

1. REPORT DATE: 00/00/00 :  
2. BUREAU: ALJ :  
3. SECTION(S): : 4. PUBLIC MEETING DATE:  
5. APPROVED BY: : 00/00/00  
DIRECTOR: :  
SUPERVISOR: :  
6. PERSON IN CHARGE: : 7. DATE FILED: 09/22/00  
8. DOCKET NO: F-00789693 : 9. EFFECTIVE DATE: 00/00/00

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PARTY/COMPLAINANT: HOVINGTON ROXANNA

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 110550

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ALLEGATION OR SUBJECT

COMPLAINANT STATES HER ELECTRIC BASE BOARD WAS LEFT ON HIGH WHEN SHE MOVED.  
SHE IS RECEIVING LOW INCOME AND WISHES TO BE FORGIVEN OF ALL COSTS EXCEPT FOR  
\$500.

DOCUMENT  
FOLDER

**DOCKETED**  
SEP 25 2003

BCS 0789693  
Duo 10/3/00

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission  
F-00789693

ORIGINAL

Please Print:

110550

1. Your Name, Mailing Address and Telephone Number.

CO SEP 22 AM 8:33

Name KOKAMMA HUNTINGTON

RECEIVED  
UTILITY BUREAU

Street/P.O. Box 1644 N 29th St Apt.# PH

City Philadelphia State PA Zip 19121

County Pennsylvania Home Telephone-Area Code 215-235-0633

Work Telephone-Area Code 215-257-0300/201

2. Name of Company your complaint concerns:

Philadelphia Electric Company

3. What is your complaint?

Electric Bill "high" came out to property 20  
Found out electric Base based on high ~~score~~  
I moved - - did not know about it. Explain to  
me that well for well but 5000 didn't  
Never told me that I had to pay for  
months straight... didn't pay because was  
expecting "high bill" and under investigation  
for high cost. - - structures on low  
income. Receiving \$300.00 a month  
Rent \$350.00 couldn't afford high bill

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

(-over-)

explain to  
them numerous  
times - 3  
Thank you

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

I would like the Public Utility Commission to forgive all but \$500.00 for Bell. What PECO has been telling for numerous years now... it was my fault to allow for low income - receiving public assistance the electric company has been trying to me saying that they would forgive all but \$500.00

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

5. You must sign and date your complaint below.

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.

[Handwritten Signature]  
Original Signature of complaining person

9/18/00  
Date

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

Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone Number-Area Code ( ) \_\_\_\_\_

TIMELY

NOTIFICATION OF INTENT TO APPEAL  
(Request For Formal Complaint Forms)

Notice to Customer:

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: AUGUST 22, 2000. The Commission will send you formal complaint forms.

You must comply with the terms of this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments, or the utility company may pursue the termination of your service.

Thank You.  
Pennsylvania Public Utility Commission

**Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:**

Customer name and address:  
(Please correct any mistakes.)

ROXANNA HOVINGTON  
1644 N 29TH STREET  
PHILA PA 19121

215 978-3255  
(Area Code) Telephone Number

Roxanna Hovington  
Signature

Mail this completed form to:

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

FOR OFFICE USE ONLY

BCS Number: 0789693

Date of mailing: AUGUST 22, 2000

Company: PECO ENERGY  
2301 MARKET ST FIRST S12-3  
P O BOX 8699  
PHILADELPHIA PA 19101

RECEIVED

REVISED 11/97

SEP 07 2000

PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

10/3/00

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

SEPTEMBER 13, 2000

BCS0789693

ROXANNA HOVINGTON  
1644 N 29TH STREET  
PHILA PA 19121

Dear Sir/Madam:

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

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**\*\* Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before OCTOBER 3, 2000 to the address listed below:

James J. McNulty, 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.

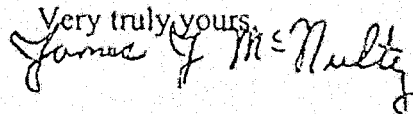
- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your 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 (THROWN OUT).**

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,  


James J. McNulty  
Secretary

TCF

CC: PECO ENERGY

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: SEPTEMBER 25, 2000

DOCUMENT  
FOLDER

ROXANNA HOVINGTON  
Complainant

VS.

Complaint Docket  
No: F-00789693

**DOCKETED**  
SEP 25 2000

PECO ENERGY COMPANY  
Respondent

---

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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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).

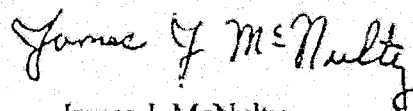
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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

DATE SERVED: SEPTEMBER 25, 2000

F-00789693

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

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by ROXANNA HOVINGTON. 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

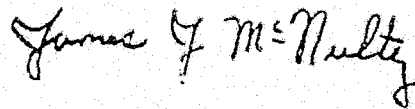
SEPTEMBER 25, 2000

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,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty  
Secretary

TCF



# PECO ENERGY

James W. Durham  
Senior Vice President  
and General Counsel

Edward J. Cullen Jr.  
Deputy General Counsel

Sandra H. Byrne  
Legal Administrator

Paul R. Bonney  
Jessica N. Cone  
Todd D. Cutler  
Susan Sciamanna Foehl  
Amy E. Frank

Gregory Golazeski  
John C. Halderman  
Conrad O. Kattner  
Kristopher Keys  
Henri P. Marcial  
Kent D. Murphy  
Jeffrey J. Norton  
Mark B. Peabody  
Roslyn G. Pollack  
H. Alfred Ryan

Richard S. Schlegel  
Jenny P. Shulbank  
Ward L. Smith  
Lynn R. Steen  
Debra W. Stroud  
Sandra M. Yakin  
Ronald L. Zack

Assistant General Counsel

James McNulty, Secretary  
Pennsylvania Public Utility Commission  
North Office Building, Room 206  
Harrisburg, PA 17105-3265

RE: Roxanna Hovington v. PECO Energy Company  
Docket No. F-00789693

Dear Mr. McNulty:

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

- X   Answer (original and 3 copies)
- Petition (original and 3 copies)
- Amended Answer and New Matter (original and 3 copies)
- Motion (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)

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,

Henri P. Marcial  
Enclosures

**ORIGINAL**

PECO Energy Company  
2301 Market Street  
PO Box 8699  
Philadelphia, PA 19101-8699  
215 641 6544  
Fax 215 568 6389

Direct Dial 215-841-5974

October 18, 2000

RECEIVED

OCT 18 2000

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

ROXANNA HOVINGTON

v.

PECO ENERGY COMPANY

:  
:  
:  
:  
:

DOCKET NO. F-00789693

ANSWER OF RESPONDENT PECO ENERGY COMPANY

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

1. Admitted.
2. Admitted.
3. Admitted in part. Denied in part. PECO admits that a high bill

OCT 18 2006  
PA PUBLIC UTILITY COMMISSION

investigation was conducted on 25 April, 1997 and that the results of the investigation found a baseboard heater continuously running in the residence. PECO admits that Complainant was placed in the CAP Rate program. On 25 July, 1997. On or about 6 August, Complainant was re-enrolled in the CAP Rate program for another year. The terms and conditions of the CAP Rate program were provided and explained to Complainant on both occasions.

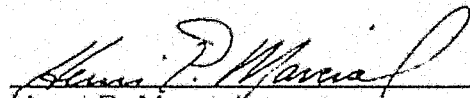
PECO denies allegations to the effect that Complainant is responsible for only \$500.00 of the arrears. PECO also denies allegations to the effect that Complainant is without responsibility for the service used and billed for. Complainant has failed to meet the CAP Rate requirements for a forgiveness of debt. In addition, the field investigation indicated that there was no foreign wiring at Complainant's residence. Complainant is solely responsible for the use of appliances within the residence.

Furthermore, a Bureau of Consumer Services ("BCS") decision was rendered in this matter on or about 22 August, 2000. The BCS decision dismissed the informal complaint. The BCS found Complainant liable for the final balance of \$1,508.55 and that Complainant had failed to make the payments required by the CAP Rate program to be eligible for a forgiveness of a portion of the past debt.

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

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

Respectfully submitted,



---

Henri P. Marcial  
Assistant General Counsel  
PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-5974  
hmarcial@peco-energy.com

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROXANNA HOVINGTON

v.

PECO ENERGY COMPANY

DOCKET NO. F-00789693

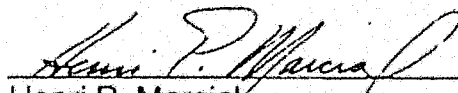
CERTIFICATE OF SERVICE

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 regular mail, properly addressed and postage prepaid to:

ROXANNA HOVINGTON  
1644 N. 29<sup>th</sup> Street  
Philadelphia, PA 19121

OCT 18 2000

Dated at Philadelphia, Pennsylvania, 18 October, 2000.



Henri P. Marcial  
Assistant General Counsel  
PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-5974  
hmarcial@peco-energy.com

VERIFICATION

I, Henri P. Marcial, hereby declare that I am an attorney with 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: 18 October, 2000

  
\_\_\_\_\_  
Henri P. Marcial



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265

November 28, 2000

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: F-00789693

(See attached list.)

Roxanna Hovington v. PECO Energy Company

Billing dispute.

Hearing Notice

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

Type: Initial

Date: Thursday, January 18, 2001

Time: 10:00 a.m.

Location: In an available hearing room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania

Presiding: Administrative Law Judge Ky Van Nguyen  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: (215) 560-2105  
Fax: (215) 560-3133

DOCUMENT  
FOLDER

DOCKETED  
NOV 30 2000

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

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

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 Nugyen  
Susan Licon, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File

F-00789693 Roxanna Hovington v. PECO Energy Company

ROXANNA HOVINGTON  
1644 N 29TH STREET  
PHILADELPHIA PA 19121

HENRI P MARCIAL  
PECO ENERGY COMPANY  
2301 MARKET STREET S 23-1  
PO BOX 8699  
PHILADELPHIA PA 19101-8699

Exelon Business Services Group  
Legal Department  
2301 Market St., 523-1  
PO Box 8599  
Philadelphia, PA 19101-8599

Telephone 215 841 5544  
Fax 215 568 3389  
www.exeloncorp.com

Business Services  
Group

Direct Dial. 215 841 4256

January 16, 2001

**ORIGINAL**

FedEx

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building  
Harrisburg, PA 17105-3265

**RECEIVED**

JAN 17 2001

RE: Roxanna Hovington v PECO Energy Company  
Pa. PUC Docket No. F-00789693  
Hearing: January 18, 2001 – 10 a.m.

PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

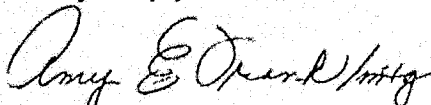
Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that the above referenced Complaint has been satisfied and Complainant acknowledges that the Complaint has been satisfied.

By copy of this letter, I am alerting the Complainant of the right to object to any part of this settlement 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.

Very truly yours,

  
Amy E. Frank  
Assistant General Counsel

**DOCUMENT  
FOLDER**

cc ALJ KY Van Nguyen (Fax)  
Roxanna Hovington  
Teresa A. Ferrier

**DOCKETED**

JAN 18 2001

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: January 19, 2001

SUBJECT: Certification of Satisfaction Filed  
F-00789693 Roxanna Hovington v. PECO Energy Company

TO: Barb Barbush  
Docket Management

FROM: Susan Licon, Scheduling Officer  
Office of Administrative Law Judge

On January 16, 2001, a Certificate of Satisfaction was filed in the above-captioned proceeding by Amy E. Frank, Esquire. 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 Ky Van Nguyen  
Norma Lewis  
Beth Plantz  
Case File

DOCUMENT  
FOLDER

**DOCKETED**  
JAN 22 2001

COMMONWEALTH OF PENNSYLVANIA  
Pennsylvania Public Utility Commission

**Date:** January 19, 2001

**Subject:** Update or Correction to the File  
Docket No. F-00789693 Roxanna Hovington v. PECO Energy  
Company

**To:** Barb Barbush  
Docket Management

**From:** Susan Licon, Scheduling Officer  
Office of Administrative Law Judge

This is to inform you that the initial hearing in the above-referenced proceeding, previously scheduled for January 18, 2001 at 10:00 a.m. in Philadelphia was canceled.

pc: ALJ Ky Van Nguyen  
Norma Lewis, Supervisor  
Scheduling File

DOCUMENT  
FOLDER

**DOCKETED**

JAN 24 2001