

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Emma Smith

v.

PECO Energy Company

:
:
:
:
:

Z-01649271

PREHEARING ORDER

An Initial Telephonic Hearing in this case is scheduled for Friday, February 25, 2005 at 10:00 a.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. Commission policy promotes settlements. 52 Pa. Code §5.231(a). You are urged to contact each other at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

2. The customer is required to make regular monthly payments towards their utility bill while their complaint is pending. **FAILURE TO MAKE REGULAR PAYMENTS MAY RESULT IN AN ORDER REQUIRING A CATCH UP PAYMENT EQUAL TO THE AMOUNT OF THE PAYMENTS THAT SHOULD HAVE BEEN MADE.**

3. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three (3) copies to me one week before the hearing. Proposed exhibits should be properly pre-marked for identification purposes.

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DEC 22 2004

**DOCUMENT
FOLDER**

4. If the Commission's Bureau of Consumer Services (BCS) has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made.

5. **If you will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one week before the hearing.**

6. The customer has the burden of proving that the utility violated Pennsylvania public utility law.

7. At the hearing, the customer must be prepared to testify about the total net monthly income of all people living in your home. This includes the following:

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

8. If the customer or any member of the customer's household is receiving food stamps and/or medical assistance, the customer must be prepared to testify or document the amount of food stamps or the nature of the medical assistance received.

9. At the hearing, the customer must be prepared to testify about the total monthly expenses of your home, which includes:

- (a) rent or mortgage payments;
- (b) utility bills (including electric, gas, telephone, water, sewer, cable television, etc.);
- (c) food, in addition to any food stamp benefits;
- (d) clothing;
- (e) automobile (loan payments, gasoline, maintenance, etc.);
- (f) transportation (bus, taxicabs, jitneys, etc.);
- (g) insurance premiums (homeowners' or renters' insurance, automobile insurance, life insurance, medical insurance, etc.);
- (h) medical bills, (doctors, dentists, hospitals, prescriptions, etc.);
- (i) credit card and charge account payments;
- (j) loan payments; and
- (k) miscellaneous expenses.

When testifying to these expenses, the customer should be prepared to give balances due and missed payments for each item.

10. TO ASSIST THE CUSTOMER IN PROVIDING THE INCOME AND EXPENSE INFORMATION REQUIRED BY THIS ORDER, THREE (3) COPIES OF A BUDGET INFORMATION FORM ARE ENCLOSED. THE CUSTOMER MUST FILL OUT THIS FORM; RETURN ONE (1) COMPLETED COPY TO ME, AND SEND ONE (1) COMPLETED COPY TO THE ATTORNEY FOR THE UTILITY AT LEAST ONE WEEK BEFORE THE HEARING. YOU SHOULD KEEP ONE (1) COMPLETED COPY AND THIS ORDER FOR YOU TO USE DURING THE HEARING.

11. The utility must prepare and submit the following documents at least one week before the hearing:

- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a copy of the most recent BCS decision, if any

(c) a service usage comparison report for the same period as the account statement; and

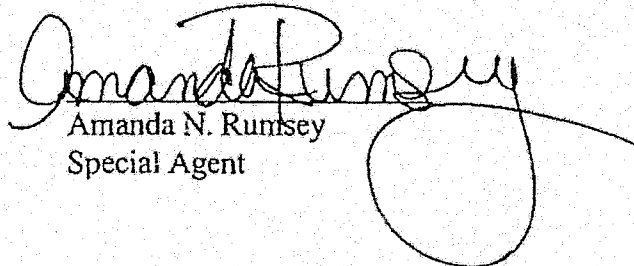
(d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

12. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code §1.24(b).

13. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is: Special Agent Amanda N. Rumsey, P.O. Box 3265, Harrisburg, PA 17105-3265. **Changes are granted only in rare situations where good cause exists.**

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

Date: December 6, 2004


Amanda N. Rumsey
Special Agent

Legal Department

Exelon Business Services Company
2301 Market Street / S23-1
PO Box 8699
Philadelphia, PA 19101-8699

Telephone 215.841.5544
Fax 215.568.3389
www.exeloncorp.com

Business Services
Company

Direct Dial: 215.841.6841
Fax: 215.568.3389
February 3, 2005

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

Re: Emma Smith v. PECO Energy Company
Docket Number: Z-01649271

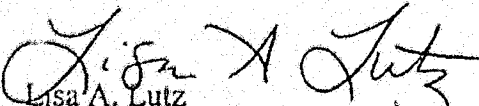
Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that the parties in the above referenced complaint have reached an accord.

By copy of this letter, I am alerting the Complainant of her right to object to the closing of this matter in writing to the Public Utility Commission within ten (10) days of the date of this letter.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you for your assistance.

Sincerely,


Lisa A. Lutz
Counsel for PECO Energy Company

**DOCUMENT
FOLDER**

Cc: Ms. Emma Smith
Special Agent Amanda N. Rumsey
Susan Licon

DOCKETED
FEB 23 2005

RECEIVED
2005 FEB -7 AM 12:00
SECRETARY'S BUREAU

63

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: February 9, 2005
SUBJECT: Z-01649271 Emma Smith v. PECO Energy Company
TO: Wanda Zeiders
Docket Management
FROM: Susan Licon, Scheduling Officer
Office of Administrative Law Judge

On February 8, 2005, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Amanda N. Rumsey
Beth Plantz
Case File

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FEB 15 2005



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
February 10, 2005

IN REPLY PLEASE
REFER TO OUR FILE

In Re: Z-01649271

(See letter of 11-4-05)

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Emma Smith v. PECO Energy Company

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial telephone hearing
Date: Friday, February 25, 2005
Time: 10:00 a.m.
Presiding: Special Agent Amanda N. Rumsey

Please mark your records accordingly.

pc: SA Rumsey
Susan Licon
Beth Plantz
Docket Section
Calendar File

DOCKETED
FEB 11 2005

Legal Department

Exelon Business Services Company
2301 Market Street / S23-1
PO Box 8699
Philadelphia, PA 19101-8699

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Business Services
Company

Direct Dial: 215 841 6841

February 22, 2005

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ORIGINAL

James McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

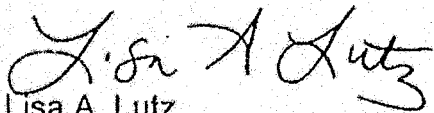
RE: Emma Smith v. PECO Energy Company
Pa. PUC Docket No.: Z-01649271

Dear Secretary McNulty:

Enclosed is a copy of Withdrawal of Complaint signed by the Complainant in the above-referenced case. The Complainant has agreed to withdraw the complaint without prejudice. Please send me a final order or closing notice in this matter.

Thank you for your help and if you have any questions regarding this request, please call my direct dial number (215) 841-6841.

Very truly yours,



Lisa A. Lutz
Counsel for PECO Energy Company

LAL/zr

Enc.

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2005 FEB 24 PM 4:42
SECRETARIAT'S BUREAU

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ORIGINAL

WITHDRAWAL OF
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT

Emma Smith v. PECO Energy Company

Docket Number: Z-01649271

The circumstances causing the above Pennsylvania Public Utility Commission formal complaint have been resolved, and I wish to withdraw this complaint.

Emma E. Smith
Emma Smith

2/9/05
Date

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MAR 16 2005

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2005 FEB 24 11:14:12
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