

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :  
 2. BUREAU: ALJ :  
 3. SECTION(S): :  
 5. APPROVED BY: :  
     DIRECTOR: :  
     SUPERVISOR: :  
 6. PERSON IN CHARGE: :  
 8. DOCKET NO: F-00304112 :  
 4. PUBLIC MEETING DATE: :  
     00/00/00 :  
 7. DATE FILED: 04/10/96 :  
 9. EFFECTIVE DATE: 00/00/00 :

PARTY/COMPLAINANT: TUCKER, MARGARET

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 110550

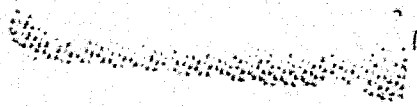
ALLEGATION OR SUBJECT

COMPLAINANT WOULD LIKE REINSTATED INTO THE CAP PROGRAM AND ALSO LOWER MONTHLY PAYMENTS. COMPLAINANT WOULD LIKE A TELEPHONIC HEARING.

DOCKETED

APR 13 1996

DOCKETED  
APR 13 1996



FORMAL COMPLAINT FOR  
Pennsylvania Public Utility Commission

F-00 304112  
-4/10

~~765-0304112~~  
RECEIVED  
INFORMATION CONTROL

96 APR 13 AM 9:21

Please Print:

1. Your Name, Mailing Address and Telephone Number <sup>000127</sup>

Name Margaret Tucker

Street/P.O. Box 2333 Fernon St Apt# ---

City Phila State Pa Zip 19145

County Phila Home Telephone-Area Code (215) 334-1544

Work Telephone-Area Code ( - ) ---

2. Which company does your complaint concern?

Name of Company PECO Energy Co. <sup>110550</sup>

3. What is your complaint?

PECO Energy Co. removed me from  
the CAP Program. This action raised my  
Electric Bill to \$117.00 a month. I cannot  
afford this amount. I am on a fixed income  
and I have legal custody of my grandson.

**DOCKETED**

APR 13 1986

**ORIGINAL**

(If you need more space use additional paper and attach to this form).

4. What do you want the Public Utility Commission to do about your complaint?

Help re-instate me into the CAP Program.  
And I would like lower monthly Electric  
Bill payments. I would like a phone  
hearing.

(If you need more space use additional paper and attach to this form).

5. You must sign and date your complaint.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Margaret Tucker

4-7-96

Signature of complaining person, or officer

Date Signed

(if customer is a corporation, trust or association) or member (if customer is a partnership). Make sure the complaint form with your original signature is one of the copies you return to the Commission.

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number-Area Code ( ) \_\_\_\_\_

REQUEST FOR APPEAL FROM CONSUMER SERVICES DECISION

Please send me formal complaint forms at the address listed below.

0304112

BCS Number

March 12, 1996

Date of Mailing

Margaret Tucker

Signature

Company Name:

PECO Energy Company

CUSTOMER NAME AND ADDRESS

(215) 334-1544

(Area code) Telephone no.

Please correct any mistakes  
in your name and address.

Ms. Margaret Tucker

2333 Fermon Street

Philadelphia, PA 19145

FERNON ST

Mail this completed form to: Secretary  
PA Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

THIS FORM MUST BE RETURNED WITHIN 20 DAYS FROM THIS DATE: March 12, 1996  
APPEAL DATE

RECEIVED  
INFORMATION CONTROL  
96 MAR 18 AM 9:51

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20

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG PA 17105-3265  
March 20, 1996

MS MARGARET TUCKER  
2333 FERNON STREET  
PHILADELPHIA, PA 19145

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed three complaint forms for you to complete. Please read carefully the instructions to help you complete the forms. You can fill out all three forms using the same words, or you can fill out one to use as an original and make two copies. Please make sure you sign the forms (an original signature is required). Return all 3 forms to us on or before APRIL 10, 1996, to the address listed below:

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.
- We will notify both you and the company by mail when the hearing date is set.

Page 2

- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:

Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWNOUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,

for Betty R. Jones  
Administrator  
Information Control Division

cc: PECO ENERGY CO

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: April 12, 1996

Margaret Tucker  
Complainant

VS.

Complaint Docket  
No: F-00304112

Peco Energy Company  
Respondent

---

FORMAL COMPLAINT  
NOTICE TO RESPONDENT  
TO ANSWER OR SATISFY

---

TO: Peco Energy Company

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

**DOCKETED**

APR 12 1996

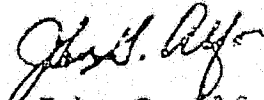
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which

prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.

  
John G. Alford  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P O BOX 3265, HARRISBURG PA 17105-3265

DATE SERVED: April 12, 1996

F-00304112

PECO ENERGY COMPANY  
JAMES W DURHAM SR VICE PRES  
2301 MARKET STREET  
PHILADELPHIA PA 19101

Dear Mr. Durham:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Margaret Tucker. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you, or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

DOCUMENT  
FOLDER

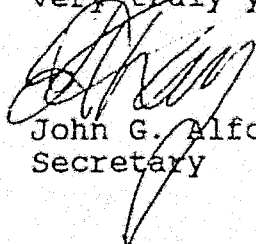
F-00304112

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,

  
for John G. Alford  
Secretary



# PECO ENERGY

Legal Department

PECO Energy Company  
2301 Market Street  
PO Box 8699  
Philadelphia PA 19101-8699  
215 841 5544  
Fax 215 568 3389

James W. D'Amico  
Senior Vice President  
and General Counsel

Bjarnie R. Anderson  
Director  
Legal Operations

Paul R. Bonney  
Ellen M. Cavanaugh  
Edward J. Cullen, Jr.  
Todd D. Cutler  
Vina Waidron Gaston  
Gregory Golzeski  
John C. Haiderman  
Mary McFall Hopper  
Stephen L. Huntoon  
Thomas G. Jackson  
J. Lindsay Johnston  
Conrad O. Kattner  
Stephanie Whiston Lewis  
Jeffrey J. Norton  
Mark B. Paabody  
Roslyn G. Pollack  
Christine A. Reuther  
Wendy Schermer  
Susan E. Sciamanna  
Jenny P. Shulbank  
Ward L. Smith  
Dawn Getty Sutphin  
Noel H. Trask  
Assistant General Counsel

Direct Dial 841-5974

4/29/96

FedEx - 9058840840

Mr. John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building  
Harrisburg, PA 17105-3265

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MAY 1 1996

SECRETARY'S OFFICE  
Public Utility Commission

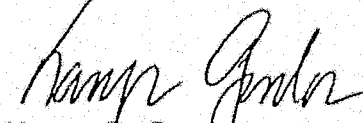
Re Margaret Tucker v. PECO Energy Company  
PUC Docket No. F-00304112

Dear Secretary Alford:

Enclosed for filing with the Commission are an original and two copies of PECO Energy Company's Answer in the referenced case. Also enclosed is an extra copy of this letter which I request that you date stamp and return to me in the enclosed envelope as proof of filing.

Enclosed is a Certificate of Service showing that a copy of the above documents were served on the Complainant, Margaret Tucker.

Very truly yours,

  
Karyn G. Gordon

JAF

Enclosures

cc Margaret Tucker  
Carolanne Boyle

DOCUMENT  
FOLDER

**ORIGINAL**

RECORDED  
MAY 1 1996

BEFORE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE  
Public Utility Commission

MARGARET TUCKER :  
 :  
 v. : DOCKET NO. F-00304112  
 :  
 PECO ENERGY COMPANY :

ANSWER OF RESPONDENT PECO ENERGY COMPANY

PECO Energy Company, ("PECO Energy"), pursuant to 52 Pa. Code §5.61, responds to the Complaint and states:

1. Admitted.
2. Admitted.
3. Denied. PECO Energy specifically denies that Complainant is unable to pay her electric bill and strict proof thereof is hereby demanded at time of hearing.

PECO Energy avers that Complainant's current outstanding balance is \$88.68. PECO Energy further avers that Complainant's average monthly bill is \$108, and her calculated budget payment is \$121.

By way of further answer, PECO Energy avers that Complainant was dismissed from the Company's Customer Assistance Program ("CAP") on or about November, 1995, for an ability to pay in excess of the program's guidelines. PECO Energy avers that since her dismissal from the program, Complainant has made regular monthly payments of \$117.

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MAY 07 1996

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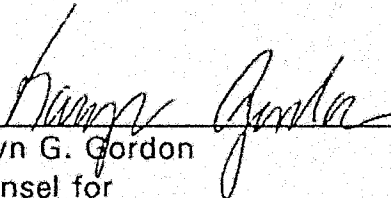
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By way of further answer, a decision of the Bureau of Consumer Services ("BCS") on or about March 12, 1996, required Complainant to remain dismissed from the CAP.

4. This paragraph is a request for relief and no answer is required.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint, or, in the alternative, enter an order directing payment and authorizing PECO Energy to terminate service if Complainant fails to comply with the Order. PECO Energy further requests that, pursuant to Bernecker v. Bell Atlantic-PA, Inc., Pa. PUC Docket No. F-00231398 (1995), this Honorable Commission enter an Interim Order directing payment during the pendency of the hearing in this matter.

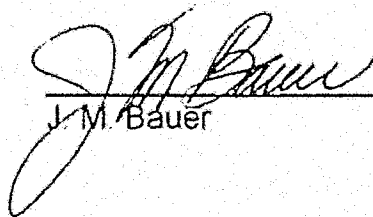
Respectfully submitted,

  
\_\_\_\_\_  
Karyn G. Gordon  
Counsel for  
PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
215/841-5974

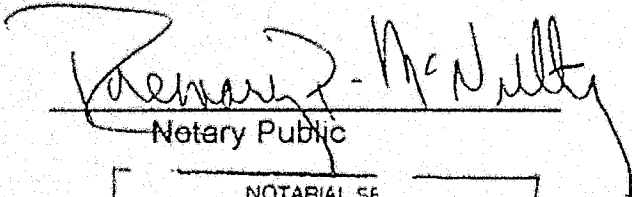
COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF PHILADELPHIA :

AFFIDAVIT

J. M. BAUER being duly sworn according to law, deposes and says that she is Vice President Customer Services of PECO ENERGY COMPANY, that as such she is authorized to make this Affidavit on its behalf; that the facts set forth above are true to the best of her knowledge, information, and belief and she expects the said PECO ENERGY COMPANY to be able to prove the same at any hearing hereof.

  
\_\_\_\_\_  
J. M. Bauer

Sworn to and Subscribed  
before me this 1<sup>st</sup> day  
of May, 1996

  
\_\_\_\_\_  
Notary Public

NOTARIAL SE  
ROSEMARY P. McNULTY Notary Public  
City of Philadelphia Phila County  
Commission Expires Nov 23 1996

BEFORE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARGARET TUCKER

v.

PECO ENERGY COMPANY

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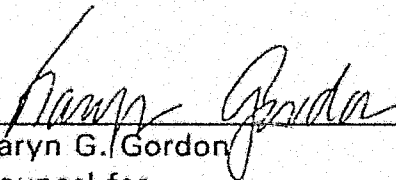
DOCKET NO. F-00304112

CERTIFICATE OF SERVICE

I 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 thereof Certified mail, properly addressed and postage prepaid to:

MARGARET TUCKER  
2333 Fernon Street  
Philadelphia, PA 19145

Dated at Philadelphia, Pennsylvania, May 1, 1996.

  
\_\_\_\_\_  
Karyn G. Gordon  
Counsel for  
PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
215/841-5974



Commonwealth of Pennsylvania

Pennsylvania Public Utility Commission  
PO Box 3265, Harrisburg, PA 17105-3265

June 19 1996

PECO Energy Company In Re: F-00304112

IN REPLY PLEASE  
REFER TO OUR FILE

000052

98 JUN 13 10 59

(See attached list)

Margaret Tucker v. PECO Energy Company

Complainant requests reinstatement into CAP Program and also lower monthly payments.

Telephone Hearing Notice

This is to inform you that a telephone hearing on the above-captioned case will be held as follows:

Type: Initial

Date: Wednesday, August 7, 1996

Time: 10:00 a.m.

Presiding Officer: Administrative Law Judge Marlane R. Chestnut  
1302 Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130  
Telephone: (215) 560-2105

At the above date and time, the presiding officer will contact the parties as follows:

\*Margaret Tucker (215) 334-1544  
Karyn G. Gordon, Esquire (215) 841-5974

\*At least 7 days before the hearing, please provide the presiding officer with the telephone number where you can be reached for the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

DOCUMENT  
FOLDER

JLS  
DOCUMENT

JUN 21 1996

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy sent to every other party so that the copies will be received at least 3 days before the hearing.

If you have questions about this hearing, please call (717) 787-1388 on or before July 25, 1996.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call Norma Lewis at the Public Utility Commission:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing impaired: 1-800-654-5988.

pc: Judge Chestnut  
Consumer Advocate  
Norma Lewis  
Janice Zurat, Scheduling Officer  
Calendar File  
Beth Plantz  
Docket Section

F-00304112 Margaret Tucker v. PECO Energy Company

Complainant requests reinstatement into the CAP program and also lower monthly payments.

MARGARET TUCKER  
2333 FERNON STREET  
PHILADELPHIA PA 19145  
(215) 334-1544

KARYN G GORDON ESQUIRE  
PECO ENERGY COMPANY  
2301 MARKET STREET  
PO BOX 8699  
PHILADELPHIA PA 19101-8699  
(215) 841-5974  
FAX (215) 568-3389