovery of foreign load, in accordance with the applicable provisions of the Code.

See Gilma Merkert v. PECO, F-2014-2413585 (Opinion and Order entered February 12, 2015).

10. See Gilma Merkert v. PECO, F-2014-2413585 (Opinion and Order entered February 12, 2015). New Matter ¶16.

11. Accordingly, PECO averred that all of the allegations in the Complainant's current formal case should be dismissed on the grounds of res judicata. New Matter ¶17.

12. To date, 20 days has passed since PECO filed its New Matter.

13. PECO has not been served with a response to its New Matter, and therefore it requests that the facts stated therein be deemed admitted. 52 Pa.Code §5.63(b) (providing that facts in new matter may be deemed admitted if there is no reply).

14. All of the allegations raised in the Complaint were previously raised by the Complainant in a prior former complaint and were dismissed.

15. The Commission's regulations at 52 Pa. Code §5.102(a) permits any party to move for summary judgment or judgment on the pleadings after the pleadings are closed, but within such time as to not delay a hearing. Under 52 Pa. Code §5.102(d)(1), the

presiding officer will grant the motion if the pleadings, depositions, answers to interrogatories, admissions and affidavits show that there is no genuine issue as to a material fact and that the moving party is entitled to judgment as a matter of law.

16. The moving party bears the burden of showing that no genuine issue of material fact exists and that it is entitled to judgment as a matter of law. The Commission must view the record in the light most favorable to the non-moving party, giving that party the benefit of all reasonable inferences. *First Mortgage Co. of Pennsylvania v. McCall*, 459 A.2d 406 (Pa. Super. 1983).

17. The provision at 52 Pa. Code §5.102(c) serves judicial economy by avoiding a hearing where no factual dispute exists. If no factual issue pertinent to the resolution of the case exists, a hearing is unnecessary. *Lehigh Valley Power Committee v. Pennsylvania Public Utility Commission*, 563 A.2d. 557 (Pa. Cmwlth. 1989).

18. The pleadings in this case reveal that the Complainant's case is barred on res judicata grounds.

19. The doctrine of res judicata operates to prevent re-litigation of claims already litigated on the merits. As stated by the Commission in Frank Tomazin v. Pennsylvania-American Water Company, 1997 Pa. PUC Lexis 52 (1997), "the policies underlying the doctrine of res judicata are minimizing judicial energy devoted to individual cases, establishing certainty and respect for court judgments, and protecting the party relying on the prior adjudication from vexatious litigation."

20. Res judicata includes any issue, claim or defense that was raised or could have been raised in the prior proceedings. Glynn v. Glynn, 2001 PA Super 359, ¶ 27, 789 A.2d 242, 250.

21. The doctrine of res judicata, which is also known as claim preclusion, holds that a final judgment on the merits by a court of competent jurisdiction will bar any future action on the same cause of action between the parties and their privies. Hopewell Estates, Inc. v. Kent, 435 Pa. Superior Ct. 471, 476, 646 A.2d 1192 (1994). The doctrine of res judicata applies to cases before the Commission. See, O'Toole v. Bell Telephone Co. of Pennsylvania, Inc., 77 Pa. P.U.C. 98, 104 (1992). The doctrine of res judicata reflects the refusal of the law to tolerate the re-litigation of a matter decided by a court of competent jurisdiction. For the doctrine to prevail four conditions must be met:

- (1) Identity of issues;
- (2) Identity of causes of action;
- (3) Identity of persons and parties to the action; and
- (4) Identity of the quality and capacity of the parties suing or sued.

Day v. Volkswagenwerk Aktiengesellschaft, 318 Pa. Superior Ct. 255, 474 A.2d 1313, 1316, 1317 (1983).

22. In the present case all four elements of res judicata are met.

23. Consistent with the requirement of res judicata, the issue sued upon in the 2014 matter and the 2016 complaint are the same. Complainant's issue is founded on a PECO bill for the Complainant's rental property located at 4814 North 5th Street. Complainant states that PECO found foreign wiring at the aforementioned address which she owned and leased to Mr. Nesbitt. Despite the property containing two separate units, only one meter was installed. Upon discovering the foreign wiring, PECO transferred the bill from the tenant to the Complainant. In the initial decision, the Commission held that the Respondent (PECO) was required by statute to transfer the tenant's bill to Complainant.

The decision states that the Respondent was “obligated to list the account in the Complainant’s name as soon as the foreign load was identified.” See Gilma Merkert v. PECO, F-2014-2413585 (Initial Decision entered August 15, 2014).

24. The cause of action in the most recent Complaint is also the same. In the 2014 matter, Complainant requested that the charges accumulated during Mr. Nesbitt’s time as a tenant at 4814 North 5th Street be removed from her account. Again, Complainant alleges that PECO acted in error by transferring the existing balance from her rental property to her account after it was discovered that there was only one meter installed for the home, which included two units. Analogous to the previous complaint, in the most recent complaint, Complainant requests that PECO charge her for the unit that she lives in and not those of her tenants. Section 1529.1 (b) of the Code, cited in the initial decision, provides that “if the mobile home park or residential building contains one or more dwelling units not individually metered, an affected public utility shall forthwith list the account for the premises in question in the name of the owner, and the owner shall thereafter be responsible for the payment for the utility services rendered thereunto.” In the current 2016 complaint, Complainant questions Respondent’s practice of opening an account without requiring the customer to present a lease or deed for the property. Consistent with the previous 2014 matter decided by the Commission, Complainant points out that the PECO account was opened by Mr. Henry Washington who was not a party to the lease agreement. The initial decision affirmed Respondent’s obligations for application for service, within the Tariff Electric Pa. PUC No. 4. In order to commence service at a location, Respondent only requires identification and a credit check.

25. Res judicata also requires the parties to the instant action be the same or stand in privity to the parties of the original action. Hopewell Estates, Inc. v. Kent, 435 Pa. Superior Ct. 471. 476,646 A.2d 1192 (1994). The parties in the most recent action are the same as the 2014 complaint which was already dismissed. This matter is again initiated by Gilma Merkert against PECO Energy. The formal complaint also mentions Complainant's former tenant, Mr. Todd Nesbit and his father Mr. Henry Washington.

26. As required by the fourth tenant of the doctrine of res judicata, the quality and capacity of the parties involved is the same as it was in 2014.

27. Section 703 of the Public Utility Code, 66 Pa. C.S.A. § 703(b) provides that the Commission may dismiss any complaint without a hearing of, in its opinion, a hearing is not necessary to the public interest.

28. Here, the issues presented have all been litigated previously. Therefore, PECO Energy is entitled to judgment as a matter of law with respect to all of the allegations in the Complaint.

29. All of the allegations raised in the Complaint were previously raised by the Complainant in a former complaint and were dismissed.

30. For purposes of determining whether res judicata applies, the essential inquiry is whether the ultimate and controlling issues have been decided in a prior proceeding where the parties had an opportunity to appear and to be heard. Stevens Painton Corp. v. First State Ins. Co., 746 A.2d 649, 654 (Pa. Super. 2000) (emphasis added). The Complainant was provided with a hearing before ALJ Colwell, who heard the merits of her Complaint.

31. Because the present Complaint asserts the same factual and legal basis for relief as the dismissed 2014 Complaint, the Complainant is estopped from attempting to re-assert her claims here.

32. The doctrine of res judicata is meant to protect against just the type of re-litigation that the Complainant is attempting with her present formal Complaint. It is pointless and a waste of the Commission's time and resources to permit the new Complaint to go forward with respect to any issues already raised in the earlier Complaint.

33. For the reasons set forth above, all of the Complainant's claims should be dismissed on the grounds of res judicata.

REQUEST FOR RELIEF

WHEREFORE, for the reasons set forth above, PECO Energy Company respectfully requests that your Honorable Commission summarily dismiss the Complainant's Complaint, and all issues which were raised in the 2014 Complaint at docket number F-2014-2413585.

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
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GILMA MERKERT
Complainant

v.

PECO ENERGY COMPANY
Respondent

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DOCKET NO. C-2016-2542972

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 21, 2016

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GILMA MERKERT
Complainant

v.

PECO ENERGY COMPANY
Respondent

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DOCKET NO. C-2016-2542972

CERTIFICATE OF SERVICE

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:

Gilma Merkert
P.O. Box 63353
Philadelphia, PA 19114

Dated at Philadelphia, Pennsylvania, June 20, 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.com

PECO EXHIBIT 1

Botak, Amy:(PECO)

From: eServe@pa.gov
Sent: Monday, May 02, 2016 4:37 PM
To: Lee, Shawane L:(PECO)
Cc: Botak, Amy:(PECO)
Subject: [EXTERNAL] PA PUC eServe Notice

Importance: High

Dear Shawane L Lee,

A(n) Formal Complaint has been served in this proceeding. This document is docketed as **C-2016-2542972**.

You may view this document at

Formal Complaint

You are receiving this email because you are a(n) **Respondent** for this case and have agreed to be served electronically. By selecting electronic service (eService), you have agreed that this notification constitutes valid service. Electronic service of any and all documents will be in place of paper service.

Thank You,
Public Utility Commission
Commonwealth of Pennsylvania

** Please do not respond to this automatically generated email.*

PECO ENERGY
EXHIBIT 1

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

RECEIVED
2016 APR 15 AM 10:35
SECRETARY'S BUREAU

Filing this form begins a legal proceeding and you will be a party to the case.
If you do not wish to be a party to the case, consider filing an arbitration complaint.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name Gilma Merkant

Street/P.O. Box 63353 Apt # _____

City Philadelphia State Pa. Zip 19114

County Philadelphia

Telephone Number(s) Where We Can Contact You During the Day:

(267) 3388495 (home) () Same (mobile)

E-mail Address (optional): gmerkant1@gmail.com (I do not use but I read.)

Utility Account Number (from your bill) 4767572103

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name Gilma Merkant MAR 29 2016

Street/P.O. Box P.O. Box 63353 PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

City Philadelphia State Pa. Zip 19114
Re: 4814 N. 5th Phila. Pa. 19120 - Since 2013.

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

P.E.C.O. (Keeps telling me shut off my service)

I pay for my service where I live.
What Peco is doing is something unconstitutional and unfair - and without service no - real fair treatment for landlords!

3. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- ELECTRIC WASTEWATER/SEWER
 GAS TELEPHONE/TELECOMMUNICATIONS (local, long distance)
 WATER MOTOR CARRIER (e.g. taxi, moving company, limousine)
 STEAM HEAT

4. Reason for Complaint

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. Your complaint may be dismissed without a hearing if you do not provide specific information.

The utility is threatening to shut off my service or has already shut off my service.

I would like a payment agreement.

Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.

see back of page I have paying the bill for my apartment but I can't pay for some one else who created the bill and damages. Just because they caused damages & bills used

I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

Other (explain).

by different people. PECO open an acc. since 2012 to Mr. Henry Washington. He did not have a lease I never rented to him. He brought a balance into this place 4814 N. 5th. He did not pay that electric bill. He told me that Todd Nashill the son who did not pay rent - or electric - that they were obligated him to do so. Because they all were evicted officially - they went down to the electric box and caused all kind of electric damages in revenge because the courts evict them since

July 20/2013. All those months after they stayed there until they created more problems. and in Sept. 2013 they called PECO told them that the electric bill was too high. One inspector came in I was never informed. The Inspector saw problems that they created then send me a letter indicating that was something wrong

- ① Peco should had notified me that there was a high bill way before! I could had taken an action fast on those circumstances. This could had prevented if increases on the bills.
- ② When Peco discovered Foreign Load did not notify me
- ③ Peco made statements so confusing as confusing are who make the laws in Pa.

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

Be fair - do not make me responsible for charges that it did not create. Peco is like a big defendant fighting a small sug. - I have no lawyer - I have no money but I have the truth. Please resolve this problem the best that you can in the past I was told that I created the problem. I never live there - I never use your services. Please be fair and charge only what I using now in my own small apt. Some tenants use very tricky ways to destroy someone else property. and that what those bad tenants did just because they were evicted. this is so much aggravation - H.B.P. disabilities and stress. Please stop once and for all. Justice do not look at color - origin or Religion. Please! Justice

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. **Protection From Abuse (PFA)**

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public. *A problem regarding billing that should not be minor.*

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing; a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. **Prior Utility Contact**

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

They say that I just talk to you and ask to resolve the problem - they don't want to accept the fact that they are wrong. Without proper channels and facts.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (if known) _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

This bill is about a residential big house - I never live there
you did not use your Peco service and then 4874 N. 5th St.
Someone who was evicted - caused the problems
plus you added all their balances were high.
Why did you give electric to someone who was not
any tenant? Why you did not notify me of their
high electric balances? Please do justice
now!

9. Verification and Signature

You must sign your complaint. Individuals filing a Formal Complaint **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink**. If you do not sign the Formal Complaint, the PUC **will not accept it**.

Verification:

1 Eileen Merkant, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Joseph S. Merkant _____ 3/6/16 _____
(Signature of Complainant) (Date)

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not signed** by one of these individuals, the PUC **will not accept it**.

10. Two Ways to File Your Formal Complaint

Electronically. You must create an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/efiling/default.aspx>.

Note: If you are appealing your Bureau of Consumer Services (BCS) decision, you must file your formal complaint by mail.

Mail. Mail the completed form with your original signature and any attachments, by certified mail, first class mail, or overnight delivery to this address:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

Note: Formal Complaints sent by fax or e-mail **will not be accepted**.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your Formal Complaint for your records.



An Exelon Company

0192

PECO
PO BOX 13778
Philadelphia, PA 19101

0001521 01 AT 0.413 "AUTO T3 0 0142 10114-835353 -C02-P01522-1



GILMA MERKERT
PO BOX 83353
PHILADELPHIA PA 19114-8353



Questions
1-888-480-1533
7 a.m. – 7 p.m., Mon - Fri
peco.com

Account Number: 4767572103
Date: March 02, 2016
Service Address:
9515 FORDHAM RD
2ND FL
PHILADELPHIA, PA 19114

Your account is past due - your service may be shut off.

ATENCION: ES MUY IMPORTANTE QUE USTED ENTIENDA EL MENSAJE QUE APARECE EN ESTE

DOCUMENTO. SI USTED NO LO ENTIENDE, FAVOR DE LLAMAR 1-800-709-8685 INMEDIATAMENTE.

State rules allow PECO to shut off your electric and/or natural gas service in the winter when your account is past due, unless you are low income.

You have not provided proof of income to PECO. You are at risk of having your service shut off this winter.

If you have paid your bill in the last few days, thank you.

Note: If your account becomes past due during the winter and you are low income and have not provided proof of income, your service may be shut off.

To avoid shut off

- You must provide us with proof of income for the last 30 days for every adult member of the household.
- A list of acceptable proof of income by type is provided on the back of this form. You must provide your required income information (copies only) within 7 days of the date of this letter or you may receive a shut off notice.

Ways to pay

- At our website peco.com
- By credit card or check - phone 1-877-433-8384 (the service provider will charge a \$2.35 fee).
- At an authorized payment location - call 1-800-484-4000 to find one near you. Please make sure you get a receipt as proof of payment.
- Through online banking.

There are four (4) ways to complete and submit your Proof of Income;

1. E-mail* Scan and email your income documents to pecopartinfo@peco-energy.com
2. Fax* Information to 215-841-5170
3. Mail* your copies of Proof of Income documents to:
PECO Winter Income Verification
2301 Market Street MOB N4-4
PO Box 13439
Philadelphia, PA 19162-0439
4. In Person - Bring your copies of your Proof of Income documents to our Main Office Building at 2301 Market Street, Philadelphia, Monday to Friday 8:30 a.m. to 5:00 p.m.

* Please make sure to include the following with your Proof of Income:
Attn: Winter Income, your name, account number and a phone number where we can reach you. Please make sure to only send copies.

If you have any questions about the Proof of Income process, you may contact our Financial Call Center at 1-888-480-1533.





Emergency and Repairs: 1-800-881-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: GILMA MERKERT
Account Number: 65929-26108
Phone Number: 267-338-8495
Service Address: 4814 N 5TH ST, PHILADELPHIA

Billing Summary

Table with 2 columns: Description and Amount. Rows include Bill Date (08/23/2015), Connection charge - standard (\$6.00), Charges from previous bill (\$2,035.55), Late payment charge (\$26.08), Total Other Charges (\$2,067.83).

Current Period Charges

Table with 2 columns: Description and Amount. Rows include Electric (\$5.72), Total New Charges (\$6.72), Total Amount Due on 07/15/2015 (\$2,073.35).

General Information

Next scheduled meter reading: July 22, 2015
PECO, 2301 Market Street, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-494-4000 before the due date.

- Customer Self Service - Manage Your Account 24/7
- www.pECO.com/bill - Go paperless: receive and pay your bill
- www.pECO.com/service - Start, stop and transfer your service
- www.pECO.com/energysave - Save energy and money
- Pay by phone with credit/debit card at 1-877-432-8384 (\$2.35 fee)

Message Center

From PECO:
New charges contain estimated total state taxes of \$0.39, including \$0.34 for State Gross Receipts Tax.
Your electric price to compare is \$0.0821 per kWh. This may change in March, June, September and December. For more information and supplier offers visit www.PAPowerSwitch.com and www.oaa.state.pa.us.
... Final Bill ...
Late payment charges will continue until bill is paid.

When paying in person, please bring the entire bill.

(continued on next page)

Return only this portion with your check made payable to PECO. Please write your account number on your check.



- Check here to enroll in Power Pay automatics account debit and complete form on reverse side.
Check here to pledge a donation to NEAF and complete form on reverse side.

To pay by phone call 1-877-432-8384. A convenience fee will apply.

65929 2610 80000 0000

19737 1 AV 0.388 19137010/37040147 073 01 020824 108242015
GILMA MERKERT
PO BOX 63371
PHILADELPHIA PA 19114-8371

Account Number 65929-26108 Payment Receipt Stamp

Payment Amount box

Please pay this amount by 07/15/2015 \$2,073.35

00000005720000203555

PECO - PAYMENT PROCESSING
PO BOX 37629
PHILADELPHIA PA 19101-0829

Barcode for payment processing

659292610800020733551962073351

INFORMATION ABOUT YOUR BILL

Reading Your Meter: Actual Reading - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

Meter Reading Schedule: Your monthly meter reading is scheduled through our automated system. Your scheduled meter reading date is shown on your bill.

Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

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CAP (Customer Assistance Program): Discounted rate for verified low-income customers. Please visit peco.com/help or call 1-800-774-7040 for more information.

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Demand Information (Commercial Customers Only): Registered Peak Demand is the maximum rate for highest half hour of energy use for each billing period. It is measured in kilowatts (kW) and averaged during a 30-minute period.

Check Clearing Notification: When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

ELECTRIC AND GAS TERMS USED IN YOUR BILL

Administrative Charge: Charges to reimburse utilities for the costs associated with buying electricity for customers.

Auxiliary Charge: Charges to reimburse utilities for the cost associated with operating the system that moves energy from generating stations to PECO's system for delivery to its customers.

Balancing Service Charge: Charge for fixed and variable storage costs for each Ccf of gas delivered.

Billing Demand (kW): The calculated or measured rate of energy usage supplied after any required adjustments such as for minimums or power factor.

Ccf - Hundred Cubic Feet: Unit of measure for the gas you use. One Ccf is the amount of gas used to run an average size house heater nonstop for one hour.

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Kilowatt Hour (kWh): Unit of measure for electricity. One kWh is the amount of energy used by a 100-watt bulb for 10 hours.

Lumen: Unit of measurement of the quantity of light.

Natural Gas Supply Charges: Charges to reimburse utilities for the costs to purchase natural gas for customers. These charges are passed along to customers at the exact price PECO pays, with no mark up.

Peak Load Contribution: A customer's contribution to PECO's peak load at the time of highest demand from the previous summer.

PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

Price to Compare (PTC): The price used to evaluate offers from competitive suppliers.

Purchased Generation Adj.: Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase electricity for default service customers.

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Matching Energy Assistance Fund (MEAF) Pledge Form

POWER PAY - Payment Authorization

You can help low-income PECO customers pay their energy bills by making a donation to the Matching Energy Assistance Fund (MEAF). When you do, PECO will match your contribution, dollar for dollar - to double the amount of money donated to MEAF. It's easy to make a difference in the community, just complete this form and mail it with your payment. For questions or more information, please visit peco.com/help or call 1-800-494-4000.

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YES, I'd like to empower local families in my neighborhood with a donation to MEAF. Please add the amount indicated to my monthly bill. (Minimum \$1)

\$1 \$5 \$10 \$ _____

FINANCIAL INSTITUTION _____ CHECKING SAVINGS

YOUR BANK ACCOUNT NUMBER AND BANK ROUTING NUMBER _____

X _____
SIGNATURE

YES, I'd like to empower local families in my neighborhood with a one-time donation to MEAF.

\$ _____ One-time donation (Payable to PECO.)

By signing this form, I authorize PECO to instruct my bank/savings institution to make my payments from the account listed above. I understand this authorization may be revoked by me at any time by providing PECO with notice by visiting peco.com/powerpay, by calling 1-800-494-4000, or by written notice to discontinue my automatic payment.



Emergency and Repair: 1-800-691-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: **GILMA MERKERT**
 Account Number: **65929-26108**

Meter Information

Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Usage
				Previous	Present			
03/22	118617172	General Service	Tot kWh	57171 Actual	57209 Actual	38	1	38

Total kWh Used 38

Electric Residential Heating Service - Current Period Detail

Service 08/21/2015 to 08/22/2015 - 1 days

Customer charge				\$0.23
Generation Charges	38 kWh	X	\$0.07700	2.93
Transmission Charges	38 kWh	X	0.00500	0.19
Distribution Charges	38 kWh	X	0.06270	2.33
State Tax Adjustment				-0.01
Total Current Charges				\$5.72

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	38	38.0	1	82
Last Month	1,100	35.1	31	73
Last Year	0	0.0	0	0

Avg kWh per Month	721
Total Annual kWh Usage	2,687

Shopping Information Box

When shopping for a competitive electric/natural gas supplier, please provide the following: Account number: 65929-26108
 Electric Rate: Electric Residential Heating Service Gas Rate:
 If you are purchasing the energy you use from a competitive supplier, it is important to understand the terms of your contract and expiration date.

DO NOT MAIL THIS PORTION WITH YOUR PAYMENT

INFORMATION ABOUT YOUR BILL

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YES, I'd like to empower local families in my neighborhood with a donation to MEAF. Please add the amount indicated to my monthly bill. (Minimum \$1)

\$1 \$5 \$10 \$ _____

YES, I'd like to empower local families in my neighborhood with a one-time donation to MEAF.

\$ _____ One-time donation (Payable to PECO)

POWER PAY - Payment Authorization

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FINANCIAL INSTITUTION _____

CHECKING
 SAVINGS

YOUR BANK ACCOUNT NUMBER AND BANK ROUTING NUMBER _____

X _____

SIGNATURE

By signing this form, I authorize PECO to instruct my bank/savings institution to make my payments from the account listed above. I understand this authorization may be revoked by me at any time by providing PECO with notice by visiting peco.com/powerpay, by calling 1-800-494-4000, or by written notice to discontinue my automatic payment.

Be sure to check the box on the front of this stub for participation in the program.



Emergency and Repair: 1-800-831-6101. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-484-4000

Name: GILMA MERKERT
 Account Number: 24600-60040
 Phone Number: 267-338-8495
 Service Address: BSMT APT, 4814 N 5TH ST, PHILADELPHIA

Billing Summary

Bill Date	06/23/2015
Thank you for your payment of \$200.00	
Connection charge - standard	\$6.00
Charges from previous bill	\$1,611.01
Transfer service 4814 N 5TH ST PHILADELPHIA	\$4,727.88
Late payment charge	\$551.04
Total Other Charges	\$6,895.93

Current Period Charges

Electric	\$17.02
Total New Charges	\$17.02
Total Amount Due on 07/15/2015	\$6,912.95

General Information

Next scheduled meter reading: July 22, 2015
 PECO, 2301 Market Street, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-484-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-484-4000 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7**
- www.peco.com/self - Go paperless: receive and pay your bill
 - www.peco.com/transfer - Start, stop and transfer your service
 - www.peco.com/energy - Save energy and money
 - Pay by phone with credit/debit card at 1-877-432-6384 (\$2.35 fee)

Message Center

From PECO:
 Estimated Meter Reading.
 You are on the Customer Assistance Program (CAP) Rate. You are saving money by paying a CAP rate.
 New charges contain estimated total state taxes of \$1.18, including \$1.00 for State Gross Receipts Tax.

When paying in person, please bring the entire bill. (continued on next page)



Return only this portion with your check made payable to PECO. Please write your account number on your check.

- Check here to enroll in Power Pay automatic account debit and complete form on reverse side.
- Check here to pledge a donation to MEAF and complete form on reverse side.

To pay by phone call 1-877-432-6384. A convenience fee will apply.

24600 6004 0000 0000

9261 1 AV 0.388 8381008701-015612 004 01 C1008P 1246 06242013
 GILMA MERKERT
 PO BOX 63363
 PHILADELPHIA PA 19114-8353

Account Number 24600-60040 Payment Receipt Stamp

Payment Amount

Please pay this amount by 07/15/2015 \$6,912.95

PECO - PAYMENT PROCESSING
 PO BOX 37828
 PHILADELPHIA PA 19101-0829

00000017020000161101

246006004000069129551966912956

INFORMATION ABOUT YOUR BILL

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(Minimum \$1)

\$1 \$5 \$10 \$ _____

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FINANCIAL INSTITUTION _____

CHECKING

SAVINGS

YOUR BANK ACCOUNT NUMBER AND BANK ROUTING NUMBER _____

X _____

SIGNATURE

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PCO111CB



Emergency and Repair: 1-800-831-4041. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-454-4000

Name: **GILMA MERKERT**
 Account Number: **24800-60040**

Meter Information

Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Usage
				Previous	Present			
08/18	124081116	General Service	Tot kWh	17424 Actual	17597 Estimate	173	1	173

Total kWh Used 173

Electric Residential Heating Service CAP OptD - Current Period Detail Service 05/18/2015 to 08/18/2015 - 30 days

Customer charge					\$7.12
Generation Charges					13.32
Transmission Charges	173 kWh	X	\$0.07700		0.87
Distribution Charges	173 kWh	X	0.00600		10.85
State Tax Adjustment	173 kWh	X	0.08270		-0.06
CAP Adjustment					\$17.02
Total Current Charges					

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	173	6.7	26	72
Last Month	770	26.7	29	64
Last Year	148	5.1	29	70

Avg kWh per Month	1,411
Total Annual kWh Usage	16,935

DO NOT MAIL THIS PORTION WITH YOUR PAYMENT

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Gas Cost Adjustment (GCA): Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase natural gas for customers.

Generation Charges: Charges to reimburse utilities for the costs to purchase electricity for customers. These charges are passed along to customers at the exact price PECO pays, with no markup. If the generation service is from an electric generation supplier, it is competitively priced and is not regulated by the Public Utility Commission.

Kilowatt Hour (kWh): Unit of measure for electricity. One kWh is the amount of energy used by a 100-watt bulb for 10 hours.

Lumen: Unit of measurement of the quantity of light.

Natural Gas Supply Charge: Charges to reimburse utilities for the costs to purchase natural gas for customers. These charges are passed along to customers at the exact price PECO pays, with no mark up.

Peak Load Contribution: A customer's contribution to PECO's peak load at the time of highest demand from the previous summer.

PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

Price to Compare (PTC): The price used to evaluate offers from competitive suppliers.

Purchased Generation Adj.: Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase electricity for default service customers.

Service Location Distribution Charge: A charge to receive service at a particular Service Location, which shall comprise each lighting installation and must be separately connected to a delivery point on the company's secondary circuit.

State Gross Receipts Tax: State tax on electric utilities. This is included in PECO's basic charges.

State Tax Adjustment: Either a credit or charge reflecting certain changes in state taxes. It may include part of the State Gross Receipts Tax.

Transmission Charges: Charges to move electricity from generating stations to PECO's electric delivery system. The Federal Energy Regulatory Commission regulates transmission prices and services.

Working Capital Charge: Charge to compensate PECO for costs incurred during the period when service was provided to its default service customers and when payment was received.



Matching Energy Assistance Fund (MEAF) Pledge Form

POWER PAY - Payment Authorization

You can help low-income PECO customers pay their energy bills by making a donation to the Matching Energy Assistance Fund (MEAF). When you do, PECO will match your contribution, dollar for dollar - to double the amount of money donated to MEAF. It's easy to make a difference in the community, just complete this form and mail it with your payment. For questions or more information, please visit peco.com/help or call 1-800-494-6808.

If you enroll in Power Pay, each bill will be automatically deducted from your checking or savings account on the date it is due. You'll still receive a monthly statement, but you'll no longer have to write a check. Please continue to pay as usual until you see a bank deduction noted on your bill. To enroll online, or for questions about Power Pay, visit peco.com/powerpay or call 1-800-494-4000.

YES, I'd like to empower local families in my neighborhood with a donation to MEAF. Please add the amount indicated to my monthly bill.
(Minimum \$1)

\$1 \$5 \$10 \$ _____

YES, I'd like to empower local families in my neighborhood with a one-time donation to MEAF.

\$ _____ One-time donation (Payable to PECO.)

FINANCIAL INSTITUTION _____

CHECKING
 SAVINGS

YOUR BANK ACCOUNT NUMBER AND BANK ROUTING NUMBER _____

X _____
SIGNATURE

By signing this form, I authorize PECO to instruct my bank/savings institution to make my payments from the account listed above. I understand this authorization may be revoked by me at any time by providing PECO with notice by visiting peco.com/powerpay, by calling 1-800-494-4000, or by written notice to discontinue my automatic payment.

Be sure to check the box on the front of this stub for participation in the program.

PC0111CA



Emergency and Repair 1-800-811-8111. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: GILMA MERKERT
Account Number: 47675-72103
Phone Number: 267-338-8495
Service Address: 9515 FORDHAM RD, 2ND FL.
 PHILADELPHIA

Billing Summary

Bill Date		08/05/2015
Thank you for your payment of \$29.42		
Connection charge - standard		\$6.00
Connection charge - standard		\$6.00
Deposit		\$11.25
Charges from previous bill		\$0.92
Transfer service 4814 N 5TH ST PHILADELPHIA		\$2,034.35
Late payment charge		\$26.09
Total Other Charges		\$2,084.61

Current Period Charges

Electric		\$80.38
Total New Charges		\$80.38
Total Amount Due on 08/27/2015		\$2,164.99

General Information

Next scheduled meter reading: September 8, 2015
 PECO, 2301 Market Street, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7**
- www.peco.com/bill - Go paperless: receive and pay your bill
 - www.peco.com/service - Start, stop and transfer your service
 - www.peco.com/energysave - Save energy and money
 - Pay by phone with credit/debit card at 1-877-432-6384 (\$2.35 fee)

Message Center

From PECO:

A deposit was required to establish electric service for your new address. For your convenience, we are billing the deposit for this account in 0002 installments. Payment by the due date will ensure that an additional deposit will not be billed to your account. Please call our office if you have any questions.

New charges contain estimated total state taxes of \$6.58, including \$4.74 for State Gross Receipts Tax.

Your electric price to compare is \$0.0820 per kWh. This may change in March, June, September and December. For more information and supplier offers visit www.PAPowerSwitch.com and www.oca.state.pa.us.

INFORMATION ABOUT YOUR BILL

Reading Your Meter: Actual Reading - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

Meter Reading Schedule: Your monthly meter reading is scheduled through our automated system. Your scheduled meter reading date is shown on your bill.

Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

Rate Schedule: A listing of all of our rates can be found on our website at peco.com, in our business office, or by calling 1-800-494-4000.

Basic Charges: Charges, based on rates approved by Pennsylvania Public Utility Commission, for the energy you used plus a monthly charge for maintaining your service.

CAP (Customer Assistance Program): Discounted rate for verified low-income customers. Please visit peco.com/help or call 1-800-774-7040 for more information.

Late Payment Charges: All bills are due and payable by the due date shown on the front of the bill. The due date applies to the current charges only and does not extend the due date for payment of previous charges. Past due amounts may be subject to a finance charge of 2 percent per month. (1.5 percent for rates GS and R)

Demand Information (Commercial Customers Only): Registered Peak Demand is the maximum rate for highest half hour of energy use for each billing period. It is measured in kilowatts (kW) and averaged during a 30-minute period.

Check Clearing Notification: When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

ELECTRIC AND GAS TERMS USED IN YOUR BILL

Administrative Charge: Charges to reimburse utilities for the costs associated with buying electricity for customers.

Ancillary Charge: Charges to reimburse utilities for the cost associated with operating the system that moves energy from generating stations to PECO's system for delivery to its customers.

Balancing Service Charge: Charge for fixed and variable storage costs for each Ccf of gas delivered.

Billing Demand (kW): The calculated or measured rate of energy usage supplied after any required adjustments such as for minimums or power factor.

Ccf - Hundred Cubic Feet: Unit of measure for the gas you use. One Ccf is the amount of gas used to run an average size house heater nonstop for one hour.

Customer Charges: Monthly basic electric and/or gas charge covering the costs of billing, meter reading, equipment, and maintenance. Customers with multiple meters will have multiple customer charges on their bill.

Distribution Charges: Charges to cover the costs associated with delivering electricity and natural gas to customers.

Energy Efficiency Charge: To reimburse utilities for the costs associated with energy efficiency and conservation programs as required by Pennsylvania's Act 129.

Gas Cost Adjustment (GCA): Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase natural gas for customers.

Generation Charges: Charges to reimburse utilities for the costs to purchase electricity for customers. These charges are passed along to customers at the exact price PECO pays, with no markup. If the generation service is from an electric generation supplier, it is competitively priced and is not regulated by the Public Utility Commission.

Kilowatt Hour (kWh): Unit of measure for electricity. One kWh is the amount of energy used by a 100-watt bulb for 10 hours.

Lumen: Unit of measurement of the quantity of light.

Natural Gas Supply Charge: Charges to reimburse utilities for the costs to purchase natural gas for customers. These charges are passed along to customers at the exact price PECO pays, with no markup.

Peak Load Contribution: A customer's contribution to PECO's peak load at the time of highest demand from the previous summer.

PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

Price to Compare (PTC): The price used to evaluate offers from competitive suppliers.

Purchased Generation Adj.: Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase electricity for default service customers.

Service Location Distribution Charge: A charge to receive service at a particular Service Location, which shall comprise each lighting installation and must be separately connected to a delivery point on the company's secondary circuit.

State Gross Receipts Tax: State tax on electric utilities. This is included in PECO's basic charges.

State Tax Adjustment: Either a credit or charge reflecting certain changes in state taxes. It may include part of the State Gross Receipts Tax.

Transmission Charges: Charges to move electricity from generating stations to PECO's electric delivery system. The Federal Energy Regulatory Commission regulates transmission prices and services.

Working Capital Charge: Charge to compensate PECO for costs incurred during the period when service was provided to its default service customers and when payment was received.



Emergency and Repair: 1-800-391-4131. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: **GILMA MERKERT**
 Account Number: **47675-72103**

Motor Information									
Read Date	Motor Number	Load Type	Reading Type	Motor Reading		Difference	Multiplier X	Usage	
				Previous	Present				
08/05	127000379	General Service	Tot kWh	3 Actual	510 Actual	507	1	507	
Total kWh Used		507							

Electric Residential Service - Current Period Detail

Service 07/09/2015 to 08/05/2015 - 27 days

Customer charge					\$7.12
Generation Charges	507 kWh	X	\$0.07700		39.04
Transmission Charges	507 kWh	X	0.00600		2.84
Distribution Charges	507 kWh	X	0.06270		31.79
State Tax Adjustment					-0.11
Total Current Charges					\$80.38

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	507	18.7	27	60
Last Month	3	1.5	2	62
Last Year	0	0.0	0	0
Avg kWh per Month				235
Total Annual kWh Usage				510

Shopping Information Box

When shopping for a competitive electric/natural gas supplier, please provide the following:
 Electric Rate: Electric Residential Service

Account number: 47675-72103

Gas Rate:

If you are purchasing the energy you use from a competitive supplier, it is important to understand the terms of your contract and expiration date.

DO NOT MAIL THIS PORTION WITH YOUR PAYMENT

INFORMATION ABOUT YOUR BILL

Reading Your Meter: Actual Reading - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

Meter Reading Schedule: Your monthly meter reading is scheduled through our automated system. Your scheduled meter reading date is shown on your bill.

Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

Rate Schedule: A listing of all of our rates can be found on our website at peco.com, in our business office, or by calling 1-800-494-4000.

Basic Charges: Charges, based on rates approved by Pennsylvania Public Utility Commission, for the energy you used plus a monthly charge for maintaining your service.

CAP (Customer Assistance Program): Discounted rate for verified low-income customers. Please visit peco.com/help or call 1-800-774-7040 for more information.

Late Payment Charges: All bills are due and payable by the due date shown on the front of the bill. The due date applies to the current charges only and does not extend the due date for payment of previous charges. Past due amounts may be subject to a finance charge of 2 percent per month. (1.5 percent for rates GS and R)

Demand Information (Commercial Customers Only): Registered Peak Demand is the maximum rate for highest half hour of energy use for each billing period. It is measured in kilowatts (kW) and averaged during a 30-minute period.

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ELECTRIC AND GAS TERMS USED IN YOUR BILL

Administrative Charge: Charges to reimburse utilities for the costs associated with buying electricity for customers.

Ancillary Charge: Charges to reimburse utilities for the cost associated with operating the system that moves energy from generating stations to PECO's system for delivery to its customers.

Balancing Service Charge: Charge for fixed and variable storage costs for each Ccf of gas delivered.

Billing Demand (kW): The calculated or measured rate of energy usage supplied after any required adjustments such as for minimums or power factor.

Ccf - Hundred Cubic Feet: Unit of measure for the gas you use. One Ccf is the amount of gas used to run an average size house heater nonstop for one hour.

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Lumen: Unit of measurement of the quantity of light.

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Peak Load Contribution: A customer's contribution to PECO's peak load at the time of highest demand from the previous summer.

PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

Price to Compare (PTC): The price used to evaluate offers from competitive suppliers.

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Matching Energy Assistance Fund (MEAF) Pledge Form

You can help low-income PECO customers pay their energy bills by making a donation to the Matching Energy Assistance Fund (MEAF). When you do, PECO will match your contribution, dollar for dollar - to double the amount of money donated to MEAF. It's easy to make a difference in the community, just complete this form and mail it with your payment. For questions or more information, please visit peco.com/help or call 1-800-493-6806.

YES, I'd like to empower local families in my neighborhood with a donation to MEAF. Please add the amount indicated to my monthly bill. (Minimum \$1)

\$1 \$5 \$10 \$ _____

YES, I'd like to empower local families in my neighborhood with a one-time donation to MEAF.

\$ _____ One-time donation (Payable to PECO.)

POWER PAY - Payment Authorization

If you enroll in Power Pay, each bill will be automatically deducted from your checking or savings account on the date it is due. You'll still receive a monthly statement, but you'll no longer have to write a check. Please continue to pay as usual until you see a bank deduction noted on your bill. To enroll online, or for questions about Power Pay, visit peco.com/powerpay or call 1-800-494-4000.

FINANCIAL INSTITUTION _____

CHECKING

SAVINGS

YOUR BANK ACCOUNT NUMBER AND BANK ROUTING NUMBER _____

X

SIGNATURE _____

By signing this form, I authorize PECO to instruct my bank's savings institution to make my payments from the account listed above. I understand this authorization may be revoked by me at any time by providing PECO with notice by visiting peco.com/powerpay, by calling 1-800-494-4000, or by written notice to discontinue my automatic payment.

Be sure to check the box on the front of this stub for participation in the program.



Emergency and Repairs: 1-800-691-4101. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Page 1

Name: GILMA MERKERT
Account Number: 24800-80040
Phone Number: 267-338-8495
Service Address: BSMT APT, 4814 N 5TH ST.
PHILADELPHIA

Billing Summary

Bill Date		03/23/2015
Thank you for your payment of \$200.00		
Thank you for your payment of \$200.00		
Connection charge - standard		\$8.00
Charges from previous bill		\$1,087.58
Transfer service 4814 N 5TH ST PHILADELPHIA		\$5,227.88
Late payment charge		\$368.88
Total Other Charges		\$6,690.34
Current Period Charges		
Electric		\$326.56
Total New Charges		\$326.56
Total Amount Due on 04/14/2015		\$7,006.90

General Information

Next scheduled meter reading: April 22, 2016
PECO, 2301 Market Street, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-494-4000 before the due date.
Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7
- www.peco.com/bill - Go paperless: receive and pay your bill
 - www.peco.com/service - Start, stop and transfer your service
 - www.peco.com/energysave - Save energy and money
 - Pay by phone with credit/debit card at 1-877-432-8384 (\$2.35 fee)

Message Center

From PECO:

You are on the Customer Assistance Program (CAP) Rate. You are saving money by paying a CAP rate.

New charges contain estimated total state taxes of \$22.68, including \$19.27 for State Gross Receipts Tax.

When paying in person, please bring the entire bill.

(continued on next page)

INFORMATION ABOUT YOUR BILL

Reading Your Meter: **Actual Reading** - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

Meter Reading Schedule: Your monthly meter reading is scheduled through our automated system. Your scheduled meter reading date is shown on your bill.

Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

Rate Schedule: A listing of all of our rates can be found on our website at peco.com, in our business office, or by calling 1-800-494-4000.

Basic Charges: Charges, based on rates approved by Pennsylvania Public Utility Commission, for the energy you used plus a monthly charge for maintaining your service.

CAP (Customer Assistance Program): Discounted rate for verified low-income customers. Please visit peco.com/help or call 1-800-774-7040 for more information.

Late Payment Charges: All bills are due and payable by the due date shown on the front of the bill. The due date applies to the current charges only and does not extend the due date for payment of previous charges. Past due amounts may be subject to a finance charge of 2 percent per month, (1.5 percent for rates GS and R) **Demand Information (Commercial Customers Only):** Registered Peak Demand is the maximum rate for highest half hour of energy use for each billing period. It is measured in kilowatts (kW) and averaged during a 30-minute period.

Check Clearing Notification: When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

ELECTRIC AND GAS TERMS USED IN YOUR BILL

Administrative Charge: Charges to reimburse utilities for the costs associated with buying electricity for customers.

Auxiliary Charge: Charges to reimburse utilities for the cost associated with operating the system that moves energy from generating stations to PECO's system for delivery to its customers.

Balancing Service Charge: Charge for fixed and variable storage costs for each Ccf of gas delivered.

Billing Demand (kW): The calculated or measured rate of energy usage supplied after any required adjustments such as for minimums or power factor.

Ccf - Hundred Cubic Feet: Unit of measure for the gas you use. One Ccf is the amount of gas used to run an average size house heater nonstop for one hour.

Customer Charges: Monthly basic electric and/or gas charge covering the costs of billing, meter reading, equipment, and maintenance. Customers with multiple meters will have multiple customer charges on their bill.

Distribution Charges: Charges to cover the costs associated with delivering electricity and natural gas to customers.

Energy Efficiency Charge: To reimburse utilities for the costs associated with energy efficiency and conservation programs as required by Pennsylvania's Act 129.

Gas Cost Adjustment (GCA): Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase natural gas for customers.

Generation Charges: Charges to reimburse utilities for the costs to purchase electricity for customers. These charges are passed along to customers at the exact price PECO pays, with no markup. If the generation service is from an electric generation supplier, it is competitively priced and is not regulated by the Public Utility Commission.

Kilowatt Hour (kWh): Unit of measure for electricity. One kWh is the amount of energy used by a 100-watt bulb for 10 hours.

Lumen: Unit of measurement of the quantity of light.

Natural Gas Supply Charges: Charges to reimburse utilities for the costs to purchase natural gas for customers. These charges are passed along to customers at the exact price PECO pays, with no markup.

Peak Load Contribution: A customer's contribution to PECO's peak load at the time of highest demand from the previous summer.

PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

Price to Compare (PTC): The price used to evaluate offers from competitive suppliers.

Purchased Generation Adj.: Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase electricity for default service customers.

Service Location Distribution Charge: A charge to receive service at a particular Service Location, which shall comprise each lighting installation and must be separately connected to a delivery point on the company's secondary circuit.

State Gross Receipts Tax: State tax on electric utilities. This is included in PECO's basic charges.

State Tax Adjustment: Either a credit or charge reflecting certain changes in state taxes. It may include part of the State Gross Receipts Tax.

Transmission Charges: Charges to move electricity from generating stations to PECO's electric delivery system. The Federal Energy Regulatory Commission regulates transmission prices and services.

Working Capital Charge: Charge to compensate PECO for costs incurred during the period when service was provided to its default service customers and when payment was received.



Emergency and Repair: 1-800-891-0101. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-484-4000

Name: GILMA MERKERT
 Account Number: 24600-60040
 Phone Number: 267-338-8495
 Service Address: BSMT APT, 4814 N 5TH ST, PHILADELPHIA

Billing Summary

Bill Date	05/19/2015
Thank you for your payment of \$100.00	
Connection charge - standard	\$6.00
Charges from previous bill	\$1,547.07
Transfer service 4814 N 5TH ST PHILADELPHIA	\$4,927.88
Late payment charge	\$455.98
Total Other Charges	\$8,936.83
Current Period Charges	
Electric	\$63.94
Total New Charges	\$63.94
Total Amount Due on 06/10/2015	\$7,000.87

General Information

Next scheduled meter reading: June 22, 2015
 PECO, 2301 Market Street, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-484-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-484-4000 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7**
- www.peco.com/online - Go paperless: receive and pay your bill
 - www.peco.com/service - Start, stop and transfer your service
 - www.peco.com/smartidea - Save energy and money
 - Pay by phone with credit/debit card at 1-877-432-6384 (\$2.35 fee)

Message Center

From PECO:
 You are on the Customer Assistance Program (CAP) Rate. You are saving money by paying a CAP rate.
 New charges contain estimated total state taxes of \$4.44, including \$3.77 for State Gross Receipts Tax.

When paying in person, please bring the entire bill. (continued on next page)



Return only this portion with your check made payable to PECO. Please write your account number on your check.

- Check here to enroll in Power Pay automatic account debit and complete form on reverse side.
- Check here to pledge a donation to MEAF and complete form on reverse side.

To pay by phone call 1-877-432-6384. A convenience fee will apply.

24600 6004 0000 0000

21081 1 AT 0.403 71091421081043288 079 01 030021 17348 03202015
 GILMA MERKERT
 PO BOX 144
 GLADWYNE PA 19035-0144

Account Number 24600-60040 Payment Receipt Stamp

Payment Amount

Please pay this amount by 06/10/2015 \$7,000.87

PECO - PAYMENT PROCESSING
 PO BOX 37829
 PHILADELPHIA PA 19101-0829

00000063940000154707

246006004000070008751617000870

INFORMATION ABOUT YOUR BILL

Reading Your Meter: Actual Reading - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

Meter Reading Schedule: Your monthly meter reading is scheduled through our automated system. Your scheduled meter reading date is shown on your bill.

Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

Rate Schedule: A listing of all of our rates can be found on our website at peco.com, in our business office, or by calling 1-800-494-4000.

Basic Charges: Charges, based on rates approved by Pennsylvania Public Utility Commission, for the energy you used plus a monthly charge for maintaining your service.

CAP (Customer Assistance Program): Discounted rate for verified low-income customers. Please visit peco.com/help or call 1-800-774-7040 for more information.

Late Payment Charges: All bills are due and payable by the due date shown on the front of the bill. The due date applies to the current charges only and does not extend the due date for payment of previous charges. Past due amounts may be subject to a finance charge of 2 percent per month. (1.5 percent for rates GS and R)

Demand Information (Commercial Customers Only): Registered Peak Demand is the maximum rate for highest half hour of energy use for each billing period. It is measured in kilowatts (kW) and averaged during a 30-minute period.

Check Clearing Notification: When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

ELECTRIC AND GAS TERMS USED IN YOUR BILL

Administrative Charges: Charges to reimburse utilities for the costs associated with buying electricity for customers.

Auxiliary Charges: Charges to reimburse utilities for the cost associated with operating the system that moves energy from generating stations to PECO's system for delivery to its customers.

Balancing Service Charge: Charge for fixed and variable storage costs for each Ccf of gas delivered.

Billing Demand (kW): The calculated or measured rate of energy usage supplied after any required adjustments such as for minimums or power factor.

Ccf - Hundred Cubic Feet: Unit of measure for the gas you use. One Ccf is the amount of gas used to run an average size house heater nonstop for one hour.

Customer Charges: Monthly basic electric and/or gas charge covering the costs of billing, meter reading, equipment, and maintenance. Customers with multiple meters will have multiple customer charges on their bill.

Distribution Charges: Charges to cover the costs associated with delivering electricity and natural gas to customers.

Energy Efficiency Charge: To reimburse utilities for the costs associated with energy efficiency and conservation programs as required by Pennsylvania's Act 129.

Gas Cost Adjustment (GCA): Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase natural gas for customers.

Generation Charges: Charges to reimburse utilities for the costs to purchase electricity for customers. These charges are passed along to customers at the exact price PECO pays, with no markup. If the generation service is from an electric generation supplier, it is competitively priced and is not regulated by the Public Utility Commission.

Kilowatt Hour (kWh): Unit of measure for electricity. One kWh is the amount of energy used by a 100-watt bulb for 10 hours.

Lumen: Unit of measurement of the quantity of light.

Natural Gas Supply Charges: Charges to reimburse utilities for the costs to purchase natural gas for customers. These charges are passed along to customers at the exact price PECO pays, with no mark up.

Peak Load Contribution: A customer's contribution to PECO's peak load at the time of highest demand from the previous summer.

PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

Price to Compare (PTC): The price used to evaluate offers from competitive suppliers.

Purchased Generation Adj.: Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase electricity for default service customers.

Service Location Distribution Charge: A charge to receive service at a particular Service Location, which shall comprise each lighting installation and must be separately connected to a delivery point on the company's secondary circuit.

State Gross Receipts Tax: State tax on electric utilities. This is included in PECO's basic charges.

State Tax Adjustment: Either a credit or charge reflecting certain changes in state taxes. It may include part of the State Gross Receipts Tax.

Transmission Charges: Charges to move electricity from generating stations to PECO's electric delivery system. The Federal Energy Regulatory Commission regulates transmission prices and services.

Working Capital Charge: Charge to compensate PECO for costs incurred during the period when service was provided to its default service customers and when payment was received.



Matching Energy Assistance Fund (MEAF) Pledge Form

You can help low-income PECO customers pay their energy bills by making a donation to the Matching Energy Assistance Fund (MEAF). When you do, PECO will match your contribution, dollar for dollar - to double the amount of money donated to MEAF. It's easy to make a difference in the community, just complete this form and mail it with your payment. For questions or more information, please visit peco.com/help or call 1-800-494-4000.

YES, I'd like to empower local families in my neighborhood with a donation to MEAF. Please add the amount indicated to my monthly bill (Minimum \$1)

\$1 \$5 \$10 \$ _____

YES, I'd like to empower local families in my neighborhood with a one-time donation to MEAF.

\$ _____ One-time donation (Payable to PECO)

POWER PAY - Payment Authorization

If you enroll in Power Pay, each bill will be automatically deducted from your checking or savings account on the date it is due. You'll still receive a monthly statement, but you'll no longer have to write a check. Please continue to pay as usual until you see a bank deduction noted on your bill. To enroll online, or for questions about Power Pay, visit peco.com/powerpay or call 1-800-494-4000.

FINANCIAL INSTITUTION _____

CHECKING

SAVINGS

YOUR BANK ACCOUNT NUMBER AND BANK ROUTING NUMBER _____

SIGNATURE _____

By signing this form, I authorize PECO to instruct my bank/savings institution to make my payments from the account listed above. I understand this authorization may be revoked by me at any time by providing PECO with notice by visiting peco.com/powerpay, by calling 1-800-494-4000, or by written notice to discontinue my automatic payment.

Be sure to check the box on the front of this stub for participation in the program.



Emergency and Repair: 1-800-291-1931. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: GILMA MERKERT
 Account Number: 24800-60040

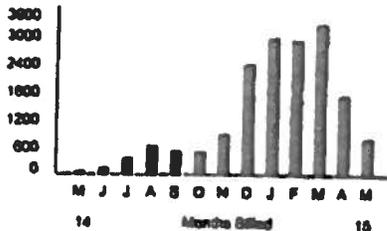
Meter Information								
Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Usage
				Previous	Present			
05/19	124081116	General Service	Tot kWh	16948 Actual	17424 Actual	776	1	776

Total kWh Used 776

Electric Residential Heating Service CAP OptD - Current Period Detail Service 04/20/2015 to 05/19/2015 - 29 days

Customer charge				\$7.12
Generation Charges				
Transmission Charges	776 kWh	X	\$0.07770	60.30
Distribution Charges	776 kWh	X	0.00890	6.91
State Tax Adjustment	776 kWh	X	0.04140	32.13
CAP Adjustment				-0.11
Total Current Charges				\$42.41
				\$63.94

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	776	26.7	29	64
Last Month	1,716	61.2	28	51
Last Year	67	2.3	29	61

Avg kWh per Month	1,609
Total Annual kWh Usage	18,911

DO NOT MAIL THIS PORTION WITH YOUR PAYMENT

INFORMATION FOR CUSTOMERS

Reading Your Meter: Actual Reading - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

Meter Reading Schedule: Your monthly meter reading is scheduled through our automated system. Your scheduled meter reading date is shown on your bill.

Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

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YES, I'd like to empower local families in my neighborhood with a donation to MEAF. Please add the amount indicated to my monthly bill. (Minimum \$1)

\$1 \$5 \$10 \$ _____

YES, I'd like to empower local families in my neighborhood with a one-time donation to MEAF.

\$ _____ One-time donation (Payable to PECO.)

FINANCIAL INSTITUTION _____

CHECKING

SAVINGS

YOUR BANK ACCOUNT NUMBER AND BANK ROUTING NUMBER _____

X
SIGNATURE _____

By signing this form, I authorize PECO to instruct my bank/savings institution to make my payments from the account listed above. I understand this authorization may be revoked by me at any time by providing PECO with notice by visiting peco.com/powerpay, by calling 1-800-494-4000, or by written notice to discontinue my automatic payment.

Be sure to check the box on the front of this stub for participation in the program.



Emergency and Repairs: 1-800-691-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-484-4600

Name: GILMA MERKERT
Account Number: 65929-26108
Phone Number: 267-338-8495
Service Address: 4814 N 5TH ST, PHILADELPHIA

Billing Summary

Bill Date	05/19/2015
Connection charge - standard	\$6.00
Charges from previous bill	\$1,740.27
Total Other Charges	\$1,746.27

Current Period Charges

Electric	\$120.53
Total New Charges	\$120.53
Total Amount Due on 06/10/2015	\$1,866.80

General Information

Next scheduled meter reading: June 22, 2015
PECO, 2301 Market Street, Philadelphia, PA 19103-1360. If you have any questions or concerns, please call 1-800-484-4600 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-484-4600 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7**
- www.pECO.com/bill - Go paperless: receive and pay your bill
 - www.pECO.com/service - Start, stop and transfer your service
 - www.pECO.com/energysave - Save energy and money
 - Pay by phone with credit/debit card at 1-877-432-8384 (\$2.35 fee)

Message Center

From PECO:
New charges contain estimated total state taxes of \$8.37, including \$7.11 for State Gross Receipts Tax.
Your electric price to compare is \$0.0868 per kWh. This may change in March, June, September and December. For more information and supplier offers visit www.PAPowerSwitch.com and www.oca.state.pa.us.

INFORMATION ABOUT YOUR BILL

Reading Your Meter: **Actual Reading** - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

Meter Reading Schedule: Your monthly meter reading is scheduled through our automated system. Your scheduled meter reading date is shown on your bill.

Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

Rate Schedule: A listing of all of our rates can be found on our website at peco.com, in our business office, or by calling 1-800-494-4000.

Basic Charges: Charges, based on rates approved by Pennsylvania Public Utility Commission, for the energy you used plus a monthly charge for maintaining your service.

CAP (Customer Assistance Program): Discounted rate for verified low-income customers. Please visit peco.com/help or call 1-800-774-7040 for more information.

Late Payment Charges: All bills are due and payable by the due date shown on the front of the bill. The due date applies to the current charges only and does not extend the due date for payment of previous charges. Past due amounts may be subject to a finance charge of 2 percent per month, (1.5 percent for rates GS and R) **Demand Information (Commercial Customers Only):** Registered Peak Demand is the maximum rate for highest half hour of energy use for each billing period. It is measured in kilowatts (kW) and averaged during a 30-minute period.

Check Clearing Notification: When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

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Administrative Charge: Charges to reimburse utilities for the costs associated with buying electricity for customers.

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Balancing Service Charge: Charge for fixed and variable storage costs for each Ccf of gas delivered.

Billing Demand (kW): The calculated or measured rate of energy usage supplied after any required adjustments such as for minimums or power factor.

Ccf - Hundred Cubic Feet: Unit of measure for the gas you use. One Ccf is the amount of gas used to run an average size house heater nonstop for one hour.

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Kilowatt Hour (kWh): Unit of measure for electricity. One kWh is the amount of energy used by a 100-watt bulb for 10 hours.

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Natural Gas Supply Charges: Charges to reimburse utilities for the costs to purchase natural gas for customers. These charges are passed along to customers at the exact price PECO pays, with no mark up.

Peak Load Contribution: A customer's contribution to PECO's peak load at the time of highest demand from the previous summer.

PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

Price to Compare (PTC): The price used to evaluate offers from competitive suppliers.

Purchased Generation Adj.: Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase electricity for default service customers.

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Transmission Charges: Charges to move electricity from generating stations to PECO's electric delivery system. The Federal Energy Regulatory Commission regulates transmission prices and services.

Working Capital Charge: Charge to compensate PECO for costs incurred during the period when service was provided to its default service customers and when payment was received.





Emergency and Repair: 1-800-831-4661. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4600

Name: GILMA MERKERT
 Account Number: 24600-60040
 Phone Number: 267-338-8495
 Service Address: BSMT APT, 4814 N 5TH ST,
 PHILADELPHIA

Billing Summary

Bill Date		04/20/2015
Thank you for your payment of \$200.00		
Connection charge - standard		\$6.00
Charges from previous bill		\$1,414.14
Transfer service 4814 N 5TH ST PHILADELPHIA		\$5,027.88
Late payment charge		\$358.88
Total Other Charges		\$6,806.90
Current Period Charges		
Electric		\$132.93
Total New Charges		\$132.93
Total Amount Due on 05/12/2015		\$6,939.83

General Information

Next scheduled meter reading: May 21, 2015
 PECO, 2301 Market Street, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-494-4600 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4600 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7
- www.pECO.com/bill - Go paperless: receive and pay your bill
- www.pECO.com/service - Start, stop and transfer your service
- www.pECO.com/SmartSign - Save energy and money
- Pay by phone with credit/debit card at 1-877-433-8384 (\$2.35 fee)

Message Center

From PECO:
 You are on the Customer Assistance Program (CAP) Rate. You are saving money by paying a CAP rate.
 New charges contain estimated total state taxes of \$9.23, including \$7.84 for State Gross Receipts Tax.

INFORMATION ABOUT YOUR BILL

Reading Your Meter: **Actual Reading** - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

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Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

Rate Schedule: A listing of all of our rates can be found on our website at peco.com, in our business office, or by calling 1-800-494-4000.

Basic Charges: Charges, based on rates approved by Pennsylvania Public Utility Commission, for the energy you used plus a monthly charge for maintaining your service.

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Emergency and Repair: 1-800-941-4949. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4900

Name: GILMA MERKERT

Account Number: 24600-60040

Page 2

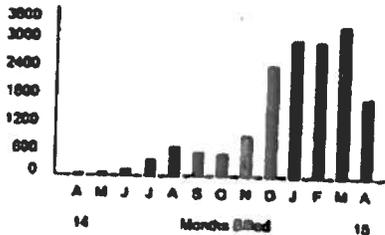
Meter Information

Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier	Usage
				Previous	Present			
04/20	124081116	General Service	Tot kWh	14933 Actual	16648 Actual	1715	1	1715
Total kWh Used		1,715						

Electric Residential Heating Service CAP OptD - Current Period Detail Service 03/23/2015 to 04/20/2015 - 28 days

Customer charge				\$7.12
Generation Charges				
Transmission Charges	1,715 kWh	X	\$0.07770	133.26
Distribution Charges	1,715 kWh	X	0.00890	15.26
State Tax Adjustment	1,715 kWh	X	0.04140	71.00
CAP Adjustment				-0.21
Total Current Charges				\$-83.50
				\$132.93

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	1,715	61.2	28	61
Last Month	3,229	100.9	32	34
Last Year	42	1.3	31	50

Avg kWh per Month	1,300
Total Annual kWh Usage	16,202

DO NOT MAIL THIS PORTION WITH YOUR PAYMENT

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Customer Charges: Monthly basic electric and/or gas charge covering the costs of billing, meter reading, equipment, and maintenance. Customers with multiple meters will have multiple customer charges on their bill.

Distribution Charges: Charges to cover the costs associated with delivering electricity and natural gas to customers.

Energy Efficiency Charge: To reimburse utilities for the costs associated with energy efficiency and conservation programs as required by Pennsylvania's Act 129.

Gas Cost Adjustment (GCA): Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase natural gas for customers.

Generation Charges: Charges to reimburse utilities for the costs to purchase electricity for customers. These charges are passed along to customers at the exact price PECO pays, with no markup. If the generation service is from an electric generation supplier, it is competitively priced and is not regulated by the Public Utility Commission.

Kilowatt Hour (kWh): Unit of measure for electricity. One kWh is the amount of energy used by a 100-watt bulb for 10 hours.

Lumen: Unit of measurement of the quantity of light.

Natural Gas Supply Charges: Charges to reimburse utilities for the costs to purchase natural gas for customers. These charges are passed along to customers at the exact price PECO pays, with no mark up.

Peak Load Contribution: A customer's contribution to PECO's peak load at the time of highest demand from the previous summer.

PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

Price to Compare (PTC): The price used to evaluate offers from competitive suppliers.

Purchased Generation Adj.: Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase electricity for default service customers.

Service Location Distribution Charge: A charge to receive service at a particular Service Location, which shall comprise each lighting installation and must be separately connected to a delivery point on the company's secondary circuit.

State Gross Receipts Tax: State tax on electric utilities. This is included in PECO's basic charges.

State Tax Adjustment: Either a credit or charge reflecting certain changes in state taxes. It may include part of the State Gross Receipts Tax.

Transmission Charges: Charges to move electricity from generating stations to PECO's electric delivery system. The Federal Energy Regulatory Commission regulates transmission prices and services.

Working Capital Charge: Charge to compensate PECO for costs incurred during the period when service was provided to its default service customers and when payment was received.



Matching Energy Assistance Fund (MEAF) Pledge Form

You can help low-income PECO customers pay their energy bills by making a donation to the Matching Energy Assistance Fund (MEAF). When you do, PECO will match your contribution, dollar for dollar - to double the amount of money donated to MEAF. It's easy to make a difference in the community, just complete this form and mail it with your payment. For questions or more information, please visit peco.com/help or call 1-800-403-6808.

YES, I'd like to empower local families in my neighborhood with a donation to MEAF. Please add the amount indicated to my monthly bill. (Minimum \$1)

\$1 \$5 \$10 \$ _____

YES, I'd like to empower local families in my neighborhood with a one-time donation to MEAF.

\$ _____ One-time donation (Payable to PECO.)

POWER PAY - Payment Authorization

If you enroll in Power Pay, each bill will be automatically deducted from your checking or savings account on the date it is due. You'll still receive a monthly statement, but you'll no longer have to write a check. Please continue to pay as usual until you see a bank deduction noted on your bill. To enroll online or for questions about Power Pay, visit peco.com/powerpay or call 1-800-494-4000.

FINANCIAL INSTITUTION _____

CHECKING

YOUR BANK ACCOUNT NUMBER AND BANK ROUTING NUMBER _____

SAVINGS

X
SIGNATURE _____

By signing this form I authorize PECO to instruct my bank/savings institution to make my payments from the account listed above. I understand this authorization may be revoked by me at any time by providing PECO with notice by visiting peco.com/powerpay, by calling 1-800-494-4000, or by written notice to discontinue my automatic payment.

Be sure to check the box on the front of this stub for participation in the program.



Emergency and Repairs: 1-800-831-4941. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-466-4949

Name: **GILMA MERKERT**
 Account Number: **65929-26108**

Meter Information

Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier	Usage
				Previous	Present			
05/19	110817172	General Service	Tot kWh	56124 Actual	56811 Actual	687	X	687
Total kWh Used		887						

Electric Residential Heating Service - Current Period Detail

Service 04/23/2015 to 05/19/2015 - 26 days

Customer charge				
Generation Charges				\$7.12
Transmission Charges	887 kWh	X	\$0.07770	68.82
Distribution Charges	887 kWh	X	0.00890	7.89
State Tax Adjustment	887 kWh	X	0.04140	36.72
Total Current Charges				-0.12
				\$120.53

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	887	34.1	26	64
Last Month	802	36.4	22	58
Last Year	0	0.0	0	0

Avg kWh per Month	864
Total Annual kWh Usage	1,036

INFORMATION ABOUT YOUR BILL

Reading Your Meter: Actual Reading - Your meter is read each month by our automated meter reading system. **Customer Reading** - A reading you give us if we cannot read your meter. **Estimated Reading** - If we cannot read your meter, your monthly charges will be based on the average temperature and your past electric and gas use.

Meter Reading Schedule: Your monthly meter reading is scheduled through our automated system. Your scheduled meter reading date is shown on your bill.

Employee Identification: All PECO employees and contractors carry a special picture identification card. You may ask to see it. If the employee or contractor cannot provide this identification, you are encouraged to contact PECO immediately at 1-800-494-4000 to report the situation. If you have any concerns for your safety, contact 9-1-1 immediately.

Rate Schedule: A listing of all of our rates can be found on our website at peco.com, in our business office, or by calling 1-800-494-4000.

Basic Charges: Charges, based on rates approved by Pennsylvania Public Utility Commission, for the energy you used plus a monthly charge for maintaining your service.

CAP (Customer Assistance Program): Discounted rate for verified low-income customers. Please visit peco.com/help or call 1-800-774-7040 for more information.

Late Payment Charges: All bills are due and payable by the due date shown on the front of the bill. The due date applies to the current charges only and does not extend the due date for payment of previous charges. Past due amounts may be subject to a finance charge of 2 percent per month. (1.5 percent for rates GS and R)

Demand Information (Commercial Customers Only): Registered Peak Demand is the maximum rate for highest half hour of energy use for each billing period. It is measured in kilowatts (kW) and averaged during a 30-minute period.

Check Clearing Notification: When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

ELECTRIC AND GAS TERMS USED IN YOUR BILL

Administrative Charge: Charges to reimburse utilities for the costs associated with buying electricity for customers.

Ancillary Charge: Charges to reimburse utilities for the cost associated with operating the system that moves energy from generating stations to PECO's system for delivery to its customers.

Balancing Service Charge: Charge for fixed and variable storage costs for each Ccf of gas delivered.

Billing Demand (kW): The calculated or measured rate of energy usage supplied after any required adjustments such as for minimums or power factor.

Ccf - Hundred Cubic Feet: Unit of measure for the gas you use. One Ccf is the amount of gas used to run an average size house heater nonstop for one hour.

Customer Charges: Monthly basic electric and/or gas charge covering the costs of billing, meter reading, equipment, and maintenance. Customers with multiple meters will have multiple customer charges on their bill.

Distribution Charges: Charges to cover the costs associated with delivering electricity and natural gas to customers.

Energy Efficiency Charge: To reimburse utilities for the costs associated with energy efficiency and conservation programs as required by Pennsylvania's Act 129.

Gas Cost Adjustment (GCA): Either a credit or charge reflecting the difference between utilities projected and actual costs to purchase natural gas for customers.

Generation Charges: Charges to reimburse utilities for the costs to purchase electricity for customers. These charges are passed along to customers at the exact price PECO pays, with no markup. If the generation service is from an electric generation supplier, it is competitively priced and is not regulated by the Public Utility Commission.

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Lumen: Unit of measurement of the quantity of light.

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PECO Smart A/C Saver - Credit: A credit for participation in the PECO Smart A/C Saver program to reduce your energy use.

Power Factor: An adjustment applied for inefficient use of power. Percentage of correction applied to the registered/measured demand (kW) to reflect the correct billing demand.

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State Tax Adjustment: Either a credit or charge reflecting certain changes in state taxes. It may include part of the State Gross Receipts Tax.

Transmission Charges: Charges to move electricity from generating stations to PECO's electric delivery system. The Federal Energy Regulatory Commission regulates transmission prices and services.

Working Capital Charge: Charge to compensate PECO for costs incurred during the period when service was provided to its default service customers and when payment was received.



FORM UC9D 16 S-07

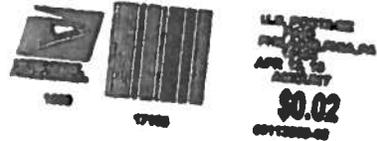
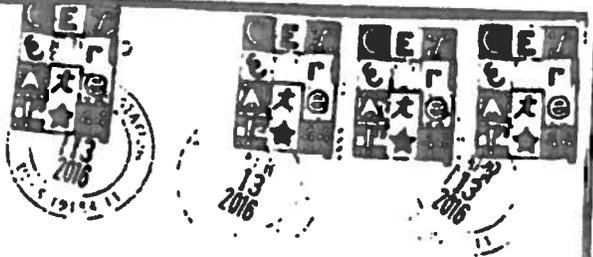
AFTER FIVE DAYS RETURN TO
COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA PUBLIC UTILITY COMMISSION

P.O. BOX 3265, HARRISBURG, PA 17105-3265

Gilma S. Nerky
P.O. Box 63263
Phila. Pa 19114

Postage: Address Service Requested



Commonwealth of Pa.
Pennsylvania Public Utility Commission
P.O. Box 3265, Harrisburg, Pa. 17105-3265

PECO EXHIBIT 2



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:	C-2016-2542972
Description:	Gilma Merkert - PECO Energy Company Answer with New Matter
Transmission Date:	5/23/2016 11:29:28 AM
Filed On:	5/23/2016 11:29:28 AM
eFiling Confirmation Number:	1634720

Uploaded File List

File Name	Document Class	Document Type
Gilma Merkert - Answer to Formal Complaint.pdf	Communication	Answer to Formal Complaint



An Exelon Company

Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19101-8699

Direct Dial: 215-841-6841

May 23, 2016

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

RE: Gilma Merkert v. PECO Energy Company
PUC Docket No.: C-2016-2542972

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy's Answer to the Formal Complaint*.

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
Enclosure

PENNSYLVANIA PUBLIC UTILITY COMMISSION

GILMA MERKERT

Complainants

v.

PECO ENERGY COMPANY

Respondent

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DOCKET NO. C-2016-2542972

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§ 5.101 and 5.62(c), you are hereby notified that, if you do not file a written response denying or correcting the enclosed **NEW MATTER** of PECO Energy Company within 20 days from service of this notice, a decision may be rendered against you. All pleadings, such as a Reply to **NEW MATTER**, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Shawane L. Lee, and where applicable, the Administrative Law Judge presiding over the issue.

File with:

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

With a copy to:

Shawane L. Lee, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, May 23, 2016



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
215-841-6841
Shawane.lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GILMA MERKERT
Complainants
v.

PECO ENERGY COMPANY
Respondent

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DOCKET NO. C-2016-2542972

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On May 2, 2016, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Gilma Merkert (hereafter "Complainant"). Pursuant to 52 Pa. Code § 5.61, PECO Energy responds to the Complaint and states:

1. Admitted
2. Admitted.
3. Admitted.
4. Denied. Unless specifically admitted herein, PECO Energy denies all material

allegations of fact and conclusions of law in the complaint. In her Complaint, the Complainant disputes a foreign wiring balance owed, arising from a tenant, Henry Washington and Todd Nesbitt, at her rental property located at 4814 North 5th Street. The Complainant, property owner, disputes the foreign wiring balance transferred to her. PECO Energy avers that this matter is *res judicata*.

PECO Energy's records reveal that the Complainant owns the property located at 4814 North 5th Street, Philadelphia, PA 19120. The Complainant's tenant, Henry Washington, contacted the company to complain of high bills. A technician went to the premises on September 10, 2013, and found foreign wiring. The technician found an additional basement

apartment at the premises connected to Mr. Washington's meter. Accordingly, the company transferred the service and the balance into the Complainant's name. The company sent correspondence to the Complainant on September 17, 2013, advising foreign wiring had been found and the balance and account would be transferred. See Letter, dated 9/17/13, attached hereto as Exhibit "1". On September 17, 2013, an account was created in the Complainant's name under account number 65929-26064 and the tenant's \$4,992.65 balance was transferred to the account. See Account Activity Statement, attached hereto as Exhibit "2". The company sent correspondence to the Complainant's tenant, advising that foreign wiring had been found and the balance would be transferred to the Complainant. See Letter, dated 9/24/13, attached hereto as Exhibit "3".

On December 13, 2013, a PECO Energy field technician visited the premises and determined that the foreign wiring had been corrected. An account was created for the basement apartment in the Complainant's name under account number 24600-60040. See Account Activity Statement, attached hereto as Exhibit "4". A new applicant applied for service at Mr. Washington's former address; therefore, the account was removed from the Complainant's name.

On November 20, 2013, the Complainant filed an informal complaint with the Bureau of Consumer Services at case number 003174202, complaining that the company had erroneously found foreign wiring. On February 6, 2014, the BCS issued a Decision Report, closing the Complainant's case as follows:

During a field visit on 9/10/2013, the technician determined there was an additional basement apartment at the premise; however, there was no access to the basement apartment and only one meter was on record for the property.....You are responsible for the balance that was accrued at 4818 North 5th Street, Philadelphia, PA due to the foreign wiring.

See BCS Decision Report #003174202, attached hereto as Exhibit "5".

The Complainant filed a formal complaint at docket number F-2014-2413585, disputing the balance incurred from the foreign wiring condition. A telephonic hearing was held on June 11, 2014. PECO presented two witnesses and moved eleven exhibits into the record. The Complainant represented herself. On July 28, 2014, Administrative Law Judge Susan D. Colwell issued an Initial Decision, dismissing the Complainant's case. In her decision, ALJ Colwell stated:

I note that PECO would be unable to hold Complainant responsible for the outstanding bill for her rentals property if she had not permitted foreign wiring to exist. While Complainant can control to whom she leases her property, she has no control over whose name the utility service is in. It is not PECO's service to the rental unit which results in her liability, it is the condition of the rental unit, something that was completely within her control.

The actions of the Respondent were legally sound, and Complainant must seek compensation from her former tenants in another forum. Accordingly, the Complaint is dismissed.

See Gilma Merkert v. PECO, F-2014-2413585 (Initial Decision entered July 28, 2014).

The Complainant filed Exceptions to ALJ Colwell's Initial Decision, and the Commission reviewed the decision. On February 12, 2015, the Commission issued an Opinion and Order, stating:

It is clear that electricity usage from two separate units at the property was being recorded through one meter, a situation that constitutes foreign load. Accordingly, we find that PECO properly transferred the electric account and related balance for the Service

Address to the Complainant, upon its discovery of foreign load, in accordance with the applicable provisions of the Code.

See Gilma Merkert v. PECO, F-2014-2413585 (Opinion and Order entered February 12, 2015).

PECO Energy avers that the company properly determined there was a foreign load condition at the Complainant's rental property and transferred the service and charges into the Complainant's name consistent with 66 Pa. C.S. §§ 1529.1(a), (c); and Ace Check Cashing Inc. v. Phila. Gas Works, Final Order, (May 21, 2010). Upon discovering the existence of a foreign load a public utility is required to list the account, including any arrearages, in the name of the landlord. 66 Pa. C.S. §§ 1529.1(a), (c). See also Santos v. Metro. Edison Co., No. C-00967757 (Pa. P.U.C. Aug. 7, 1997). The landlord is responsible for paying the utility bills until the foreign load is corrected. Santos at 16. Once the foreign load is corrected by the landlord and verified by the utility, the utility will place the account back in the name of the tenant and the arrearage, if any, will remain the landlord's responsibility. Id. To the extent any dispute regarding the financial responsibility of the parties exists, that is a matter to be resolved in the Court of Common Pleas as it is outside the Commission's jurisdiction. Edmund v. Corazzini v. UGI Penn Natural Gas, Inc., No. F-2009-2101282, Opinion and Order adopted July 15, 2010 at 7.

5. Denied.
6. Admitted.
7. Admitted.

NEW MATTER

8. PECO incorporates by reference responses contained in Paragraphs 1 through 7 above as though fully set forth at length.

9. This is the Complainant's second formal complaint against PECO Energy for the same service address (4814 North 5th Street, Philadelphia, PA), in which the Complainant disputes a balance for a foreign wiring condition found at her rental property.

10. The Complainant filed a formal complaint docketed at F-2014-2413585. In that Complaint, she alleged that PECO had acted in error by placing a balance for a house she rented in her name after finding foreign wiring. See Formal Complaint, F-2014-2413585. The Complainant requested that the Commission hold her tenant responsible for the charges.

11. On April 16, 2014, PECO Energy filed an Answer to the Complainant's Complaint. In PECO Energy's Answer the company stated that foreign wiring was found at the Complainant's rental property on December 13, 2013, and an account was created for the Complainant with the arrearages on the tenant's account and the service placed in her name until the condition was corrected.

12. On June 11, 2014, the issues raised in the formal complaint were heard before Administrative Law Judge Susan D. Colwell.

13. ALJ Colwell issued an Initial Decision on July 28, 2014, dismissing the Complainant's Complaint. See Gilma Merkert v. PECO, F-2014-2413585 (Initial Decision entered July 28, 2014).

14. In that Decision ALJ Colwell determined that the Complainant was responsible for the charges associated with the foreign wiring condition:

I note that PECO would be unable to hold Complainant responsible for the outstanding bill for her rentals property if she had not permitted foreign wiring to exist. While Complainant can control to whom she leases her property, she has no control over whose name the utility service is in. It is not PECO's service to the rental unit which results in her liability, it is the condition of the rental unit, something that was completely within her control.

The actions of the Respondent were legally sound, and Complainant must seek compensation from her former tenants in another forum. Accordingly, the Complaint is dismissed.

15. On August 23, 2014, the Complainant filed Exceptions to AJJ Colwell's Initial Decision.

16. The Pennsylvania Public Utility Commission reviewed ALJ Colwell's Initial Decision and denied the Complainant's exceptions. The Commission noted:

It is clear that electricity usage from two separate units at the property was being recorded through one meter, a situation that constitutes foreign load. Accordingly, we find that PECO properly transferred the electric account and related balance for the Service Address to the Complainant, upon its discovery of foreign load, in accordance with the applicable provisions of the Code.

See Gilma Merkert v. PECO, F-2014-2413585 (Opinion and Order entered February 12, 2015).

17. All of the allegations in the current formal complaint should be dismissed on the grounds of res judicata.

18. The doctrine of res judicata reflects the refusal of the law to tolerate the re-litigation of a matter decided by a court of competent jurisdiction. For the doctrine to prevail four conditions must be met:

- (1) Identity of issues;
- (2) Identity of causes of action;

- (3) Identity of persons and parties to the action; and
- (4) Identity of the quality and capacity of the parties suing or sued.

Day v. Volkswagenwerk Aktiengesellschaft, 318 Pa. Superior Ct. 255, 474 A.2d 1313, 1316, 1317 (1983).

19. In the present case all four elements of res judicata are met. Clearly, the parties are identical in both Complaints. The thing sued upon is identical in both Complaints. Both the current formal complaint and the 2014 Complaint relate to foreign wiring found at 4814 North 5th Street, Philadelphia, PA and the Complainant's responsibility for the associated charges. Indeed, the Complainant states in her current complaint that the matter being complained of concerns "when PECO discovered the foreign load they did not notify me." Additionally, the Complainant renews the dispute as to whether Henry Washington or Todd Nesbitt was the property party to the lease agreement with her. The cause of action is identical. Finally, the quality and capacity of the parties is identical in both Complaints. The Complainant is the electric customer in both Complaints, and PECO is the public utility providing service to the Complainant.

20. The Commission entered an Order dismissing the Complainant's previous Complaint as a matter of law, with prejudice, and such dismissal prevents the re-filing of the Complaint. With his new Complaint, the Complainant has ignored the Commission's clear dismissal Order and has attempted to re-file her Complaint.

21. For purposes of determining whether res judicata applies, the essential inquiry is whether the ultimate and controlling issues have been decided in a prior proceeding where the parties had an opportunity to appear and to be heard. Stevens Painton Corp. v. First State Ins. Co., 746 A.2d 649, 654 (Pa. Super. 2000) (emphasis added). The Complainant was provided

with a hearing before ALJ Susan Colwell who heard the merits of her Complaint. In fact, the issue of whether PECO notified the Complainant when the company discovered the foreign wiring condition was found to be a fact. See Finding of Fact Number 34, Gilma Merkert v. PECO, F-2014-2413585 (Initial Decision entered July 28, 2014). Additionally, the dispute as to the liability of the Complainant whether the tenant was Mr. Nesbitt or Mr. Washington has already been decided.

22. Because the present complaint asserts the same factual and legal basis for relief as the dismissed 2014 Complaint, the Complainant is estopped from attempting to re-assert her claims here.

23. Accordingly, the Complainant's Complaint should be dismissed pursuant to the doctrine of res judicata.

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
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
shawane.lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GILMA MERKERT
Complainants

v.

PECO ENERGY COMPANY
Respondent

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DOCKET NO. C-2016-2542972

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: May 23, 2016



Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GILMA MERKERT
Complainants
v.

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DOCKET NO. C-2016-2542972

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 Answer in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Gilma Merkert
P.O. Box 63353
Philadelphia, PA 19114

Dated at Philadelphia, Pennsylvania, May 23, 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.com

EXHIBIT "1"

September 17, 2013

Gilma Merkert
9515 Fordham Rd
2nd Fl
Philadelphia, Pa 19114

RE: 4814 N. 5th St
Philadelphia, Pa 19120

Dear Ms. Merkert

On 9-10-13 a PECO field technician visited the above referenced property in response to a high bill complaint. The technician found additional basement apartment here-only 1 meter listed at property. Therefore, the potential for foreign wiring is suspected. The account will be placed in your name until it is proven by the PECO technician that there is no foreign wiring. Please contact the undersigned as soon as possible.

When PECO identifies foreign wiring, Pennsylvania State Law requires the electric service to be transferred into the name of the landlord, until the wiring is properly corrected. (Per Section 1529.1(b) of the Pennsylvania Public Utility Code, 66 Pa. C.S. 1529.1)

Please be advised that the electric service for the accounts in question will be transferred into your name effective immediately. ~~any of the current tenant's balance will be transferred to the landlord.~~ ~~The service can only go back into your tenants name if you have your electrician correct the wiring for each apartment.~~

If you have completed the repairs, or have any questions regarding this matter, please telephone 215-841-6594.

Cordially,

Eric Riley
High Bill Field

PECO ENERGY
EXHIBIT 1

EXHIBIT "2"

PECO ACCOUNT ACTIVITY STATEMENT

*** Account Information ***

Account Number:
65929-26064
Account Status: Final
Requested By:
GILMA MERKERT
(267)338-8495 Extension:

Mail To:
GILMA MERKERT
PO BOX 144
GLADWYNE
PA 19035

*** Current Account Status ***

Current Bill: \$56.95
Billed Prior: \$5321.39
Balance Due: \$5378.34
Service Address:
4814 N 5TH ST
PHILADELPHIA PA 19120
Credit Amount: \$0.00
Deposit Requested: \$0.00
Deposit On-Hand: \$0.00
Meter Bill Grp: 15
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	KWH
09/17/13	ELECTRIC SERVICE	09/10/13	09/17/13	10644	119817172					
09/17/13	CONNECTION CHARGE - STANDARD				\$58.16					
09/17/13	Regular Bill				\$6.00					
09/18/13	Billing Adjustment									
10/10/13	Payment				\$4992.65		\$64.16		10/09	366
10/16/13	ELECTRIC SERVICE	09/17/13	10/16/13	11213	119817172		\$64.16			
10/16/13	Regular Bill				\$83.90					
11/12/13	Late Payment Charge						\$5076.55		11/07	569
11/14/13	ELECTRIC SERVICE	10/16/13	11/14/13	12410	119817172					
11/14/13	Regular Bill				\$76.15					
11/25/13	ELECTRIC SERVICE	11/14/13	11/23/13	12816	119817172		\$5321.39	\$5152.70	12/06	1197
11/25/13	Regular Bill				\$56.95					
12/23/13	Transfer 65929-26082						\$5378.34	\$5076.55	12/17	406
						\$5378.34				



EXHIBIT "3"



An Exelon Company

www.peco.com

PECO
2301 Market Street
N1-3
Philadelphia, PA 19103

UTILITY COMPANY REPORT
Reporte De La Compania Utilidades

Name: HENRY WASHINGTON JR
Service Address: 4814 N 5TH ST PHILADELPHIA PA 19120
Post Office: PHILADELPHIA PA 19120
Account Number: 65929-29055

Date: 9/24/13	Prepared By: TALLEY, VANESSA CORBETT
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Phone Home: 267-879-6264	Phone Work:
Mailing Address: 4814 N 5TH ST PHILADELPHIA PA 19120	

Problem As You Described It

You contacted our office on August 28, 2013 stating your PECO bill was incorrect.

Our Response

On 09/10/13 a PECO field technician visited the above referenced property in response to a high bill complaint. The technician suspected foreign wiring since an additional basement apartment was found and only 1 meter exists at the property. The technician was unable to determine if the usage billed to you was only for your usage. Therefore, the potential for foreign wiring is suspected. The account was placed in the owner's name until it is proven by the PECO technician that there is no foreign wiring.

When PECO identifies foreign wiring, Pennsylvania State Law requires the electric service to be transferred into the name of the landlord, until the wiring is properly corrected. (Per Section 1529.1(b) of the Pennsylvania Public Utility Code, 68 Pa. C.S. 1529.1)

We have taken the account out of your name and transferred the amount billed for this account in the amount of \$4,992.65 into the owner's name. If access is



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N1-3
Philadelphia, PA 19102

provided and it is determined there is no foreign wiring the account and the money will be transferred back into your name.

The balance due on your account is \$24.33 as of September 24, 2013. The amount to pay by 10/10/13 to avoid delinquency is \$24.33

If you have completed the repairs, have any questions regarding this matter or need payment arrangements, please contact our Financial Care Center telephone at 1-888-480-1533

**Cordially,
Eric Riley
High Bill Field**



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N2-3
Philadelphia, PA 19103

UTILITY COMPANY REPORT

To file a Complaint

If you do not agree with this report you may file a Complaint with the Public Utility Commission (PUC). You may file a complaint by calling the PUC at 1-800-692-7380 or by writing to the following address:
Pennsylvania Public Utility Commission
P. O. Box 3285
Harrisburg PA 17105-3285
Attention: Service Termination Mediation Unit

To protect your rights your complaint should be filed within 10 days of the date on this report and should include the following information:

1. Your name.
2. Your address.
3. The address where this service is being used.
4. Your account number.
5. Our name, PECO Energy Company.
6. A brief statement of the problem.
7. Whether a Complaint about this problem was filed with the PUC before.
8. Whether the problem was investigated and reported by us on or before the shut-off date, if any.
9. How you would like the problem to be solved.

If you file a complaint and do the things the PUC tells you to do, we will not shut off your service while they are handling your complaint.

PECO ENERGY COMPANY

If you need to talk to us, please call 1-800-494-4000, between 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 9:00 a.m. and 1:00 p.m. on Saturday.

PECO Energy Company's Business Office hours are Monday through Friday, from 8:30 a.m. to 5:00 p.m. Our Business Office is located at:

2301 Market Street, Philadelphia, PA 19101

EXHIBIT "4"

CUAR038

PECO Account Activity Statement

Date: 04/07/14
Page: 1 of 1

*** Account Information ***

Account Number:
24600-60040
Account Status: Active
Requested By:
GILMA MERKERT
(267)338-8495 Extension:

Mail To:
GILMA MERKERT
PO BOX 144
GLADWYNE
PA 19035

*** Current Account Status ***

Current Bill: \$6.49
Billed Prior: \$6198.07
Balance Due: \$6204.56
Service Address:
BSMT APT
4814 N 5TH ST
PHILADELPHIA PA 19120

Credit Amount: \$0.00
Deposit Requested: \$0.00
Deposit On-Hand: \$0.00

Meter Bill Grp: 15
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	KWH
12/23/13	Transfer Debit from 65929-26064									
12/20/13	CONNECTION CHARGE - STANDARD				\$5378.34					
12/20/13	Regular Bill				\$6.00					
12/26/13	Transfer Debit						\$6.00			
01/02/14	Transfer Debit				\$610.01				01/13	
01/10/14	Payment				\$251.60					
01/23/14	ELECTRIC SERVICE									
01/23/14	Regular Bill	12/13/13 01/22/14	348	124061116	\$34.44	\$6.00				
02/03/14	Payment						\$34.44			
02/21/14	ELECTRIC SERVICE									
02/21/14	Regular Bill	01/22/14 02/20/14	376	124061116	\$6.66	\$34.44	\$34.44		02/14	348
03/12/14	Payment									
03/21/14	ELECTRIC SERVICE									
03/21/14	Regular Bill	02/20/14 03/21/14	404	124061116	\$6.49	\$6.66	\$6204.73	\$6198.07	03/17	28
							\$6204.56	\$6198.07	04/14	28

PECO ENERGY
EXHIBIT

EXHIBIT "5"



April 9, 2014

BCS Decision Report

BCS Case #: 003174202 Open Date: 2013-11-20
Customer Name: GILMA MERKERT
Service Address: 4814 NORTH 5TH STREET

PHILADELPHIA, PA 19120
BCS Bill Account #: 88888888 Previous Case #:
Violation Type: NO Chapter Type:
Decision Type: W Section / Rule:
Investigator Name: LORI MARRAZZO

Decision Issued Date: 2014-02-06
Case Closed Date: 2014-02-20

Letter Description:
EGW PAR W/COMPLEX DISPUTE/NO PAYMENT AGREEMENT/LEVEL 1

Total Balance:	\$5378.34	Balance Date:	2013-12-18
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 DISMISSED. ELECTRIC SERVICE AT 4814 NORTH 5TH STREET, PHILADELPHIA, PA WAS ESTABLISHED IN HENRY WASHINGTON, JR???S NAME EFFECTIVE 5/09/2012. HENRY WASHINGTON, JR. CONTACTED THE COMPANY ON 8/28/2013 REGARDING A HIGH BILL DISPUTE. FOREIGN WIRING WAS SUSPECTED AND AN INVESTIGATION WAS INITIATED BY THE COMPANY. DURING A FIELD VISIT ON 9/10/2013, THE TECHNICIAN DETERMINED THERE WAS AN ADDITIONAL BASEMENT APARTMENT AT THE PREMISE; HOWEVER, THERE WAS NO ACCESS TO THE BASEMENT APARTMENT AND ONLY ONE METER WAS ON RECORD FOR THE PROPERTY. A FOREIGN WIRING LETTER WAS MAILED TO YOU ON 9/17/2013. ACCOUNT #65929-26055 (IN HENRY WASHINGTON???S NAME) WAS CLOSED AND SERVICE AT 4814 NORTH 5TH STREET WAS ESTABLISHED INTO YOUR NAME EFFECTIVE 9/20/2013 UNDER ACCOUNT #65929-26064. PER THE LANDLORD TENANT ACT 54, THE BALANCE OF \$4992.65 FROM ACCOUNT #65929-26055 WAS

Exelon.

April 9, 2014

TRANSFERRED TO ACCOUNT #65929-26064 IN YOUR NAME ON 9/18/2013 AND LATE CHARGES OF \$321.20 WERE CANCELLED AS A COURTESY DUE TO THE FOREIGN WIRING ISSUES. SERVICE AT ACCOUNT #65929-26064 WAS DISCONTINUED IN YOUR NAME DUE TO A NEW APPLICANT REQUESTING SERVICE (ACCOUNT #65929-26073). THIS ACCOUNT WAS DISCONTINUED AND INITIATED AGAIN IN YOUR NAME (ACCOUNT #65929-26082) DUE TO THE CORRECTIONS NOT BEING VERIFIED AT THAT TIME. A FINAL BILL WAS RENDERED FOR ACCOUNT #65929-26064 ON 11/25/2013 REQUESTING YOU TO PAY \$5,378.34. ON 12/13/2013, THE COMPANY VERIFIED THAT THE CORRECTIONS HAD BEEN MADE AND THE WIRING WAS SEPARATED. A NEW METER WAS INSTALLED AND SET AT 00000 FOR THE BASEMENT AND A NEW ACCOUNT WAS SET UP FOR THE BASEMENT APARTMENT WHICH WILL BE BILLED TO YOU UNTIL YOU OBTAIN A NEW TENANT FOR THE BASEMENT. ON 12/23/2013, THE COMPANY TRANSFERRED \$5378.34 FROM ACCOUNT #65929-26064 TO ACCOUNT #24600-60040. IN ACCORDANCE WITH THE LANDLORD TENANT ACT 54, YOU ARE RESPONSIBLE FOR THE BALANCE THAT WAS ACCRUED AT 4818 NORTH 5TH STREET, PHILADELPHIA, PA DUE TO THE FOREIGN WIRING. THE COMPANY IS WILLING TO SET UP PAYMENT ARRANGEMENT TERMS TO YOU.