

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PA. P.U.C.  
SECRETARY'S BUREAU

Charmaine Bouy

v.

PECO Energy Company

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:  
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Z-01649194

PREHEARING ORDER

An Initial Hearing in this case is scheduled for Tuesday, October 25, 2005, at 1:30 p.m. in Hearing Room 1 in the Philadelphia State Office Building. This case is one of several cases that have been scheduled at this time in Hearing Room 1. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If the customer is not present and prepared to go forward with the case when it is called, the case will be dismissed by the Administrative Law Judge.

The parties are hereby directed to comply with the following requirements:

1. 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 business days prior to the hearing. 52 Pa. Code § 1.15(b). Requests for changing a hearing date must be sent to me and all parties of record. The correct address is:

Administrative Law Judges Angela T. Jones  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: (215) 560-2105  
Fax: (215) 560-3133

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Changes are granted only in rare situations where good cause exists.

2. **Commission policy promotes settlements.** 52 Pa. Code § 5.231(a). The utility shall contact you 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.

3. The recently enacted Responsible Utility Customer Protection Act, 66 Pa. C.S. §§ 1401, *et seq.*, became effective on December 14, 2004 and applies to this case. This law provides strict requirements that the Commission must follow in handling customer complaints. The application of this law may result in the issuance of less favorable payment terms than a customer's current payment arrangement.

4. The customer must make monthly payments for current consumption on or before the billing due date while this complaint is pending. **FAILURE TO MAKE PAYMENTS MAY RESULT IN THE UTILITY TERMINATING YOUR SERVICE.**

5. As the party seeking affirmative relief from the Commission, Complainant bears the burden of proof. 66 Pa. C.S. 332(a).

6. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

7. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following:

- (a) 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) child support;
- (h) public assistance; and
- (i) any other source(s) of income.

8. The utility must prepare and submit the following documents at least five business days 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 brief summary of any payment arrangement(s) made between the utility and the customer.

9. 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).

10. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code § 5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten days notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

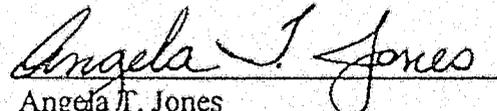
**11. THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.**

12. This is a formal hearing and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

13. Complainant should endeavor to provide evidence and/or proof of any change in circumstances in living expenses or income or health since March 12, 2005, the date of the Bureau of Consumer Service's decision.

14. The Respondent needs to provide evidence of the Complainant's payment history for the last three years if applicable.

Date: September 26, 2005

  
Angela F. Jones  
Administrative Law Judge

Legal Department

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

Telephone 215.841.5544  
Fax 215.568.3389  
www.exeloncorp.com

Business Services  
Company

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Direct Dial: 215.841.6841

October 14, 2005

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

**Re: Charmaine Bouy v. PECO Energy Company**  
**Docket Number: Z-01649194**

**ORIGINAL**

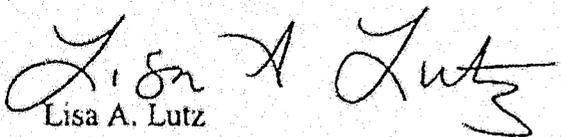
Dear Secretary McNulty:

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.

Sincerely,



Lisa A. Lutz  
Counsel for PECO Energy Company

cc: Ms. Charmaine Bouy  
Administrative Law Judge Angela T. Jones  
Susan Licon

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OCT 14 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RJP

**DOCKETED**

OCT 18 2005

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COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: October 25, 2005  
SUBJECT: Z-01649194 Charmaine Bouy v. PECO Energy Company  
TO: Wanda Zeiders  
Docket Management  
FROM: Susan Licon, ALJ Support Staff  
Office of Administrative Law Judge

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On October 17, 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 Angela T. Jones  
Beth Plantz  
Case File

**DOCKETED**  
OCT 27 2005

COMMONWEALTH OF PENNSYLVANIA  
Pennsylvania Public Utility Commission

**Date:** October 27, 2005

**Subject:** Update or Correction to the File  
Docket No. Z-01649194 Charmaine Bouy v. PECO Energy  
Company

**To:** Docketing Supervisor  
Docket Management Division – Secretary's Bureau

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

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This is to inform you that the initial hearing in the above-referenced proceeding, previously scheduled for Tuesday, October 25, 2005 at 1:30 a.m. in Philadelphia was canceled.

pc: ALJ Angela T. Jones  
Christine Williams, Supervisor  
Scheduling File

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**OALJ Hearing Report**

*Please Check Those Blocks Which Apply*

Docket No.:	Z-01649194		YES	NO
Case Name:	Charmaine Bouy v. PECO Energy	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Company:		Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Philadelphia, PA	Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	October 25, 2005	Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Angela T. Jones	Hearing Concluded:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	CERT. OF SATISFACTION	
			FILED	
			/ Done	

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**PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.**

Name and Telephone Number	Address	Who are you representing?			
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City	State	Zip			
Telephone:	E-mail Address:	Fax Number:			

Check this box if additional parties or attendees appear on back of form.

11/1/05  
*[Signature]*

\_\_\_\_\_  
Reporter's Signature

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*

**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

Direct Dial: 215 841 6841

ORIGINAL

November 1, 2005

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

RE: **Charmaine Bouy v. PECO Energy Company**  
**Pa. PUC Docket No.: Z-01649194**

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

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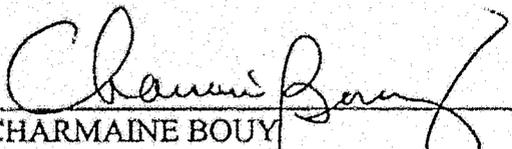
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WITHDRAWAL OF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT  
Charmaine Bouy v. PECO Energy Company  
Docket Number: Z-01649194

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

  
CHARMAINE BOUY

10/17/05  
Date

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NOV 15 2005

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