

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :  
2. BUREAU: ALJ :  
3. SECTION(S): :  
5. APPROVED BY: : 4. PUBLIC MEETING DATE:  
DIRECTOR: : 00/00/00  
SUPERVISOR: :  
6. PERSON IN CHARGE: : 7. DATE FILED: 09/09/05  
8. DOCKET NO: F-01917452 : 9. EFFECTIVE DATE: 00/00/00

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PARTY/COMPLAINANT: CAPELLA, LUIS E.

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 110550

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ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE IS A RELIABILITY, SAFETY OR QUALITY PROBLEM WITH HIS UTILITY SERVICE.

DOCUMENT  
FOLDER

**DOCKETED**  
SEP 14 2005

Must be returned by SEPTEMBER 15, 2005

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

ORIGINAL

Please print or type.

110550 F-01917452

1. CUSTOMER NAME (COMPLAINANT)

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

Name Louis E. Capella

Street/P.O. Box West, Stella St. Apt # 242

City Philadelphia State P.A. Zip 19133

County \_\_\_\_\_

Area Code/HOME Phone 215-430-0170

Area Code/WORK Phone \_\_\_\_\_

Utility Account Number \_\_\_\_\_  
(from your bill)

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

RECEIVED  
05 SEP -9 AM 9:11  
PA.P.U.C. BUREAU  
SECRETARY'S BUREAU

4

3. TYPE OF UTILITY (check one)

- |                                                              |                                                                             |
|--------------------------------------------------------------|-----------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> ELECTRIC                 | <input type="checkbox"/> STEAM HEAT                                         |
| <input type="checkbox"/> GAS                                 | <input type="checkbox"/> WASTE WATER                                        |
| <input type="checkbox"/> WATER                               | <input type="checkbox"/> MOTOR CARRIER<br>(taxi, moving company, limousine) |
| <input type="checkbox"/> TELEPHONE<br>(local, long distance) |                                                                             |

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.  
(explain)

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.

My Electric was WORKING went I Complaint  
about my Electric baseboard heaters was not  
Heating the House. I call PECO them they  
told me that the problem was that I have  
the wrong wires from the outside. Then  
they told me to fix it and call them back.  
to restore the power. with it did they came  
and inspected everything and told me everything is  
perfect.

and restore my power

5. RELIEF

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

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 Luis E. Capella, 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).

Luis E. Capella  
(Signature)

09/105  
(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 <sup>nd</sup> 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.

RECEIVED

**NOTIFICATION OF INTENT TO APPEAL**

(Request For Formal Complaint Forms)

05 AUG 23 AM 10:18

Notice to Customer:

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

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 9, 2005. 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.)

LUIS CAPELLA  
242 W STELLA STREET  
PHILADELPHIA PA 19133 3608

215-820-0622  
(Area Code) Telephone Number

*Luis E. Capella*  
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: 1917452

Date of mailing: August 9, 2005

Company: PECO ENERGY

REVISED 11/97

*Pennsylvania Public Utility Co  
P.O. BOX 3265  
HARRISBURG PA 17105-5265*



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

IN REPLY PLEASE  
REFER TO OUR FILE

August 26, 2005

BCS1917452

LUIS CAPELLA  
242 W. STELLA ST.  
PHILADELPHIA PA 19133-3608

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 SEPTEMBER 15, 2005 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:

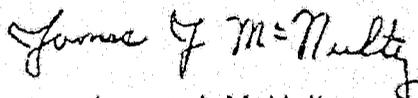
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**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

ANE

cc: PECO ENERGY

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: September 14, 2005

LUIS E. CAPELLA

Complainant

VS.

PECO ENERGY COMPANY

Respondent

Complaint Docket  
No: F-01917452

**DOCKETED**

SEP 14 2005

**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  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

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

DOCUMENT  
FOLDER

DATE SERVED: September 14, 2005

F-01917452

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

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by LUIS E. CAPELLA. 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.

September 14, 2005

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

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

Direct Dial 215 841 6841

September 30, 2005

# ORIGINAL

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

## DOCUMENT FOLDER

## RECEIVED

SEP 30 2005

RE: Luis E. Capella v. PECO Energy Company  
PUC Docket No. F-01917452

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

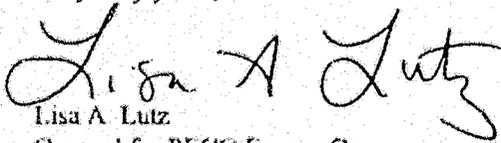
Dear Mr. McNulty:

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)
- \_\_\_\_\_ 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)

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.

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SEP 30 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

LUIS E. CAPELLA

v.

PECO ENERGY COMPANY

:  
:  
:  
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DOCKET NO. F-01917452

DOCUMENT  
FOLDER

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. Admitted in part and denied in part. PECO Energy admits it billed Complainant

for service used but not billed, as permitted by the Public Utility Commission's ("PUC") rules and regulations. PECO Energy denies that the Complainant was improperly billed for service used but not registered on the meter.

By way of background, on April 13, 2004, a request for access letter was mailed to Complainant to schedule meter maintenance and a meter change to an automated meter reading ("AMR") unit at the property. After several unsuccessful visits by PECO field technicians and telephone contacts to the Complainant requesting access to the meter, a second request for access letter was mailed on July 14, 2004. Further unsuccessful attempts were made to schedule a field visit with access to the meter. On November 12, 2004, a ten-day termination

**DOCKETED**  
OCT 04 2005

notice was mailed to the Complainant of notice of intended service termination due to six-month no access to read the Complainant's electric meter.

On a scheduled visit on November 19, 2004, a PECO technician visited the property and found an unauthorized hook-up to the meter; the electric meter was not spinning; there was a service line going over Complainant's roof and the abandoned house next door, with two wires connecting into the PECO line in the rear of the house.

On December 15, 2004, service was interrupted to the property due to the hazardous condition of the meter board and unauthorized attachments. On December 15, 2004, a PECO technician reviewed with the Complainant the repairs necessary to restore service. On January 12, 2005, a 30-day repair notice was left at the property to replace the damaged service entrance cable. On February 7, 2005, the necessary repairs were verified and a meter reading was obtained.

The Complainant's account was back-billed for the period of March 14, 2002 through December 30, 2004 in a final adjusted amount of \$16,206.76.

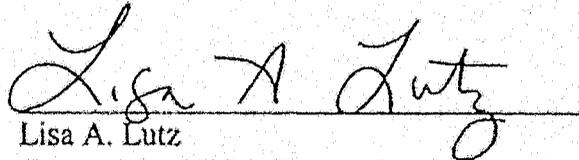
A decision of the Bureau of Consumer Services ("BCS") issued on or about June 28, 2005 found that the delay in billing was caused by non-access to the meter. The BCS found the Complainant was properly re-billed for service used but not billed. The Complainant was ordered to pay a special budget amount of \$260.00 each month which included \$275.00 per month towards the account arrears. The Complainant has not complied with this decision. A copy of the BCS decision is attached as Exhibit A.

5. Paragraph No. 5 was not completed by Complainant.
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,

A handwritten signature in cursive script that reads "Lisa A. Lutz". The signature is written in black ink and is positioned above a horizontal line.

Lisa A. Lutz  
Counsel for PECO Energy Company  
2301 Market Street, S23-1; P.O. Box 8699  
Philadelphia, PA 19101-8699  
Direct Dial: 215.841.6841; Fax: 215.568.3389  
[Lisa.Lutz@exeloncorp.com](mailto:Lisa.Lutz@exeloncorp.com)

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LUIS E. CAPELLA

v.

PECO ENERGY COMPANY

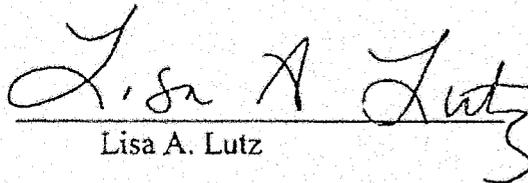
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DOCKET NO. F-01917452

VERIFICATION

I, Lisa A. Lutz, 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: September 30, 2005

  
\_\_\_\_\_  
Lisa A. Lutz

Date: 9/21/05

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

Case Number: 1917452  
Customer Name: LUIS CAPELLA  
Address: 242 W STELLA ST  
PHILADELPHIA PA 19133-3608

Opened On: 6/8/05  
Utility Type: Electric Distributor  
Account Number: 232041427955  
Company Name: PECO Energy

Prior Case: Total Balance: \$16,501.01 Balance Date:  
Compliance  
Violation(Alleged, Actual, No): NO Chap 56/64/Other: Section/Rule:  
Decision Issued: Y Oral Written: W  
Investigator: MCCLINTON, RENE PUC Decision issued Dt: 8/9/05  
Decision Recvd Dt: 6/28/05 07:21AM

Letter Description:

To Restore Service Pay: \$0.00 To Continue Service Pay: \$0.00 By:  
Terms:  
Special Budget Amount: \$0.00 Regular Budget Amount: \$260.00 Plus Arrears Payment: \$275.00  
Final Bill Monthly Payment: \$0.00 Current Bill Monthly Payment: \$0.00  
End Of Month Payment: \$0.00

Par Description:

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SEP 30 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Resolution:

BASED ON THESE FINDINGS, THE BUREAU OF CONSUMER SERVICES CONCLUDES THAT 01 THE DELAY IN BILLING THE CUSTOMER'S ACCOUNT WAS CAUSED BY NON-ACCESS TO THE METER 02 IN ACCORDANCE TO THE REGULATIONS, THE ADDITIONAL BILLING REPRESENTS UNBILLED ELECTRIC CHARGES FROM MARCH 14, 2002 TO DECEMBER 30, 2004 WHEN THE ELECTRIC METER WAS NOT REGISTERING PROPERLY. 03 THE CUSTOMER'S BILLS ARE CORRECT AS RENDERED. IT IS DECIDED THAT 04 THE INFORMAL COMPLAINT OF LUIS CAPELLA IS HEREBY DISMISSED. 05 BEGINNING WITH THE BILL DUE DATE ON OR ABOUT AUGUST 23, 2005, THE CUSTOMER MUST PAY THE COMPANY A SPECIAL BUDGET AMOUNT OF \$535.00 EACH MONTH. THIS AMOUNT MAY CHANGE DEPENDING ON ANY CHANGE IN THE AMOUNT OF SERVICE THE CUSTOMER USES. 06 THIS SPECIAL BUDGET AMOUNT INCLUDES A REGULAR AMOUNT OF \$260.00 PER MONTH, WHICH IS BASED ON THE CUSTOMER'S MONTHLY USAGE, PLUS \$275.00 THAT WILL BE PAID TOWARDS THE ACCOUNT PAST DUE BALANCE. 07 THE CUSTOMER MUST MAKE ALL PAYMENTS BY THE DUE DATE OF EACH MONTH'S BILL AND CONTINUE MAKING THE PAYMENTS UNTIL THE ACCOUNT IS PAID IN FULL. 08 THE COMPANY WILL NOT CHARGE LATE PAYMENT FEES TO THE ACCOUNT AS LONG AS THE CUSTOMER PAYS ACCORDING TO THIS DECISION. HOWEVER, THE COMPANY MAY APPLY LATE PAYMENT FEES IF THE CUSTOMER DO NOT PAY ON TIME OR DO NOT KEEP THIS AGREEMENT. 09 IF THE CUSTOMER FAILS TO KEEP THE TERMS OF THIS INFORMAL DECISION BY NOT MAKING PAYMENTS AS REQUIRED, THE COMPANY WILL BE PERMITTED TO PURSUE COLLECTION OF THE PAST DUE BALANCE AS ALLOWED BY CHAPTER 56 OF THE PUBLIC UTILITY COMMISSION'S RULES AND REGULATIONS.

Exhibit A

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SEP 30 2005

LUIS E. CAPELLA

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

v.

DOCKET NO. F-01917452

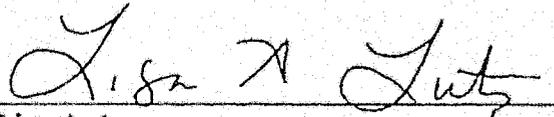
PECO ENERGY COMPANY

CERTIFICATE OF SERVICE

I, Lisa A. Lutz, 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, properly addressed and postage prepaid to:

LUIS E. CAPELLA  
242 W. Stella Street  
Philadelphia, PA 19133

Dated at Philadelphia, Pennsylvania, September 30, 2005.



Lisa A. Lutz  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
Direct Dial: 215.841.6841;  
Fax: 215.568.3389  
[Lisa.Lutz@exeloncorp.com](mailto:Lisa.Lutz@exeloncorp.com)



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
October 27, 2005

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: F-01917452

(See attached list)

Luis E. Capella v. PECO Energy Company

Billing dispute.

Hearing Notice

**DOCUMENT  
FOLDER**

This is to inform you that your case is scheduled for hearing at 9:30 a.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. 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 9:15 a.m. and wait in the Hearing Room until the presiding 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 you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

Type: Initial Hearing  
Date: Tuesday, December 27, 2005  
Time: 9:30 a.m.  
Location: Hearing Room 2  
State Office Building  
Broad & Spring Garden Streets  
Philadelphia, PA

**DOCKETED**  
NOV 03 2005

**RJP**

Presiding: Administrative Law Judge Angela T. Jones  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215.560.2105  
Fax: 215.560.3133

Attention: You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

If you intend to file exhibits, bring 4 copies with you to 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 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: Judge Jones  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

#502238 09/04

#502238 03/05