

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: C-20065895
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 02/17/06
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PEZZANO, PASQUALE

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

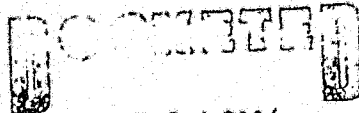
COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THE PINE TREES FACING BLOOMFIELD AVENUE WERE TRIMMED BADLY AND ARE NOW DYING. HE WANTS THE PUC TO REPLACE THE PINE TREES.

DOCUMENT
FOLDER



FEB 21 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

110550

RECEIVED
2006 FEB 17 11:46
FACILITY
SECRETARY'S BUREAU

Please print or type.

C-2006-5395

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name PASQUALE PEZZANO

Street/P.O. Box 1021 Camas Drive Apt #

City Philadelphia State PA Zip 19115

County

Area Code/HOME Phone 215-464-4548

Area Code/WORK Phone 215-728-6363

Utility Account Number (from your bill) 27-14-64-452116

ORIGINAL

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

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO - SUB OUT TO

3. TYPE OF UTILITY (check one)

ASPLUNDH

- ELECTRIC
- GAS
- WATER
- TELEPHONE (local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER (taxi, moving company, limousine)

4. **COMPLAINT** (check one)

A. **In general, what is your complaint?**

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

Other. *PINE TREES FACING BLOOMFIELD AVE. WERE*
(explain) *TRIMMED BADLY AND NOW PINE TREES ARE DYING*

B. **State the facts of your complaint.**

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

5. **RELIEF**

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

REPLACE PINE TREES

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES
NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)
NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I PASQUALE PEZZANO, 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).

Pasquale Pezzano 2-7-2006
(Signature) (Date)

9. **LEGAL REPRESENTATION (IF ANY)**

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

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. **FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
--	--

Facsimiles and/or electronic filings of the complaint form 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 complaint for your records.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: February 21, 2006

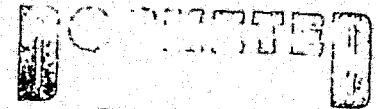
PASQUALE PEZZANO
Complainant

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: C-20065895

DOCUMENT
FOLDER



FEB 21 2006

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 17105-3265**, an answer (original and three 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).

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.

James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: February 21, 2006

C-20065895

PECO ENERGY COMPANY
C/O WARD L SMITH
ASSOCIATE GENERAL COUNSEL
PO BOX 8699
PHILADELPHIA PA 19101-8699

DOCUMENT
FOLDER

Dear Mr. Smith:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by PASQUALE PEZZANO. 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.

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

February 21, 2006

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,

James J. McNulty
Secretary

ane

Legal Department

Exelon Business Services Company
2301 Market Street / 523-1
PO Box 8699
Philadelphia, PA 19101 8699

Telephone 215.841.5544
Fax 215.568.3389
www.exeloncorp.com

Business Services
Company

ORIGINAL

Direct Dial 215 841 6841

March 8, 2006

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

RECEIVED

MAR 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Pasquale Pezzano v. PECO Energy Company
PUC Docket No. C-20065895

Dear Mr. McNulty:

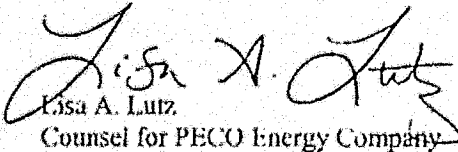
Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

- Answer (original and 3 copies)
- Petition (original and 3 copies)
- Answer and Motion (original and 3 copies)
- Motion to Dismiss (original and 3 copies)
- Reply to Motion/Petition (original and 3 copies)
- Exceptions (original and 9 copies)
- Reply Exceptions (original and 9 copies)
- Brief (original and 9 copies)
- Reply Brief (original and 9 copies)

DOCUMENT FOLDER

Also enclosed is an extra copy of this letter, which I request that you date stamp and return to me in the envelope provided as proof of filing. I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties.

Very truly yours,


Lisa A. Lutz
Counsel for PECO Energy Company

LAL/zr

Enc.

SCHEDULING RECOMMENDATION: CALL OF THE DOCKET NON-CALL OF THE DOCKET



RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAR 8 2006

PA PUBLIC UTILITY COMMISSION
REGULATORY BUREAU

PASQUALE PEZZANO

v.

PECO ENERGY COMPANY

:
:
:
:
:

DOCKET NO. C-20065895

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. Admitted.

4. Denied. PECO Energy denies routine tree trimming services resulted in the decay

of trees near Bloomfield Avenue. By way of further answer, PECO Energy has and will continue to investigate the vegetation condition on the line clearance area near Complainant's property and Bloomfield Avenue. By way of background, PECO Energy's records indicate that routine distribution tree trimming activities were performed on the circuit near Bloomfield Avenue during March 7, 2005 through March 18, 2005. PECO Vegetation Management Department returned to the area on April 16, 2005 to perform additional tree trimming as a result of Complainant's telephone request.

The Bureau of Consumer Services ("BCS") issued a decision on January 30, 2005, regarding Complainant's informal complaint. The BCS held that PECO Energy tree trimming during March, 2005 was completed within established line maintenance guidelines, and

DOCUMENT
FOLDER

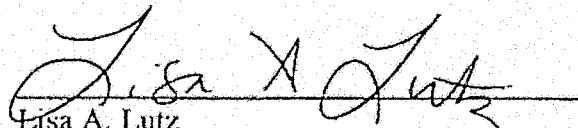
DOCKETED
MAR 17 2006

PECO Energy has performed additional tree trimming work. A copy of the decision is attached as Exhibit A.

5. This paragraph is a request for relief and no answer is required.
6. PECO Energy is without sufficient information to confirm or deny this statement.
7. Admitted.

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

Respectfully Submitted,



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
lisa.lutz@exeloncorp.com

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION MAR 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PASQUALE PEZZANO

v.

PECO ENERGY COMPANY

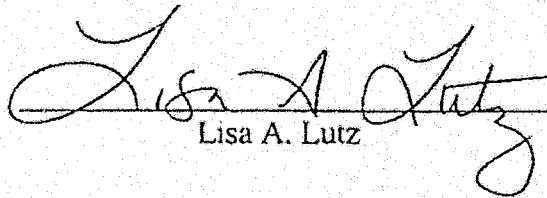
:
:
:
:
:

DOCKET NO. C-20065895

VERIFICATION

I, Lisa A. Lutz, 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: March 8, 2006


Lisa A. Lutz

Date 3/3/06

PA. Public Utility Commission
Bureau Of Consumer Services
Inbound Closing Report

Case Number: 1868813
Customer Name: PASQUALE PEZZANC
Address: 1021 CAMAS DRIVE
PHILADELPHIA PA 19115-4507

Opened On: 3/29/05
Utility Type: Electric Distributor
Account Number: 270111276613
Company Name: PECO Energy

Prior Case: Total Balance: \$0.00 Balance Date:

Compliance Violation(Alleged, Actual, No): NO Chap 56/64/Other: Section/Rule:

Decision Issued: N Oral Written: O
Investigator: BARBUSH, BARBARA PUC Decision Issued Dt: PUC Case Closed Dt: 1/30/06

Decision Recvd Dt: 1/30/06 12:25PM

Letter Description:

To Restore Service Pay: \$0.00 To Continue Service Pay: \$0.00 By:
Terms:
Special Budget Amount: \$0.00 Regular Budget Amount: \$0.00 Plus Arrears Payment: \$0.00
Final Bill Monthly Payment: \$0.00 Current Bill Monthly Payment: \$0.00
End Of Month Payment: \$0.00

Par Description:

RECEIVED

MAR 8 2006

PA PUBLIC UTILITY COMMISSION
LEGISLATIVE BUREAU

Resolution:

CASE CLOSED - CU UNSATISFIED W/TREE TRIMMING AS STATES CO OUT APPROX JUNE 2005 & TREES ARE DYING. SENT FORMALS INFORMED CU ORIG TREE TRIMMING 3/2005 COMPLETED W/IN ESTAB LINE MAINTENANCE GUIDELINES. CO THEN WENT TO PROPERTY 4/16/05 TO PERFORM ADDT L TREE TRIMMING WORK.

Exhibit A

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAR 8 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PASQUALE PEZZANO

v.

PECO ENERGY COMPANY

:
:
:
:
:

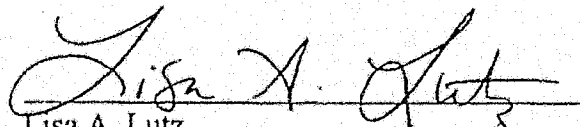
DOCKET NO. C-20065895

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:

PASQUALE PEZZANO
1021 Camas Drive
Philadelphia, PA 19115

Dated at Philadelphia, Pennsylvania, March 8, 2006.



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
lisa.lutz@excloncorp.com