



An Exelon Company

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January 6, 2017

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

**RE: Sia Meena v. PECO Energy Company**  
**PUC Docket No.: F-2016-2523604**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *Reply Exceptions of PECO Energy Company* with regard to the matter referenced above.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a long, sweeping underline.

Shawane Lee  
Counsel for PECO Energy Company

cc: Certificate of Service

SL/ab  
Enclosure

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**SIA MEENA**

**Complainant**

**v.**

**PECO ENERGY COMPANY**

**Respondent**

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**DOCKET NO. F-2016-2523604**

**REPLY EXCEPTIONS OF PECO ENERGY COMPANY**

**Shawane L. Lee, Esquire  
2301 Market Street  
Philadelphia, PA 19103  
215.841.6841  
shawane.lee@exeloncorp.com  
Counsel for PECO Energy Company**

**DATE: January 6, 2017**

## **REPLY EXCEPTIONS**

PECO Energy Company (“PECO”) hereby replies to the Exceptions filed by Sia Meena (“Complainant”) in the above-referenced matter. The Commission served PECO with the Exceptions on January 6, 2017.

On January 7, 2016, Complainant filed a formal complaint against PECO. In her formal complaint, Complainant alleged that since she moved into her apartment, her bills had been too high. The Complainant alleged that her bills did not reflect her actual usage because there was no way that an individual could use the amount of service she had been billed for an apartment. Respondent, PECO filed an Answer on February 2, 2016, stating that Complainant’s billing concerns have been investigated and that she has been correctly billed.

A telephonic hearing was held before Administrative Law Judge Steven K. Haas (“ALJ Haas”) on July 21, 2016. ALJ Haas issued an Initial Decision on November 22, 2016, wherein he dismissed Complainant’s formal complaint, stating that she had not met her burden of proof that PECO had billed her incorrectly. The Commission should sustain the Initial Decision of ALJ Haas. Complainant does not allege ALJ Haas made an error of law or abused his discretion in any manner. Instead, Complainant excepts to the decision issued by ALJ Haas because she simply disagrees with his decision. Specifically in her exceptions, Complainant states the following:

- 1. I strongly believe that (sic) was incorrectly billed by PECO Energy during the period under consideration.**
- 2. I disagree with the outstanding payments that were billed to my account and the whole assessment of how the billing was done.**

At the hearing, PECO presented high bill field reports dated October 7, 2014, October 16, 2014, and May 1, 2016, of investigations for the Complainant's service along with an instrument meter test report. The high bill reports contain a cost estimate or "appliance analysis" which includes the appliances the Complainant has in her home and the average kilowatt hours that appliance uses. PECO's high bill foreman, Thomas Lerro, testified that the average kilowatt hours on the cost estimate represent the national average for appliances. The appliance analysis is designed to address the potential to use the billed service based on the appliances the Complainant has in her home. The appliance analysis is one method PECO uses to gauge whether the company has accurately billed for the service used. The appliance analyses performed during the field visits revealed that the Complainant has at least 26 feet of electric baseboard heating in her apartment as her primary heating source. See Ex. 4-5. Mr. Lerro testified that baseboard heating is the most expensive form of heating.

The record reflects that the kilowatt hour usage shows a distinct pattern in the Complainant's usage history, particularly during the winter months. During the winter, the Complainant has the potential to use up to 2,340 kilowatt hours per month. See Ex. 5. PECO presented an account activity at Exhibit 1, which shows that during the winter of 2015 and 2016, the Complainant's usage increased as high as 1,714 kilowatt hours per month, accounting for her highest electric bill which was \$228.10. See PECO Ex. 1. The appliance analysis and account activity statement demonstrates that the Complainant was billed well under her potential to use the service and accurately reflects the use of electric heating in the premises during the winter months. See Ex.1 and Exs. 4-5.

In addition to the appliance analysis, PECO performed testing to determine the accuracy of the meter. For instance, during the October 2014 field visit, PECO performed a passing load

test on the Complainant's dryer to test the accuracy meter. See Exhibit 4. Mr. Lerro testified that the passing load test clocked the meter revolutions and found the meter tested accurately. See Exhibit 4. During the May 11, 2016, field visit, PECO performed an instrument meter test on the Complainant's meter, testing on a full load and light load. See Exhibit 5. Mr. Lerro testified that the instrument meter test demonstrated the meter tested within PECO and PUC guidelines. Based on the high bill field visits, including two appliance analyses, a passing load test on the meter, an instrument meter test and an analysis of the Complainant's billing, ALJ Haas determined that PECO correctly billed the Complainant.

During the hearing, the Complainant presented no exhibits and testified that she only turns the baseboard heaters on in her bedroom. Complainant presented no evidence there were problems with her billing or that PECO incorrectly billed her. The Complainant had no evidence or independent testing to prove otherwise. Conversely, PECO presented high bill Foreman, Thomas Lerro, an electrician who has worked for PECO for 35 years who testified that the meters at Complainant's residence had been tested and the meters were operating within Company and Commission guidelines. Further, the field investigations demonstrated that Complainant has the potential to use the service for which she was billed and there is nothing that caused her \$3,606.49 balance other than non-payment.

ALJ Haas correctly articulated in his Initial Decision that it is Complainant that has the burden of proof pursuant to 66 Pa.C.S.A. § 332(a), and it is incumbent upon the Complainant to establish that PECO Energy violated its tariff, the Public Utility Code, or a Commission Order or regulation. Complainant failed to present any evidence at all whatsoever to justify her high bill allegations. Accordingly, ALJ Haas correctly concluded that Complainant failed to meet her burden of proof and properly dismissed her complaint.

**Conclusion:**

While the Complainant may have a dispute that her electric bills are higher during the winter, the record evidence shows that her higher bills are based on the use of electric baseboard heaters. This cannot be the basis of a finding against PECO for violating a tariff, statute or regulation. The record evidence demonstrates that the Complainant's high bill and meter concerns were properly investigated and addressed over three field visits and an instrument meter test, and there is nothing to indicate that the Complainant was billed incorrectly. Accordingly, ALJ Haas' decision, dismissing the Complainant's formal complaint should be upheld.

For the reasons set forth above, PECO respectfully requests that the Commission deny the Exceptions and issue an Order upholding the Initial Decision in its entirety.

Respectfully submitted,



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Fax: 215.568.3389

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**SIA MEENA**

**Complainant**

**v.**

**PECO ENERGY COMPANY**

**Respondent**

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**DOCKET NO. F-2016-2523604**

**VERIFICATION**

I, Shawane L. Lee, 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: January 6, 2017

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Shawane L. Lee

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>SIA MEENA</b>	:	
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<b>Complainant</b>	:	
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<b>v.</b>	:	<b>DOCKET NO. F-2016-2523604</b>
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<b>PECO ENERGY COMPANY</b>	:	
	:	
<b>Respondent</b>	:	

**CERTIFICATE OF SERVICE**

I, Shawane L. Lee, hereby certify that I have this day served a true copy of the foregoing Reply Exceptions upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**Sia Meena  
143 Long Lane, 2<sup>nd</sup> Floor  
Upper Darby, PA 19082**

Dated at Philadelphia, Pennsylvania, January 6, 2017.



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