

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Tisha Freeman

v.

PECO Energy Company

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:
:

C-20043270

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PA PUC
SECRETARY'S BUREAU

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PREHEARING ORDER

An Initial Telephonic Hearing in this case is scheduled for Tuesday, February 8, 2005 at 2:00 p.m. Your case is one of several cases scheduled for this day. You must be available when contacted by the presiding officer or your case will be dismissed. If you will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least five (5) business days before the hearing.

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 (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is: Amanda Rumsey, Pennsylvania Public Utility Commission, P O Box 3265, Harrisburg, PA 17105-3265. Changes are granted only in rare situations where good cause exists.
2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will 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

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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 Pennsylvania Legislature has recently enacted the Responsible Utility Customer Protection Act, 66 Pa. C.S. §1401 *et seq.*, which may be applied to your case. This new law provides strict guidelines as to how the Commission must handle customer complaints. The application of this law is likely to result in the issuance of a less favorable payment arrangement than a customer's current payment arrangement. The customer is encouraged to evaluate the merits of the complaint and decide whether to proceed to hearing, actively pursue settlement with the utility or withdraw the complaint.

4. The customer must make regular monthly payments towards their utility bill while their complaint is pending. **FAILURE TO MAKE REGULAR PAYMENTS WILL RESULT IN AN ORDER REQUIRING A CATCH UP PAYMENT EQUAL TO THE AMOUNT OF THE PAYMENTS THAT SHOULD HAVE BEEN MADE.**

5. The customer has the burden of proving that the utility violated Pennsylvania public utility law.

6. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three (3) copies to me at least five (5) business days before the hearing. Proposed exhibits should be properly pre-marked for identification purposes.

7. At the hearing, the customer must be prepared to testify about the total gross income of all adult residents of the household. This includes the following:

- (a) income from 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. To assist the customer in providing necessary income and expense information, three (3) copies of a budget information form are enclosed. The customer must fill out this form; and return one (1) completed copy to me; send one (1) completed copy to the attorney for the utility at least five (5) business days before the hearing and you should keep one (1) completed copy for yourself.

9. The utility must prepare and submit the following documents at least one week 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 service usage comparison report for the same period as the account statement; and
- (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

10. 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).

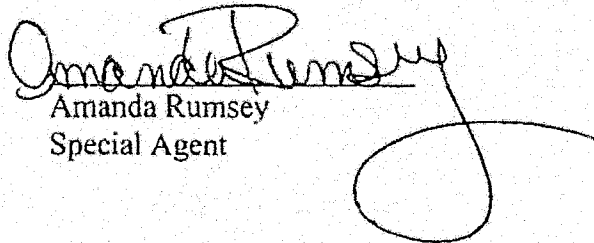
11. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10)

days notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

12. THIS CASE WILL BE DISMISSED IF YOU DO NOT PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

13. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal hearing and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

Date: January 19, 2005


Amanda Rumsey
Special Agent

Monthly Household Expenses

Amount

Balance

Owed

Rent/mortgage

\$ _____

\$ _____

Electric

Gas

Telephone

Water

Sewage

Trash pickup

Cable television

Food (Other than food stamps)

Clothing

Automobile:

 Loan payment

 Gasoline

 Repairs & maintenance

 Car insurance

Other transportation:

 Bus

 Taxicabs

 Jitneys

Insurance premiums:

 Renters'/homeowners' insurance

 Life insurance

 Medical insurance

Medical bills:

 Doctors

 Dentists

 Hospitals

 Prescriptions

List credit cards & charge accounts:

List loan payments:

List other expenses:

Total:

\$ _____

\$ _____



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

IN REPLY PLEASE
REFER TO OUR FILE

January 19, 2005

In Re: C-20043270

(See attached list)

Tisha Freeman v. PECO Energy Company

Requests payment arrangements.

Telephone Hearing Notice

This is to inform you that a hearing by telephone has been scheduled in this case on February 8, 2005. This is one of several hearings scheduled for this day. Your case will be dismissed if the presiding officer is not able to contact you at the time scheduled for the hearing. The hearing will be held as follows:

Type: Initial telephonic hearing
Date: Tuesday, February 8, 2005
Time: 2:00 p.m.
Presiding: Special Agent Amanda N. Rumsey
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

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The hearing will be conducted as authorized by 52 Pa. Code §56.174.

ATTENTION: YOU MUST BE AVAILABLE WHEN CONTACTED BY THE PRESIDING OFFICER. IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT YOUR CASE, YOUR CASE WILL BE DISMISSED.

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On the hearing date, the Presiding Officer will contact the parties as follows:

Tisha Freeman	610.237.6449
Lisa A. Lutz, Esquire	215.841.6841

You must provide the presiding officer with the telephone number where you can be reached to participate in the hearing. If your telephone number or area code has changed, you must contact the presiding officer at least 5 business days prior to the scheduled hearing and provide the necessary information.

If you have any exhibits that you will refer to during the hearing, you must send 3 copies to the presiding officer and 1 copy to every other party. All copies must be received at least 5 business days before the hearing.

Individuals may represent themselves or be represented by an attorney. Individuals representing themselves do not need to be represented by an attorney. If you have an attorney representing you, your attorney should file a Notice of Appearance at least 5 business days before the scheduled hearing date.

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 the scheduling office 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: SA Rumsey
Susan Licon
Beth Plantz
Docket Section
Calendar File

#519301 1/05