

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Lawrence Rice	:	
	:	
v.	:	F-2015-2499502
	:	
PECO Energy Company	:	

ORDER

This Order is issued pursuant to the authority of Commission presiding officers at 52 Pa. Code § 5.483.

On August 11, 2015, Lawrence Rice, Complainant, filed a formal Complaint against PECO Energy Company (PECO or Respondent). That Complaint was a timely appeal from a determination by the Commission's Bureau of Consumer Services (BCS) at Case No. 3343914. In the formal Complaint, Mr. Rice asked that his name be put on the electric bill for service at 196 Highland Drive, Lincoln University, Pennsylvania.

On September 10, 2015, PECO filed an Answer to the Complaint. In its Answer, PECO contended that a person named Ruth Horn resided at the service address with Complainant and that the occupants of the residence had accrued \$14,239.22 in arrearages, at least part of which is composed of Customer Assistance Program (CAP) arrearages. Ms. Horn's name was on the account during this time. PECO had terminated service to the address on August 20, 2015.

On November 24, 2015, a telephonic hearing was held pursuant to notice, originating from the Commission's office in Harrisburg, Pennsylvania. Both parties appeared, and PECO made it clear from the outset that although the account was mixed CAP and non-CAP arrearages, Complainant's alleged poor payment history would require Complainant to pay

\$3,000 as a condition precedent to being able to re-apply for CAP. Tr. at 32. At the conclusion of the hearing, PECO and the Complainant agreed that they would work in an effort to resolve the matter.

It would appear that the discussions were at least to some measure successful as neither party moved to close the record nor to seek a decision. On January 3, 2017, in response to my inquiry, counsel for PECO advised me by e-mail that Complainant had discontinued service on June 15, 2016, that Complainant had moved, and that he no longer wants to pursue the formal Complaint. PECO asked Mr. Rice's daughter, the source of the foregoing information, to have Mr. Rice contact the PUC to formally withdraw his Complaint.

In order to bring this matter to a conclusion, I will require that Complainant file a written Petition to Withdraw his Complaint by no later than January 26, 2017. If, however, Complainant wishes that the record be closed and an adjudication of the case on its merits be prepared, then Complainant must notify the Secretary of the Commission, in writing, by January 26, 2017. PECO will have until February 7, 2017, to file any responsive pleading to any submission by the Complainant. As Complainant is not an attorney, a simple letter stating his intentions will suffice. That letter/Petition clearly indicating the docket number, F-2015-2499502, should be sent to:

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

A copy of the letter/Petition should be sent to counsel for PECO and to myself.

In the event that Complainant does not file a Petition to Withdraw or a Petition for Close of the Record by January 26, 2017, I will treat PECO's January 3, 2017 e-mail as a Motion to Dismiss the case.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Lawrence Rice, Complainant, is to file either a Petition to Withdraw his Complaint, or a Petition for Close of the Record, with the Secretary of the Commission, at this docket by no later than January 26, 2017.
2. That PECO Energy Company, Respondent, shall have until February 7, 2017, to file any responsive pleading to any submission by the Complainant.
3. That in the event that Complainant does not file a Petition to Withdraw or a Petition for Close of the Record by January 26, 2017, I will treat PECO's January 3, 2017 e-mail as a Motion to Dismiss this case.

Dated: January 5, 2017



Dennis J. Buckley
Administrative Law Judge

F-2015-2499502 - LAWRENCE RICE v. PECO ENERGY COMPANY

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