

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 06/06/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: Z-01654865
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 06/29/04
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: WHEELER, WANDA

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: BUCKS

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT PUC SET UP HER COMPLAINT INCORECTLY. SHE DOES NOT NEED HELP WITH HER CURRENT BILL SHE NEEDS HELP WITH HER PAST BILLS. SHE WOULD LIKE PECO TO AGREE TO ACCEPT \$10.00/MO UNTIL SHE PAYS OFF HER PAST BILL

DOCUMENT  
INDEXED

DOCKETED  
JUN 27 2004

FORMAL COMPLAINT FORM

Pennsylvania Public Utility Commission

ORIGINAL  
Please Print:

Z-01654865

1. Your Name, Mailing Address and Telephone Number.

Name Wanda Wheeler

Street/P.O. Box 120 EAST street Rd Apt.# 23-4

City Warminster State Pa Zip 18974

County Bucks Home Telephone-Area Code 610 957-5361

Work Telephone-Area Code 610 702-2479

2. Name of Company your complaint concerns: PECO / PUC

3. What is your complaint?

PLEASE see the attached Utility Company Report  
I followed the Request I sent in about my  
my income before the 20th and I was told  
to wait I called back several times to find  
out this was done incorrectly and the amount  
that you are asking me to pay now is a 1000.00  
By June 26th I can't do that I have paid my  
bills sent this was paid my current bill  
is not a problem the first step is what I am  
asking for help on.

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

(-over-)

SECRET  
JUN 29 11 29:12 AM '04

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

~~I~~ would like the PUC to have PECO stick to their work on the UCR that states they will accept \$70.00 per month until the arrearage amount is paid plus my monthly bill what is my arrearage amount? I suppose whatever my pass due amount is I have paid 179.00 109.00 and now 100.00 - all the bills to have received. Please see attached UCR.

(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.

Nanda Mueh  
Original Signature of complaining person

6/12/04  
Date

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

Lawyer's Name U/A  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone Number-Area Code ( \_\_\_\_\_ )

**UTILITY COMPANY REPORT**  
**Reporte De La Compania Utilidades**  
**FOR PECO ENERGY CHARGES ONLY.**

*made May 3*

**DATE PREPARED**  
04/10/04

**HOME TELEPHONE**  
215-957-5361

**RE: USING SERVICE AT:**  
120 E STREET RD  
L3-4

*Justice Lam*

**ACCOUNT NUMBER**  
45-20-36-334095

**The Problem As You Described It:**

We spoke with you on 4/10/04 about a payment arrangement.

*179*  
*1st of 345-3295 / 215 348-4810*

**Our Response:**

On 4/10/04 we discussed a payment arrangement. We need proof of your income and expenses by 4/20/04. If you give us the proof we need by 4/20/04 we will agree to accept a payment of \$10.00 per month until the arrangement amount is paid. This payment is in addition to your monthly bill which you must continue to pay.

**Your Service Will Be Shut Off On Or After 04/25/04 for the Past Due Amount of \$760.92**

**You Can Stop The Shut-Off By Doing The Following:**

- Give us proof of your income and expenses by 4/20/04 ;or
- Pay the past due amount of \$760.92 before 4/25/04.

We must receive your payment and/or the required information before the shut-off date. Our office addresses are shown on the back. **We will not accept payments at your property.**

Paying at a bank or other authorized agency may delay credit to your account. Keep your receipt as proof of full payment.

~~The past due amount may not include all money you owe us on this account. To avoid other collection action please make sure your account is paid up on time.~~

**If We Shut-Off Your Service**

You will have to pay more when your service is shut off. We will not turn it back on until you do the following:

- Pay the Past Due Amount; AND
- Pay a turn-on charge; AND
- Pay a deposit equal to two months of average billing.

We have until the end of the next business day to restore your service

**Questions about this? Call us immediately at 888-480-1533.**

**Please Read The Back Of This Notice For Additional Important Information**

Prepared by: Customer Service Department

**Atención**

Este es un mensaje muy importante. Si usted no lo entiende, favor de llamar al número de teléfono que aparece en este documento.

Fold & Tear Here. Mail Bottom Part With Your Payment.

**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 20 days of 5/28/2004. 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.)

WANDA WHEELER  
120 EAST STREET ROAD APT L34  
WARMINSTER PA 18974

215-957-5361

(Area Code) Telephone Number

215-702-2479 WORK#

Mail this completed form to:

Wanda Wheeler

Signature

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

ST Number:	1654865	Date of mailing:	5/28/2004
Company:	PECO ENERGY		

REC'D  
2004 JUN -7 AM 11:10  
SECRETARY'S BUREAU

64



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

DUE BACK  
June 30, 2004

IN REPLY PLEASE  
REFER TO OUR FILE

JUNE 10, 2004

ST1654865

WANDA WHEELER  
120 EAST STREET ROAD APT L34  
WARMINSTER PA 18974

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 June 30, 2004 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:

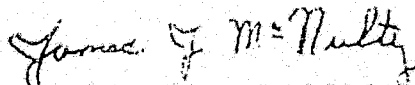
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**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

ddi

CC: PECO ENERGY

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: 07/09/04

Wanda Wheeler

Complainant

VS.

PECO ENERGY COMPANY

Respondent

Complaint Docket  
No: Z-01654865

**DOCKETED**  
JUL 07 2004

DOCUMENT  
FOLDER

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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*

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: 07/09/04

Z-01654865

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

DOCUMENT  
FOLDED

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Wanda Wheeler. 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.

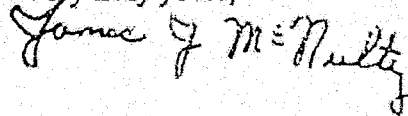
07/09/04

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,



James J. McNulty  
Secretary

es

Legal Department

Telephone 215 841 5544  
www.exeloncorp.com

Business Services  
Company

Exelon Business Services Company  
2301 Market Street  
PO Box 8699  
Philadelphia, PA 19101

# ORIGINAL

Direct Dial: 215.841.5974

Fax: 215.568.3389

July 28, 2004

## RECEIVED

JUL 28 2004

PA PUBLIC UTIL. COMMISSION  
SECRETARY'S BUREAU

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

Re: **Wanda Wheeler v. PECO Energy Company**  
Docket No. Z-01654865

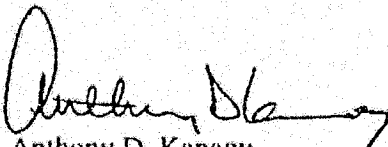
Dear Mr. McNulty:

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

- X   Answer (original and 3 copies)
- Answer and Motion (original and 3 copies)
- Petition (original and 3 copies)
- Answer and New Matter (original and 3 copies)
- Amended Motion (original and 3 copies)
- Exceptions (original and 9 copies)
- Reply Exceptions (original and 9 copies)
- Motion (original and 9 copies)
- Reply Motion (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,

  
Anthony D. Kanagy  
Counsel for PECO Energy Company

## DOCUMENT FOLDER

Enclosures  
cc: All Parties

80

JUL 28 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

WANDA WHEELER

v.

PECO ENERGY COMPANY

DOCKET NO. Z-01654865

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 in part and denied in part. PECO Energy specifically denies that

Complainant is unable to pay Complainant's electric bill and strict proof thereof is hereby demanded at time of hearing. By way of further response, PECO Energy avers that

Complainant's current outstanding balance is \$1,403.49. The Complainant's average monthly bill is currently \$132.00 and Complainant's calculated budget payment is currently \$146.00.

On or about April 10, 2004, PECO Energy sent Complainant a utility report which indicated that if Complainant sent PECO Energy proper documentation by April 20, 2004, PECO Energy would accept a payment arrangement whereby Complainant would pay her monthly bill plus \$10.00 per month toward arrears. Complainant did not send the proper documentation.

On May 3, 2004, Complainant filed an informal Complaint with the Commission. A decision of the Bureau of Consumer Services ("BCS") issued on or about May 28, 2004 required the Complainant to pay \$1,000.00 by June 26, 2004 and then to pay a \$152.00 budget payment plus \$15.00 per month toward the arrears beginning July 2004. The Complainant has not complied with the BCS decision. A copy of the BCS decision is attached as Exhibit A.

**DOCKETED**  
AUG 3 2004

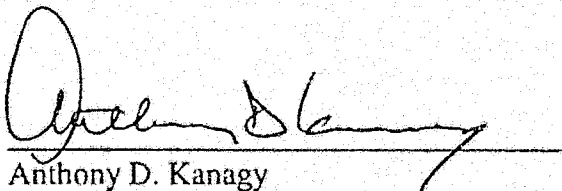
**DOCUMENT  
FOLDER**

PECO Energy is without sufficient knowledge to either confirm or deny the remaining statements of this Complainant. Therefore PECO Energy denies all such averments.

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 remove the automatic stay on the payment arrangement set forth under the Bureau of Consumer Services decision and authorize PECO Energy Company to terminate service if said payment is not made. 56 Pa. Code § 56.174(c); Charles Stammel v. PG Energy, a Division of Southern Union Company, Docket No. C-20027994 (Order Entered May 21, 2003). PECO Energy further requests that your Honorable Commission enter an Interim Order directing payment of current undisputed consumption charges in addition to charges set forth in the Bureau of Consumer Services decision while the hearing in this matter is pending and reminding Complainant that PECO Energy Company is authorized to terminate service if Complainant fails to pay according to said Interim Order pursuant to Sections 56.174(3) and 56.81(1) of the Public Utility Code. Charles Stammel, Docket No. C-20027994 (Order Entered May 21, 2003).

Respectfully Submitted,



Anthony D. Kanagy  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
Direct Dial: 215.841.5974  
Fax: 215.568.3389  
anthony.kanagy@exeloncorp.com

ORIGINAL

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUL 28 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

WANDA WHEELER

v.

PECO ENERGY COMPANY

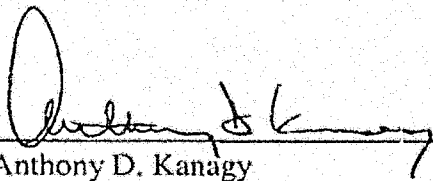
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DOCKET NO. Z-01654865

VERIFICATION

I, Anthony D. Kanagy, hereby declare that I am counsel for 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: July 28, 2004

  
\_\_\_\_\_  
Anthony D. Kanagy

Date: 7/19/04

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

Case Number: 1654865  
Customer Name: WANDA WHEELER  
Address: 120 EAST STREET ROAD APT L3  
WARMINSTER PA 18974-346E

Opened On: 5/3/04  
Utility Type: Electric Distributor  
Account Number: 452036334095  
Company Name: PECO Energy

Prior Case: 1359825      Total Balance: \$1,486.26      Balance Date: 5/3/04

Compliance

Violation(Alleged, Actual, No): NO

Chap 56/64/Other:

Section/Rule:

Decision Issued: Y

Oral Written: W

Investigator: KWIATKOWSKI, JOSHUA

PUC Decision Issued Dt: 5/28/04

PUC Case Closed Dt: 5/27/04

Decision Recvd Dt: 5/27/04 01.25PM

Letter Description: CAP PARTIAL CATCH-UP

To Restore Service Pay: \$0.00

To Continue Service Pay: \$1,000.00 By: 6/26/04

Terms: JULY 2004

Special Budget Amount: \$167.00

Regular Budget Amount: \$152.00 Plus Arrears Payment: \$15.00

Final Bill Monthly Payment: \$0.00

Current Bill Monthly Payment: \$0.00

End Of Month Payment: \$0.00

Par Description:

Resolution:

SEE CS17 SCREEN FOR PMT ARR. WAIVE LPC'S

JUL 28 2004

WANDA WHEELER

v.

PECO ENERGY COMPANY

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

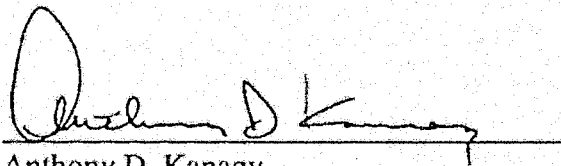
DOCKET NO. Z-01654865

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:

Wanda Wheeler  
120 E. Street Road  
L3-4  
Warminster, PA 18974

Dated at Philadelphia, Pennsylvania, July 28, 2004



Anthony D. Kanagy  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
Direct Dial: 215.841.5974  
Fax: 215.568.3389  
anthony.kanagy@exeloncorp.com