

Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19103

Direct Dial: 215-841-6841

July 11, 2016

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


RE: Sherry Dixon v. PECO Energy Company
PUC Docket No: F-2016-2554895

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Motion to Dismiss the Formal Complaint* with regard to the matter referenced above.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a long horizontal flourish extending to the right.

Shawane Lee
Counsel for PECO Energy Company

SL/ld

cc: Sherry Dixon (via First Class Mail)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SHERRY DIXON

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2016-2554895

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§ 5.102(a) you are hereby notified that, if you do not file a written response denying or correcting the enclosed Motion of PECO Energy Company, within 20 days from service of this notice, the Commission may make a ruling not in your favor and your Complaint may be dismissed. 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 L. Lee, and where applicable, the Administrative Law Judge presiding over the issue.

File with:

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

With a copy to:

Shawane L. Lee, Esquire
Exelon Business Services Corp.
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, July 11, 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
shawane.lee@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SHERRY DIXON

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2016-2554895

PECO ENERGY COMPANY'S MOTION TO DISMISS

Respondent, PECO Energy Company ("PECO"), pursuant to 52 Pa. Code § 5.102(a), respectfully petitions this Honorable Commission to dismiss the instant Complaint with prejudice.

I. PROCEDURAL HISTORY:

On or about July 6, 2016, Complainant filed a Complaint with the Pennsylvania Public Utility Commission (PUC) requesting a payment agreement and alleging: (1) PECO is threatening to terminate or has already terminated her service (2) There are incorrect charges on her bill; and (3) She has been receiving shut off notices for large amounts approximately every 20 days and the charges are not accurate. The Complainant requests that the PUC thoroughly investigate her bills from a couple of years because she believes she is being overcharged. A copy of Complainant's Formal Complaint is attached hereto as (Exhibit 1).

On July 11, 2016, PECO Energy filed an Answer to the Complaint. A copy of PECO Energy's Answer is attached hereto as (Exhibit 2).

PECO Energy is filing the instant Motion to Dismiss the Complainant's Complaint and hereby requests that this Honorable Commission apply the doctrine of res judicata and enter an

Order prohibiting the Complainant from filing any additional informal or formal complaints with the Commission.

II. STATEMENT OF FACTS

Since July 20, 2011, Complainant has filed eighteen (18) informal and formal complaints with the Pennsylvania Public Utilities Commission.¹ All of the complaints are similar in that they involve disputes over payment of bills, billing, alleged meter inaccuracy, threatened interruption of service or inadequacy of service.

Complainant filed her first formal complaint at docket number C-2010-2192741, disputing her bills and stating that her meter was not functioning accurately. PECO resolved this complaint with a payment agreement and high bill field investigation. Complainant filed a second formal complaint at docket number F-2013-2353645, alleging incorrect billing and a problem with her meter. Administrative Law Judge David A. Salapa (“ALJ Salapa”) issued an Initial Decision on November 21, 2013, dismissing the complaint. ALJ Salapa determined that the Complainant’s meter had been tested and was functioning accurately and the Complainant’s bills are correct. The Complainant filed Exceptions to ALJ Salapa’s Initial Decision. The Commission reviewed ALJ Salapa’s Initial Decision and adopted the decision by Opinion and Order on April 3, 2014.

The Complainant filed a third formal complaint at docket number C-2015-2515690 and followed up with a similar fourth complaint at docket number C-2015-2513652, stating that PECO had discriminated against her by not offering her a payment agreement. The Commission cancelled the complaint filed at docket number C-2015-2515690; however, the second complaint

¹ Complainant filed informal complaints with the Bureau of Consumer Services (BCS) at case numbers: (1) 002861636 on July 20, 2011; (2) 002891181 on September 26, 2011, (3) 002988516 on June 28, 2012; (4) 003035014 on October 20, 2012; (5) 003035708 on October 22, 2012; (6) 003229643 on April 26, 2014, (7) 003290076 on September 26, 2014, (8) 003318578 on February 3, 2015; (9) 003395127 on October 21, 2015; (10) 003404210 on December 1, 2015; (11) 003443133 on May 24, 2016 and (12) 003455101 on June 30, 2016. All of the informal complaints raise billing concerns, threatened termination, allegations of meter inaccuracy or inadequacy of service. See Case Details Reports, attached hereto as Exhibit “3”.

at C-2015-2513652 proceeded to hearing before Administrative Law Judge Steven K. Haas (“ALJ Haas”). ALJ Haas dismissed the Complainant’s complaint, and stated there was no evidence that PECO discriminated against her or refused to work with her to establish a payment agreement.

The Complainant filed a fifth formal complaint at docket number F-2015-2472513, stating that PECO refused to accept another medical certificate. Administrative Law Judge Christopher P. Pell (“ALJ Pell”) dismissed the Complainant’s complaint after she failed to show up at the hearing to prosecute her case. The Complainant filed Exceptions to the Initial Decision. The Commission reviewed ALJ Pell’s Initial Decision and issued an Opinion and Order on June 9, 2016, dismissing the Complainant’s complaint.

In addition to the formal complaints the Complainant filed in her own name, she had her son, Jermaine Walker, file a formal complaint at docket number C-2015-2472503 after PECO denied his request to put service in his name so that his mother could avoid her \$16,000 balance. Mr. Walker requested and was granted four continuances and then failed to show up at the hearing to prosecute his case. PECO had to hold collection on the \$16,000 balance during the entire continuance process. The case is now in the appeal stage after Mr. Walker filed Exceptions to Administrative Law Judge Angela T. Jones’ Initial Decision, dismissing the complaint for failure to prosecute. PECO must continue to hold collection on the disputed balance during the appeal process.

With each informal and formal complaint, PECO is required to hold collection on the Complainant’s balance, which continues to grow with each complaint filed. A Complainant can be precluded from filing additional informal and formal complaints with the Commission if there is an abuse of administrative process. Schibelli v. Metropolitan Edison Company, 68 Pa.P.U.C. 286 (1988); Manu v. The Bell Telephone Company of Pennsylvania, Docket No. F-09029141 (Final Order entered May 9, 1994). In this case, the Complainant has a pattern of accruing large arrearages on her balance and then files an informal or formal complaint to delay termination of service. The Complainant is now in arrears to PECO Energy for electric services in the amount

of \$16,271.36 for the premises 1701 Walnut Ridge, Pottstown, PA. See Account Activity Statement in the Answer, attached hereto as (Exhibit 2). PECO Energy respectfully requests that this Honorable Commission consider the foregoing and dismiss the instant action in light of all the prior Complaints and the abuse of process.

III. LEGAL ARGUMENT

A. Complainant's Complaint Should Be Dismissed Pursuant to the Doctrine of Res Judicata and She Should Be Precluded from Re-Litigating the Same Issues She Has Raised in Previous PUC Complaints.

Complainant's Complaint should be dismissed because she has raised the same issues and re-litigated them in previous PUC Complaints.

Pursuant to the doctrine of claim preclusion or *res judicata*, matters which were actually litigated in a prior action, as well as those issues which should have been litigated in that action, will not be relitigated in a subsequent action. The doctrine applies if:

- (1) the issue decided in the prior case is identical to the one presented in the later case;
- (2) there is a final judgment on the merits in the prior case;
- (3) the party against whom the plea is asserted was a party, or in privity with a party, in the prior case;
- (4) the party or person in privity to a party had a full and fair opportunity to litigate the issue in the prior proceeding; and
- (5) the determination in the prior proceeding was essential to the judgment.

Lehigh Valley Power Committee v. Pennsylvania Pub. Util. Comm'n, 563 A.2d 548 (Pa. Comwlth. 1989); Suprick, et al. v. Commonwealth Tel. Co., Docket Nos. C-00903161, C-00903197, 1995 PUC LEXIS 15 (January 24, 1995), quoting Davis v. O'Brien, 326 A.2d 511 (Pa. Super. 1974).

In this case, since 2010, Complainant has filed five formal complaints.² The PUC has heard and ruled upon Complainant's Complaints. In all the adversary proceedings, Complainant has chosen to represent herself before the Commission. She has been given the opportunity to proffer witnesses, under oath, offer evidence and cross-examine adverse witnesses.

Additionally, Complainant has been afforded the opportunity to submit written statements, requests for continuances and exceptions. Complainant cannot now be heard to complain that she has not had full opportunity to assert her claims and make out her case(s).

The PUC has now completed adjudication of all of Complainant's complaints, involving variable themes of billing disputes, high bills, meter concerns, medical certificates and adequacy of service. The Complainant should be prohibited from raising yet another billing dispute with PECO, particularly as her billing concerns have been addressed at docket number F-2013-2353645 with a decision by ALJ Salapa and the Commission has issued a Final Order, regarding the billing dispute. The Initial Decision addresses the Complainant's billing and meter concerns. The Complainant has complained to the PUC about incorrect billing, allegedly high bills and inadequate electric service. This administrative body has determined that Complainant has been provided with adequate, efficient, safe and reasonable electric service. Accordingly, the Complainant's current complaint should be dismissed on grounds that the identical issues have been litigated and decided on the merits by the PUC. PECO Energy hereby requests that the Commission apply the doctrine of res judicata and dismiss the complaint.

² Complainant has filed PUC complaints about adequacy of utility services, including electric service. Sometimes she has alleged faulty metering; sometimes he has alleged failure of PECO Energy equipment; sometimes her complaints allege high bills; and incorrect billing. On all occasions, the complaints pertain for the property known as 1701 Walnut Ridge, Pottstown, PA. However, in all of these 'variations on a theme,' her essential claim has been inadequate service and accordingly, the PUC has assumed jurisdiction and issued an Initial Decision in four of the five complaints.

B. Complainant Should Be Prohibited From Filing Any Additional Informal or Formal Complaints with the Commission.

The Complainant has essentially been in collections status with PECO since 2010 when she filed the first formal complaint at docket number C-2010-2192741. Complainant files a formal or informal complaint and PECO puts collection efforts on hold. That pattern continues with filing of the current complaint. The Complainant's account activity statement attached with the Answer at PECO Exhibit 1 reflects that she has had an \$8,000 plus balance since 2013. The Complainant is able to obtain electric service without payment by using the informal and formal complaint process.

Where a Complainant uses the Commission's administrative process to forestall collection of past due amounts and avoid termination of service while not paying the amount owed, the Commission has found abuse of process. Thomas v. The Peoples Natural Gas Co., Docket No. C-2009-2102194, (Opinion and Order entered June 17, 2010; Argento's Pizza v. Philadelphia Gas Works, Docket Nos. C-2009-2138055 and C-20102167822, (Final Order entered October 1, 2010). In such cases, the Commission has precluded a Complainant from filing additional informal or formal complaints until the outstanding balance is paid in full.

In the case at hand, ALJ Haas noted in his Initial Decision:

The Complainant made only twenty payments from 2012 through 2015, and those payments were not enough to cover the bills to which they applied. Tr. 47. In addition, the Complainant defaulted on every payment agreement established for her by PECO. Tr. 34-35. Finally as noted above, **the Complainant has filed at least four formal complaints against PECO since 2010 in which she raised allegations against the company associated with her electric service, thereby allowing her to continue to receive service while her outstanding balance increases dramatically.** (emphasis added).

See Sherry Dixon v. PECO, Docket No. C-2015-2513652 (Initial Decision entered June 20, 2016). In addition, to this, the Complainant delayed collection on a case before Administrative Law Judge Pell where she failed to show up to prosecute her case. Clearly, the Complainant's activities regarding her PECO account is an abuse of process.

PUC Commissioner Pamela A. Witmer recently warned PECO about this very issue in the Daniel Vermeychuk v. PECO matter at Docket No. C-2013-2388323 (November 5, 2015). Commissioner Witmer stated that "the Complainant was not only ignoring his obligation to pay his bills but was actively employing various strategies to avoid paying in a timely manner." Commissioner Witmer pointed out:

...It is critically important to the customers, who are ultimately left footing the bills for such abuses, that our utilities act vigilantly to prevent them, continue to take steps to identify them, and mitigate their effects as quickly as possible. I remind PECO and all of our regulated utilities of this responsibility.

This is clearly what is happening in the present case with the filing of eighteen informal and formal complaints. The Complainant is strategically filing informal and formal complaints, including the present formal complaint, in an effort to avoid paying her electric bill. While PECO is able to identify this abuse, the company is unable to mitigate this issue while the Complainant uses the PUC complaint process to prevent paying her bill. Accordingly, PECO respectfully requests that this Honorable Commission dismiss the Complainant's current formal complaint and enter an Order prohibiting Complainant from her maneuvers to disrupt, burden and abuse the legal process.

Wherefore PECO Energy respectfully requests that this Honorable Commission dismiss the instant complaint pursuant to the doctrine of res judicata and enter an Order prohibiting the Complainant from filing any additional informal or formal complaints.

Respectfully Submitted,



Shawane L. Lee
Counsel for PECO Energy Company
Exelon Business Services Corp.
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841
Shawane.Lee@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SHERRY DIXON

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2016-2554895

VERIFICATION

I, Shawane L. Lee, hereby declare that I am an attorney representing 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: July 11, 2016

Shawane L. Lee

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SHERRY DIXON

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2016-2554895

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of PECO Energy Company's Motion to Dismiss in the above matter upon all interested parties by mailing a copy thereof Certified mail, properly addressed and postage prepaid to:

Sherry Dixon
1701 Walnut Ridge Estate
Pottstown, PA 19464

Dated at Philadelphia, Pennsylvania, July 11, 2016



Shawane L. Lee
Counsel for PECO Energy Company
Exelon Business Services Corp.
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841
Shawane.Lee@exeloncorp.com

EXHIBIT “1”

Botak, Amy:(PECO)

From: eServe@pa.gov
Sent: Wednesday, July 06, 2016 11:21 AM
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 Form** has been served in this proceeding. This document is docketed as **F-2016-2554895**. You may view this document at [Dixon Formal Complaint Form](#)

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.*

Timely
BCS 3443733
PECO ENERGY

Must be returned by July 27, 2016

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

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 informal 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 Sherry Dixon

Street/P.O. Box 101 Walnut Ridge Est

City Pottstown Pa State Pa Zip 19464

County Montgomery County

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

267-475-0343 (home) () (mobile)

E-mail Address (optional): Lanefa@comcast.com

Utility Account Number (from your bill) PECO 0229576014

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 _____

Street/P.O. Box _____

City _____ State _____ Zip _____

RECEIVED

JUL 1 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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.

PECO Energy Co. - AEL

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.
- 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). I been receiving shut off notice for large amounts about every 20 days. ² Not accurate charges

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.

6. 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.

I want my bills investigated back from a couple of years thruly because I am being over charged and I want to be put on a agreement for the past due bills.

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.

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.

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.

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:

Sherry Dixon, 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).

[Signature]
(Signature of Complainant)

7/1/16
(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.

EXHIBIT “2”



PENNSYLVANIA PUBLIC UTILITY COMMISSION

CONSUMER INFO UTILITY & INDUSTRY FILING & RESOURCES ABOUT PUC CONTACT US

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eFiling Successfully Transmitted



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

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

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

eFiling Confirmation	
Docket Number:	F-2016-2554895
Description:	Sherry Dixon v. PECO Energy Company PECO Answer to Formal Complaint
Transmission Date:	7/11/2016 11:58:14 AM
Filed On:	7/11/2016 11:58:14 AM
eFiling Confirmation Number:	1641767

Uploaded File List

File Name	Document Class	Document Type
Sherry Dixon -Answer.pdf	Communication	Answer to Formal Complaint





An Exelon Company

Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19103

Direct Dial: 215-841-6841

July 11, 2016

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

RE: Sherry Dixon v. PECO Energy Company
PUC Docket No: F-2016-2554895

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Answer to the Formal Complaint* with regard to the matter referenced above.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a stylized flourish at the end.

Shawane Lee
Counsel for PECO Energy Company

Scheduling Recommendation: **NOT CALL OF THE DOCKET**

SL/d

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SHERRY DIXON	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2016-2554895
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On July 6, 2016, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Sherry Dixon (hereafter "Complainant") in the above captioned docket.

Pursuant to 52 Pa. Code § 5.61, PECO responds to the Complaint and states:

1. Admitted.
2. Admitted.
3. Admitted.

4. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint. In her formal Complaint, the Complainant alleges that PECO Energy has terminated or is threatening to terminate her service. The Complainant states there are incorrect charges on her bill and claims she has been receiving shut off notices for large amounts every 20 days. The Complainant requests a payment agreement and wants her bills investigated because she claims she is being overcharged. PECO Energy requests dismissal pursuant to 66 Pa. C.S. §1405(c).

The Complainant established electric service at 1701 Walnut Ridge Estates, Pottstown, PA under account number 02295-76014. See Account Activity Statement, attached hereto as

Exhibit "1". The Complainant was initially enrolled in PECO Energy's Customer Assistance Program ("CAP") under Tier E on April 17, 2003. The Complainant last re-enrolled in the program on May 13, 2014 under Tier E1. The Complainant's CAP tier level changed from Tier E1 to Tier D1 on May 14, 2014.

The Complainant has filed fifteen informal and formal complaints since 2010 in an effort to avoid paying for electric service. The Complainant currently has a \$16,336.36 balance. See Exhibit "1". The Complainant's account activity statements demonstrate that the Complainant does not make regular payments. The Complainant is not entitled to a PUC ordered payment agreement on her balance as the balance is comprised of CAP arrears. 66 Pa.C.S. § 1405(c) provides that, "(c)ustomer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the commission." Consequently, pursuant to 66 Pa.C.S. § 1405(c), the PUC has no jurisdiction to give the Complainant a payment agreement.

As set forth in the accompanying Motion to Dismiss, PECO requests that the Complainant's formal complaint be dismissed pursuant to the doctrine of res judicata and that she be prohibited from filing any additional informal or formal complaints.

5. Denied.

6. Admitted

7. Admitted.

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

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

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

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

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Shawane L. Lee', with a long horizontal flourish extending to the right.

Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SHERRY DIXON

Complainant

v.

PECO ENERGY COMPANY

Respondent

:
:
:
:
:
:
:

DOCKET NO. F-2016-2554895

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: July 11, 2016

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SHERRY DIXON	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2016-2554895
	:	
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:

Sherry Dixon
1701 Walnut Ridge Estate
Pottstown, PA 19464

Dated at Philadelphia, Pennsylvania, July 11, 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



An Exelon Company

Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19103

Direct Dial: 215-841-6841

July 11, 2016

Sherry Dixon
1701 Walnut Ridge Estate
Pottstown, PA 19464

RE: Sherry Dixon v. PECO Energy Company
PUC Docket No: F-2016-2554895

Dear Ms. Dixon:

Enclosed is a copy of PECO Energy Company's response to the formal complaint filed in the above-referenced docket. The law requires PECO Energy to file an answer to your Public Utility Commission complaint. Keep these papers for your records. This is not a decision on your complaint. PECO's response may include a New Matter, Motion or Preliminary Objection. Please note that if you do not respond to a New Matter, Motion, or Preliminary Objection an unfavorable decision may be rendered against you. Responses to New Matters and Motions must be filed within 20 days. Responses to Preliminary Objections must be filed within 10 days. If there is no New Matter, Motion or Preliminary Objection included, no response is required.

Soon, the Public Utility Commission will schedule either a settlement conference or a hearing on your complaint. The Commission will let you know by mail whether there will be a conference or a hearing and will include instructions on what to do next. If the matter is set for hearing, the notice will provide you with information about the date, time and place of the hearing. If we are unable to resolve your complaint and have to proceed with a hearing, a judge will be at the hearing and will decide your complaint. You must call the Public Utility Commission if you have any questions about the hearing or if you cannot attend the hearing.

Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a long, sweeping underline.

Shawane Lee
Counsel for PECO Energy Company

SL/d
Enclosure

Transaction ID	Project Type	Origin Source	Billing Period	Brand	Reading Type	Meter Loc#	ACCT	REV	CD	Transaction Amount	Balance Forward	Current Charges	Acc Due	Est Due	Next Billing	Reading	Current
02/24/2015	LATE PAYMENT CHANGE		01/27/2015 - 02/26/2015	00178	ACTUAL	123448031	6249	0		\$208.93	\$14,026.36	\$952.81	\$14,979.17	07/19/2015	\$14,026.36	1,125	\$0.00
02/26/2015	ELECTRIC SERVICE	PAYMENT		64333	ACTUAL	123448031	4155	0		\$150.00	\$14,826.17	\$418.87	\$15,245.04	04/29/2015	\$15,245.04	832	\$0.00
03/02/2015	ELECTRIC SERVICE	PAYMENT	02/24/2015 - 03/21/2015	60796	ACTUAL	123448031	2453	0		\$69.75	\$15,176.42	\$399.75	\$15,576.17	08/19/2015	\$15,576.17	314	\$0.00
03/18/2015	ELECTRIC SERVICE	PAYMENT	03/17/2015 - 03/26/2015	66582	ACTUAL	123448031	1768	0		\$69.00	\$15,507.42	\$270.07	\$15,777.49	08/17/2015	\$15,777.49	213	\$31.85
03/24/2015	ELECTRIC SERVICE	PAYMENT		70414	ACTUAL	123448031	1883	0		-\$350.00	\$15,427.49	\$271.00	\$15,698.49	07/16/2015	\$15,698.49	771	\$0.00
07/24/2015	ELECTRIC SERVICE	PAYMENT	06/24/2015 - 07/24/2015	72133	ACTUAL	123448031	1971	0		\$291.80	\$15,919.29	\$291.98	\$16,211.27	08/17/2015	\$16,211.27	406	\$0.00
09/24/2015	ELECTRIC SERVICE	PAYMENT	07/24/2015 - 08/24/2015	74633	ACTUAL	123448031	2140	0		-\$188.00	\$16,031.27	\$316.40	\$16,347.67	08/16/2015	\$16,347.67	54	\$0.00
09/23/2015	ELECTRIC SERVICE	PAYMENT	08/24/2015 - 09/23/2015	78394	ACTUAL	123448031	1789	0		\$316.40	\$16,658.07	\$287.91	\$16,945.98	08/19/2015	\$16,945.98	94	\$0.00
10/21/2015	ELECTRIC SERVICE	PAYMENT	09/21/2015 - 10/21/2015	77865	ACTUAL	123448031	1571	0		\$287.91	\$16,673.99	\$238.71	\$16,912.70	11/19/2015	\$16,912.70	228	\$0.00
11/20/2015	ELECTRIC SERVICE	PAYMENT	10/21/2015 - 11/20/2015	79140	ACTUAL	123448031	1475	0		\$234.56	\$16,948.26	\$224.56	\$17,172.82	12/14/2015	\$17,172.82	228	\$0.00
12/15/2015	LINEAR PAYMENT	PAYMENT								-\$170.00	\$16,998.26		\$16,998.26				
12/15/2015	REGISTRATION FEE - CIV/2017									-\$1,709.00	\$15,289.26		\$15,289.26				
12/15/2015	NON PAY									\$20.00	\$15,309.26		\$15,309.26				
12/15/2015	SEWER PROTECTION									\$350.00	\$15,659.26		\$15,659.26				
12/15/2015	RAMMING FEE									\$387.84	\$16,047.10	\$207.84	\$16,254.94	02/21/2016	\$16,254.94	406	\$0.00
12/29/2015	ELECTRIC SERVICE	PAYMENT	11/29/2015 - 12/18/2015	80088	ACTUAL	123448031	728	0		\$387.84	\$16,642.78	\$287.84	\$16,930.62	02/21/2016	\$16,930.62	188	\$0.00
01/04/2016	ELECTRIC SERVICE	PAYMENT	12/18/2015 - 12/29/2015	1043	ACTUAL	123448031	2043	0		\$287.84	\$17,220.46	\$287.84	\$17,508.30	02/21/2016	\$17,508.30	188	\$0.00
01/28/2016	ELECTRIC SERVICE	PAYMENT								-\$387.84	\$16,832.62		\$16,832.62				
02/04/2016	ELECTRIC SERVICE	PAYMENT	12/29/2015 - 01/28/2016	5417	ACTUAL	123448031	4374	0		\$669.79	\$17,502.41	\$669.79	\$18,172.20	02/19/2016	\$18,172.20	879	\$0.00
02/25/2016	ELECTRIC SERVICE	PAYMENT	01/28/2016 - 02/25/2016	9923	ACTUAL	123448031	4086	0		-\$200.00	\$17,972.41	\$669.79	\$18,642.20	02/19/2016	\$18,642.20	771	\$0.00
03/19/2016	ELECTRIC SERVICE	PAYMENT	02/25/2016 - 03/19/2016	12820	ACTUAL	123448031	3297	0		\$407.53	\$18,044.94	\$627.33	\$18,672.27	03/18/2016	\$18,672.27	473	\$0.00
04/19/2016	ELECTRIC SERVICE	PAYMENT								-\$250.00	\$17,814.94		\$17,814.94				
04/24/2016	BUDGET BILLING		03/24/2016 - 04/24/2016	13535	ACTUAL	123448031	2733	0		\$1495.40	\$19,310.34	\$495.40	\$19,805.74	04/18/2016	\$19,805.74	313	\$0.00
04/24/2016	ELECTRIC SERVICE	PAYMENT								-\$1,495.40	\$17,814.94		\$17,814.94				
04/21/2016	LATE PAYMENT CHANGE	PAYMENT	04/24/2016 - 05/24/2016	17533	ACTUAL	123448031	3598	0		\$3272.00	\$21,086.94	\$3272.00	\$24,358.94	05/17/2016	\$24,358.94	213	\$31.85
05/21/2016	BUDGET BILLING									-\$327.00	\$20,759.94		\$20,759.94				
05/21/2016	ELECTRIC SERVICE									\$12.00	\$20,771.94		\$20,771.94				
05/24/2016	ELECTRIC SERVICE		05/24/2016 - 05/24/2016	3594	ACTUAL	123448031	2031	0		\$330.17	\$21,102.11	\$330.17	\$21,432.11	07/15/2016	\$21,432.11	213	\$0.00

EXHIBIT “3”

July 11, 2016

Case Details Report

BCS Case #: 002861636 **BCS Bill Account #:** 8888888888
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

Home Phone: (267) 475-0343
Business Phone: () -
Business name:
Alternate contact:

Date Case Opened: 2011-07-20 **Date Cut Out:** 9999-12-31
PAR Case: Y
Investigator Name: BUREAU OF CONSUMER SERVICE
Investigator Phone: (717) 772-1201 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: 2823657 **Amount in Arrears:** \$0.00

Adults: 1
Children: 3
Children Ages: 16,12,7
Gross Income: \$0.00
Miscellaneous Info:

Complaint Reason:
ON - PAR NEEDED (# 61)

Customer Problem Description:
STRAIGHT PAR - CUST STATES SHE'S NO LONGER ON CAP - SPOKE WITH CO NO CAP ARREARS IN CURR BAL - MS DIXON REQUESTING PUC PAR - CO SENDING NEW CAP APP

Company Position:
07/19/2011 LCC WILL ELIG FOR CO PAR - SINCE CUST HAS BROKEN PAY AGREEMENT



July 11, 2016

BCS Decision Report

BCS Case #: 002861636 **Open Date:** 2011-07-20
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

BCS Bill Account #: 8888888888 **Previous Case #:** 2823657
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: TERRY SEAVER

Decision Issued Date: 2011-07-23
Case Closed Date: 2011-07-21

Letter Description:
NO LETTER REQUIRED

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

PAR Description:

Resolution Description:
CLOSE WITH OUT A DECISION. CUST HAS FORMAL HEARING SCHEDULED FOR 7/26/2011 REARDING THE ISSUE.



July 11, 2016

Case Details Report

BCS Case #: 002891181 **BCS Bill Account #:** 0229576014
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

Home Phone: (267) 475-0343
Business Phone: () -
Business name:
Alternate contact:

Date Case Opened: 2011-09-26 **Date Cut Out:** 2011-09-13
PAR Case: Y
Investigator Name: JAMES WHITE
Investigator Phone: (717) 787-4348 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: 2626453 **Amount in Arrears:** \$0.00

Adults: 0
Children: 0
Children Ages:
Gross Income: \$0.00
Miscellaneous Info:

Complaint Reason:
ON - PAR WITH DISPUTE (#63)

Customer Problem Description:
PECO IS NOT KEEPING TO THE PAYMENT PUC FORMAL AGREEMENT AS AGREED
CUST PAY 382 PER MONTH FOR 12 MONTHS, WITHOUT CHANGE TO THE AMOUNT.
THE AMOUNT CAN ONLY CHANGE IF CUSTOMER DEFAULTS ON AGREEMENT.

Company Position:
09/26/2011 CALL PUC TO MAKE NEW COMPLAINT, BECAUSE SUBJECT MATTER IS
DIFFERENT.



July 11, 2016

BCS Decision Report

BCS Case #: 002891181 **Open Date:** 2011-09-26
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

BCS Bill Account #: 0229576014 **Previous Case #:** 2626453
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: JAMES WHITE

Decision Issued Date: 2012-01-02
Case Closed Date: 2011-12-29

Letter Description:
CAP REVIEWED/NO DECISION/BALANCE

Total Balance:	\$8719.98	Balance Date:	2011-09-28
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$400.00
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 PER 1405C. FORMAL COMPLAINT WAS ESTABLISHED THEN CUSTOMER REINSTATED TO THE CAP RATE PROGRAM. CAP RATE CURRENT ACCOUNT BALANCE IS \$1076.18, CUSTOMER NEEDS TO PAY 33.34 TO BE REINSTATED TO PROGRAM



July 11, 2016

Case Details Report

BCS Case #: 002988516 **BCS Bill Account #:** 0229576014
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

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

Date Case Opened: 2012-06-28 **Date Cut Out:** 9999-12-31
PAR Case: N
Investigator Name: BRANDON THOMAS
Investigator Phone: (717) 783-8580 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: **Amount in Arrears:** \$0.00

Adults: 0
Children: 0
Children Ages:
Gross Income: \$0.00
Miscellaneous Info:

Complaint Reason:
BILLING DISPUTES (# 18)

Customer Problem Description:
BILLING DISPUTE-- CU CALLED STATE THAT SHE IS DISPUTING THE ACCURACY OF HER MONTHLY BILLS. CU STATE THAT HER MONTHLY BILLS COME TO AROUND \$400. CU STATE THAT SHE DOESNT KNOW HOW HER BILL GET THAT HIGH WHEN THERE ARE ONLY FOUR PEOPLE IN THE HOUSEHOLD. CU STATE THAT COMPARE TO HER NEIGHBORS BILL. HERS IS WAY HIGHER. WHEN CU CALLED CO, CO STATED THAT THE BILL IS CORRECT WITHOUT INVESTIGATING ANY FURTHER. CU ALSO STATED THAT CO IS NOT WILLING TO SET UP SOME SORT OF PAYMENS PLAN FOR THE BALANCE. CU STATE THAT SHE WOULD LIKE PUC TO DISPUTE THE ACCURACY OF THE BILL. AND INVESTIGATE THE USAGE AS



July 11, 2016

BCS Decision Report

BCS Case #: 002988516 **Open Date:** 2012-06-28
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

BCS Bill Account #: POTTSTOWN, PA 19464
0229576014 **Previous Case #:**
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: BRANDON THOMAS

Decision Issued Date: 2012-09-18
Case Closed Date: 2012-09-17

Letter Description:
BLANK LETTER - DECISION

Total Balance:	\$3804.90	Balance Date:	2012-07-18
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$395.00
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:
DISMISS BILLING DISPUTE AND PAR REQUEST. ADVISED MS DIXON THAT SHE MUST CONTACT THE COMPANY TO SCHEDULE A HIGH BILL INVESTIGATION. SHE HAS NOT DONE SO TO DATE. SCHEDULED 7/17/2012 ONSITE VISIT WAS CANCELLED BY THE CUSTOMER. I WILL RESPOND TO HER REQUEST FOR A PUC PAR. SHE HAS CAP ARREARS SO THE PUC WILL NOT BE ABLE TO OFFER A PAYMENT AGREEMENT. HER MONTHLY BILLS AVERAGE \$395.18. HER USAGE IS RECORDED WITH AN AMR DEVICE.



July 11, 2016

Case Details Report

BCS Case #: 003035014 **BCS Bill Account #:** 0229576014
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

Home Phone: () -
Business Phone: () -
Business name:
Alternate contact: NO OTHER CONTACT INFO.

Date Case Opened: 2012-10-19 **Date Cut Out:** 9999-12-31
PAR Case: N
Investigator Name: TIMOTHY PLATT
Investigator Phone: (717) 783-6960 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: 2988516 **Amount in Arrears:** \$0.00

Adults: 1
Children: 3
Children Ages: 17,14,9
Gross Income: \$0.00
Miscellaneous Info:
NO OTHER CONTACT INFO.

Complaint Reason:
BILLING DISPUTES (# 18)

Customer Problem Description:
CALLER STATES HER BILLS ARE NO LESS THAN 400.00 A MO. SHE STATES SHE DID REQUEST THAT THE CO INVESTIGATER HER HIGH BILLING CHARGES THE CO REFUSED. CALLER NEEDS THE PUC TO GET THE CO TO COME OUT AND INVESTIGATE.

Company Position:
10/19/2012 PECO STATES HER USAGE AND THE BILLS ARE ACCURATE AND THERE IS NOT NEED TO COME OUT TO CHECK THE METER.



July 11, 2016

BCS Decision Report

BCS Case #: 003035014 **Open Date:** 2012-10-19
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

BCS Bill Account #: POTTSTOWN, PA 19464
0229576014 **Previous Case #:** 2988516
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: TIMOTHY PLATT

Decision Issued Date: 2013-02-13
Case Closed Date: 2013-02-13

Letter Description:

EGW PAR W/COMPLEX DISPUTE/NO PAYMENT AGREEMENT/LEVEL 1

Total Balance:	\$5413.88	Balance Date:	2013-02-13
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:

YOU APPEAR TO QUALIFY FOR LIHEAP. IF YOU QUALIFY, THE LIHEAP PROGRAM WILL MAKE A PAYMENT TO HELP KEEP YOUR SERVICE ON. YOU MUST APPLY TO RECEIVE THIS HELP. PLEASE CALL LIHEAP AT 1-866-857-7095 TO APPLY.

Resolution Description:

CLOSED WITH DECISION. DECISION LETTER SENT:DECIDED THAT:1.THIS INFORMAL COMPLAINT IS DISMISSED. 2.YOU MUST CONTACT THE COMPANY TO DISCUSS THE PAYMENT REQUIRED ON YOUR ACCOUNT GOING FORWARD TO AVOID RENEWED TERMINATION ACTION THE PUC IS UNABLE TO PREVENT. CONCLUDE THAT:1.YOUR BILLINGS ARE BASED ON ACTUAL METER READINGS OBTAINED AND ARE CONSIDERED TO BE CURRENT AS RENDERED. 2.YOUR BILLINGS ISSUE WAS PROPERLY INVESTIGATED AND THE BILLINGS FOUND TO BE WITHIN THE POTENTIAL FOR USAGE THAT EXISTS AT YOUR PROPERTY. 3.A PUC REVIEW OF YOUR BILLING HISTORY SHOWS THAT YOUR BILLINGS ARE INLINE AND CONSISTENT WITH THE HISTORICAL USAGE AT THE PROPERTY. 4.AS



July 11, 2016

Case Details Report

BCS Case #: 003035708 **BCS Bill Account #:** 0229576014
Customer Name: SHEROY DIXON
Service Address: 1701 WALNUT RIDGE

Mailing Address: POTTSTOWN, PA 19464

Home Phone: (267) 475-0343
Business Phone: () -
Business name: SM
Alternate contact:

Date Case Opened: 2012-10-22 **Date Cut Out:** 9999-12-31
PAR Case: Y
Investigator Name: CHRISTIE CRUMMY
Investigator Phone: (717) 772-1205 **Universal Service:** Y
Service class: R **Contact Type:** TELEPHONE
Previous case #: **Amount in Arrears:** \$2400.00

Adults: 1
Children: 3
Children Ages: 17,14,9
Gross Income: \$0.00
Miscellaneous Info:

Complaint Reason:
ON - PAR WITH DISPUTE (#63)

Customer Problem Description:
CU STATES SHE THINKS SHE HAS A METER PROBLEM. CU STATES SHE IS GETTING \$400/MO BILL. CU STATES SHE TRIES TO CONSERVE ENERGY AND HAS HAD HER APPLIANCES CHECKED. CU STATES SHE HAS REQ A METER CHECK BUT CO REFUSES. CU WANTS AND NEW METER. CU HAS NO SHUT OFF DATE BUT FEARS GETTING ONE SOON. CU WANTS PAR FOR ANY AMT DEEMED LIABLE.

Company Position:
10/22/2012 CO WANTS \$1100 TO KEEP SVCS ON



July 11, 2016

Case Details Report

BCS Case #: 003229643 **BCS Bill Account #:** 8888888888
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE

Mailing Address: POTTSTOWN, PA 19464

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

Date Case Opened: 2014-04-26 **Date Cut Out:** 9999-12-31
PAR Case: N
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: **Amount in Arrears:** \$0.00

Adults: 3
Children: 0
Children Ages:
Gross Income: \$2603.00
Miscellaneous Info:

Complaint Reason:
BILLING DISPUTES (# 18)

Customer Problem Description:
CU SYS THT SHE WANTS TO DISPUTE HER BILL FOR THE MONTHS OF DECEMBER 2013 785.00 JANUARY 2014 685.00 FEBRUARY 2014 700.00 MARCH BILL 745.00...CU WANTS THE PUC TO MAKE SURE HER BILLS ARE CORRECT. CU SAYS THT SHE DID NOT USE SPACE HEATERS, CHR SITMAS LIGHTS OR AIR CONDITIONERS

Company Position:
04/24/2014 BILLS ARE CORRECT



July 11, 2016

BCS Decision Report

BCS Case #: 003229643 **Open Date:** 2014-04-26
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE

BCS Bill Account #: 8888888888 **Previous Case #:**
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: PAUL MEURON

Decision Issued Date: 2014-05-29
Case Closed Date: 2014-05-29

Letter Description:
EGW ON/COMPANY OFFER BETTER

Total Balance:	\$11720.98	Balance Date:	2014-04-28
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$510.00
Special Budget Payment:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		
Payment Terms:			

PAR Description:

Resolution Description:
CASE CLOSED CUST NEEDS TO CALL CO FIRST ABOUT THE DISPUTE

July 11, 2016

Case Details Report

BCS Case #: 003290076 **BCS Bill Account #:** 0229576014
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

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

Date Case Opened: 2014-09-26 **Date Cut Out:** 2014-09-29
PAR Case: N
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: 3229643 **Amount in Arrears:** \$0.00

Adults: 2
Children: 2
Children Ages: 11 16
Gross Income: \$1783.33
Miscellaneous Info:

Complaint Reason:
ON - PAR WITH DISPUTE (#63)

Customer Problem Description:
CHILD DR CONTACTED CO REGARDING MED CERT AND HE WAS DENIED.. WOULD LIKE TO AVOID SHUT OFF AND TO KNOW WHY MED CERTS ARE NO LONGER ACCEPTED

Company Position:
09/23/2014 MED CERT DENIED.. NOT ACCEPTING MED CERTS ANY MORE



July 11, 2016

BCS Decision Report

BCS Case #: 003290076 Open Date: 2014-09-26
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

POTTSTOWN, PA 19464
BCS Bill Account #: 0229576014 Previous Case #: 3229643
Violation Type: NO Chapter Type:
Decision Type: W Section / Rule:
Investigator Name: BOBBI ANDERSON

Decision Issued Date: 2015-01-29
Case Closed Date: 2015-01-27

Letter Description:
BLANK LETTER - DECISION

Total Balance:	\$12254.77	Balance Date:	2014-09-30
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$11300.49
Date Payment Due:		Regular Budget Amount:	\$499.00
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:
DISMISSED....1. BASED ON THE PAYMENT INFORMATION PROVIDED BY PECO, YOU DID NOT MEET THE OBLIGATION TO PAY YOUR CURRENT CHARGES WHILE YOUR SERVICE WAS MAINTAINED BY A MEDICAL CERTIFICATION AS REQUIRED IN 52 PA. CODE 56.116.2. BASED ON 52 PA. CODE 56.114(2), PECO ENERGY IS NOT OBLIGATED TO ACCEPT ANOTHER MEDICAL CERTIFICATION TO MAINTAIN OR RESTORE YOUR ELECTRIC SERVICE, UNTIL YOU HAVE PAID THE ACCOUNT BALANCE TO CURRENT CHARGES.3. THE COMPANY???'S DENIAL OF A MEDICAL CERTIFICATION TO MAINTAIN YOUR SERVICE IS VALID. 4. BASED ON THE INFORMATION PROVIDED BY PECO ENERGY, YOUR OUTSTANDING ACCOUNT BALANCE CONTAINS PAST DUE CAP BILLS.5. BASED ON 66 PA. C.S. 1405(C), THE PUC CANNOT ISSUE AN AGREEMENT, OR REQUIRE PECO TO ISSUE A PAYMENT AGREEMENT TO MAINTAIN YOUR UTILITY SERVICE.

July 11, 2016

Case Details Report

BCS Case #: 003318578 **BCS Bill Account #:** 8888888888
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

Home Phone: () -
Business Phone: () -
Business name: SM
Alternate contact: NO EMAIL

Date Case Opened: 2015-02-03 **Date Cut Out:** 9999-12-31
PAR Case: N
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: **Amount in Arrears:** \$0.00

Adults: 0
Children: 0
Children Ages:
Gross Income: \$0.00
Miscellaneous Info:
NO EMAIL

Complaint Reason:
PEOPLE-DELIVERED SERVICE (I.E., SCHEDULING DELAYS, PERSONNEL,
DAMAGES) (# 58)

Customer Problem Description:
CO. IS HOLDING HER SON, JERMAINE RESPONSIBLE FOR HER BILLS AND SHE IS
SAYING THAT HER BILLS HAVE NOTHING TO DO WITH HER SON.

Company Position:
02/03/2015 CALL PUC.



July 11, 2016

BCS Decision Report

BCS Case #: 003318578 **Open Date:** 2015-02-03
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

BCS Bill Account #: 8888888888 **Previous Case #:**
Violation Type: NO **Chapter Type:**
Decision Type: O **Section / Rule:**
Investigator Name: TIMOTHY PLATT

Decision Issued Date: 2015-02-03
Case Closed Date: 2015-02-03

Letter Description:
VERBAL CLOSE - BALANCE PAID

Total Balance:	\$0.00	Balance Date:	2015-02-03
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:
CLOSED NO DECISION. LETTER SENT. DISMISSED AS MATTER OF APPLICATION OF SVC FOR JEMAIN WALKER HAS PREVIOUSLY BEEN ADDRESSED IN PRIOR CASE 3229639 CLOSED ON 9.17.14 WITH DECISION BY SUPV FISHER. CO REPORT SVC NOT ESTABLISH IN HIS NAME AND THAT HE APPLIED AGAIN ON 2.3.15. NO FURTHER ACTION ALLOWED.



July 11, 2016

Case Details Report

BCS Case #: 003395127 **BCS Bill Account #:** 0229576014
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

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

Date Case Opened: 2015-10-21 **Date Cut Out:** 2015-10-23
PAR Case: N
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 **Universal Service:** Y
Service class: R **Contact Type:** TELEPHONE
Previous case #: 3318578 **Amount in Arrears:** \$0.00

Adults: 2
Children: 2
Children Ages: 17, 12
Gross Income: \$0.00
Miscellaneous Info:

Complaint Reason:
CAP DISPUTE (#67)

Customer Problem Description:
CU IS TRYING TO GET ONTO CAP. SHE STATES SHE IS BEING DENIED BECAUSE CO HAS OLD INFORMATION FROM SIX YEARS AGO. CU CURRENTLY HAS NO INCOME, WHICH I ADVISED MAY BE THE REASON SHE IS INELIGIBLE TO GET ONTO CAP. CU SAID SHE APPLIED FOR CAP ABOUT FOUR MONTHS AGO WHEN SHE STILL HAD A JOB PAYING \$13/HR. WITH A 40/HR. WORK WEEK. CU WAS STILL DENIED AT THAT TIME. THE CELL PHONE NUMBER (267) 475 - 0343 HAS BEEN ALLOWED TO BE SHARED.



July 11, 2016

BCS Decision Report

BCS Case #: 003395127 **Open Date:** 2015-10-21
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

BCS Bill Account #: POTTSTOWN, PA 19464
0229576014 **Previous Case #:** 3318578
Violation Type: NO **Chapter Type:**
Decision Type: O **Section / Rule:**
Investigator Name: VALERIE FISHER

Decision Issued Date:
Case Closed Date: 2015-10-26

Letter Description:
NO LETTER REQUIRED

Total Balance:	\$16610.03	Balance Date:	2015-10-23
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, THE COMPANY MAILED A CAP APPLICATION TO THIS CUSTOMER ON 10/13/15. HER BALANCE INCLUDES CAP ARREARS, NOT ELIGIBLE FOR A PUC PAR.



July 11, 2016

Case Details Report

BCS Case #: 003404210 **BCS Bill Account #:** 0229576014
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

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

Date Case Opened: 2015-12-01 **Date Cut Out:** 2015-11-30
PAR Case: Y
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: 3395127 **Amount in Arrears:** \$0.00

Adults: 2
Children: 4
Children Ages: 17, 12, 3WKS, 1MOS
Gross Income: \$0.00
Miscellaneous Info:

Complaint Reason:
OFF - SERVICE IS TERMINATED/SUSPENDED - DISPUTE (# 76)

Customer Problem Description:
OFF W/DISPUTE, CUSTOMER IS DISPUTING HER BALANCE AND THAT CO WOULD NOT ACCEPT HER CRISIS MONEY IN ORDER TO STOP THE SHUT OFF. CUSTOMER SENT APP FOR CAP AND APPLIED FOR LIHEAP GRANT. CO DENIED CRISIS GRANT. CUSTOMER WAS ADVISED TO FILE A FORMAL ABOUT THE BALANCE, BUT REALLY DID NOT GIVE A DIRECT ANSWER IF SHE DISPUTED WITH THE CO. THE CELL PHONE NUMBER (267) 475 - 0343 HAS BEEN ALLOWED TO BE SHARED.

Company Position:



July 11, 2016

BCS Decision Report

BCS Case #: 003404210 **Open Date:** 2015-12-01
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

BCS Bill Account #: 0229576014 **Previous Case #:** 3395127
Violation Type: NO **Chapter Type:**
Decision Type: O **Section / Rule:**
Investigator Name: TIMOTHY PLATT

Decision Issued Date: 2015-12-02
Case Closed Date: 2015-12-02

Letter Description:
SHORT BLANK LETTER

Total Balance:	\$0.00	Balance Date:	2015-12-02
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:
CLOSED NO DECISION. LETTER SENT. CASE DISMISSED DUE TO ACTIVE FORMAL,
FORMAL DOCKET #C-2015-2515690 FILED AT PUC ON 11.30.15 AND RECVD BY
COMPANY ON 12.1.15 SAME ISSUE. NO FURTHER ACTION ALLOWED.

July 11, 2016

Case Details Report

BCS Case #: 003443133 **BCS Bill Account #:** 0229576014
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

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

Date Case Opened: 2016-05-24 **Date Cut Out:** 2016-06-01
PAR Case: Y
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 **Universal Service:** Y
Service class: R **Contact Type:** TELEPHONE
Previous case #: **Amount in Arrears:** \$910.00

Adults: 2
Children: 2
Children Ages: 17, 12
Gross Income: \$1560.00
Miscellaneous Info:

Complaint Reason:
ON - PAR WITH DISPUTE (#63)

Customer Problem Description:
CUSTOMER REQUESTING PAR AND DISPUTING BILL. UTILITY WANTS \$910 TO STOP TERMINATION. CUSTOMER PAID \$1400 ON 4/20/16 TO STOP TERMINATION. CUSTOMER RECEIVED ANOTHER SHUT OFF NOTICE FOR \$910. CUSTOMER CONTACTED UTILITY TO ASK WHERE THE \$910 CAME FROM SINCE SHE JUST PAID \$1400. UTILITY TOLD HER PUC HAD HELD THAT AMOUNT AND BECAUSE THE CASE WAS NOW CLOSED, THE \$910 WAS DUE. THE CELL PHONE NUMBER (267) 475 - 0343 HAS BEEN ALLOWED TO BE SHARED.



July 11, 2016

BCS Decision Report

BCS Case #: 003443133 **Open Date:** 2016-05-24
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

BCS Bill Account #: 0229576014 **Previous Case #:**
Violation Type: ACTUAL **Chapter Type:** 56
Decision Type: W **Section / Rule:** 91.2
Investigator Name: JAMES WHITE

Decision Issued Date: 2016-06-14
Case Closed Date: 2016-06-10

Letter Description:
BLANK LETTER - DECISION

Total Balance:	\$16183.81	Balance Date:	2016-06-03
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$366.00
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:
DECISION. UNABLE TO ASSIST WITH CAP ARREARS OF 754.11 IN BALANCE PER 1405C. TERMINATION NOTICE ISSUED FOR AN INCORRECT AMOUNT BASED ON SUPPORTING INFORMATION PROVIDED BY THE UTILITY. SUSTAINED IN PART, DISMISSED IN PART.



July 11, 2016

Case Details Report

BCS Case #: 003455101 **BCS Bill Account #:** 0229576014
Customer Name: SHERRY DIXON
Service Address: 1701 WALNUT RIDGE ESTATE

Mailing Address: POTTSTOWN, PA 19464

Home Phone: () -
Business Phone: () -
Business name:
Alternate contact: NO EMAIL -

Date Case Opened: 2016-06-30 **Date Cut Out:** 2016-07-01
PAR Case: Y
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000
Service class: R **Universal Service:** N
Previous case #: **Contact Type:** TELEPHONE
Amount in Arrears: \$1143.00

Adults: 2
Children: 2
Children Ages: 17,12
Gross Income: \$1092.00
Miscellaneous Info:
NO EMAIL -

Complaint Reason:
ON - PAR WITH DISPUTE (#63)

Customer Problem Description:
CUSTOMER FEEL THAT THE ACCOUNT BALANCE IS INCORRECT AND WANT THE PUC TO INVESTIGATE. CUSTOMER FEEL THAT THE AMOUNT IS 500.00. THE CELL PHONE NUMBER (267) 475 - 0343 HAS BEEN ALLOWED TO BE SHARED.

Company Position:
06/29/2016 CUSTOMER SEEKING PAST DUE AMOUNT OF 1143.00.

