

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR:
- 6. PERSON IN CHARGE: SUPERVISOR:
- 8. DOCKET NO: Z-01348605
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 05/29/03
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: SMITH, ALONZO W

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: EUCKS

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WANTS PECO TO REFUND THE \$500.00 SECURITY DEPOSIT THAT THEY CHARGED WHEN HIS SERVICE WAS TURNED OFF WITHOUT NOTIFICATION. HE WANTS

DOCUMENT
FOLDER

DOCKETED
JUN 07 2003

FORMAL COMPLAINT FORM
Pennsylvania Public Utility Commission

6/4/03

Please Print:

SI 1348605

1. Your Name, Mailing Address and Telephone Number.

Z-01348605

Name Alonzo W. Smith

Street/P.O. Box 203 Luff Lane Apt.# _____

City Warrunster State PA Zip 18974

County Bucks Home Telephone-Area Code (215)

Work Telephone-Area Code (215)

RECEIVED
2003 JUN 29 AM 9:30
SECRETARY'S BUREAU

2. Name of Company your complaint concerns: PECO

3. What is your complaint?

Since enrolled with e-bill payment 10/01 (Oct 27, 2001) with 1st payment, unable to successfully ^{pay} via internet. Called Peco since that time for disjunct statements. Requested in 2002 that bill be sent to our home after explaining difficulty with e-bill (forgot password etc.) Only received notices at intervals for "shut off" for past due amounts. Several times Ladonna (wife) contacted Peco requesting bill sent to home address & noticed Peco of financial difficulties regarding bill payment. 3/12/02 Peco payment \$576.41 + 1st sc. pd via telephone Comp #359 464. 4/2/03 Peco discontinued services without notice 4/2/03 for balance \$468.21. We paid \$1028.21 4/2/03 to get services turned back on 4/3/03. An unaddressed, unstamped envelope with ^{shut-off} notice was placed in our mailbox Friday 4/4/03.

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

ORIGINAL DOCUMENT FOLDER

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JUN 07 2003

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

Would like PECO to refered of use the \$500⁰⁰ security deposit to be used towards ^{account} balance. The security deposit of \$500 was required to turn on services after the PECO services were turned off without notification. We had not received paper bills from Peco since 2002 despite requesting to resume paper bills instead of e-bill. Customer services reps would say that they would take care of it and let transfer me to the appropriate department. Several times I was disconnected in the transfer. I have been a customer@PECO for this address 12yrs.

(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.

Alonzo W. Smart
Original Signature of complaining person

5/27/03
Date

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

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Telephone Number-Area Code (_____) _____

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 4/11/2003. 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.)

ALONZO W SMITH
203 LUFF LANE
WARMINSTER PA 18974

(215) 328-9068
(Area Code) Telephone Number

Alonzo W. Smith
Signature

Mail this completed form to:

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

ST Number:	1348605	Date of mailing:	4/11/2003
Company:	PECO ENERGY		

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APR 17 2003

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

REVISED 12/97

CONSUMER SERVICES
FIELD SERVICES DIVISION

APR 21 03

PENNSYLVANIA PUC

96



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

6/28/03

IN REPLY PLEASE
REFER TO OUR FILE

May 15, 2003

ST 1348605

ALONZO W. SMITH
203 LUFF LANE
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 4, 2003 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:**

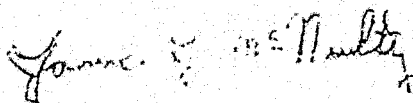
**Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265**

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

nvl

CC: PECO ENERGY COMPANY

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JUNE 9, 2003

ALONZO W SMITH
Complainant

VS.

Complaint Docket
No: Z-01348605

DOCUMENT
FOLDER

PECO ENERGY COMPANY
Respondent

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 two 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

DATE SERVED: JUNE 9, 2003

Z-01348605

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 ALONZO W SMITH. 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.

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JUN 07 2003

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JUNE 9, 2003

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

ddi

Legal Department

Telephone 215 841-5544

Fax 215 568-3389

Exelon Business Services Company

www.exeloncorp.com

2301 Market Street/523-1

PO Box 8699

Philadelphia, PA 19101 8699

ORIGINAL

Direct Dial: 215 841-6841

July 2, 2003

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

DOCUMENT FOLDER

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JUL 02 2003

RE: **Alonzo W. Smith v. PECO Energy Company**
Docket No. Z-01348605

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

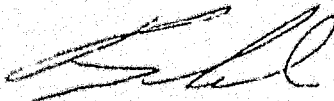
Dear Mr. McNulty:

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

<u> X </u>	Answer (original and 3 copies)
<u> </u>	Answer and Motion (original and 3 copies)
<u> </u>	Petition (original and 3 copies)
<u> </u>	Answer and New Matter (original and 3 copies)
<u> </u>	Amended Motion (original and 3 copies)
<u> </u>	Exceptions (original and 9 copies)
<u> </u>	Reply Exceptions (original and 9 copies)
<u> </u>	Brief (original and 9 copies)
<u> </u>	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,



Priya Sankar
Counsel for PECO Energy
Exelon Business Services Company

RJP

Enclosures

Cc: All Parties

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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JUL 02 2003

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ALONZO W. SMITH

v.

PECO ENERGY COMPANY

DOCKET NO. Z-01348605

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. Denied in part. It is admitted that PECO Energy terminated

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DOCKETED
JUL 07 2003

service to Complainant on April 2, 2002 for nonpayment. It is denied that PECO Energy failed to provide notice of termination. By way of further response, Complainant's service was terminated on April 2, 2003 for non-payment of a \$468.61 balance. A 10-day notice was sent on March 11, 2003 for a balance of \$1044.82 with an effective termination date on or after March 24, 2003. On March 14, 2003 at 6:28 pm, PECO Energy attempted to contact Complainant via telephone. There was no answer and PECO Energy left a message on Complainant's answering machine. On March 18, 2003 at 9:28 a.m. PECO Energy again attempted to contact Complainant via telephone. There was no answer and PECO Energy left another message on Complainant's answering machine. ON March 26, 2003, a 48-hour notice was left at the property. Complainant's service was terminated on April 2, 2003. Complainant was required to pay the past due balance of \$468.61, a \$60.00 reconnection fee, and a

\$522.00 deposit. Complainant paid \$1050.21 that same day and service was restored on April 3, 2002.

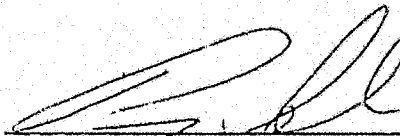
PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph regarding e-billing and they are therefore denied.

PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph and they are therefore denied.

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.

Respectfully submitted,



Priya Sankar
Attorney
Counsel for PECO Energy Company
2301 Market Street
P.O. Box 8699
Philadelphia, PA 19101-8699
215-841-6841
priya.sankar@exeloncorp.com

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JUL 02 2003

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ALONZO W. SMITH
v.
PECO ENERGY COMPANY

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DOCKET NO. Z-01348605

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 via First Class, properly addressed and postage prepaid to:

Alonzo W. Smith
203 Luff Lane
Warminster, PA 18974

Dated at Philadelphia, Pennsylvania, June 2, 2003.



Priya Sankar
Attorney
Counsel for PECO Energy Company
2301 Market Street
P.O. Box 8699
Philadelphia, PA 19101-8699
215-841-6841
priya.sankar@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ALONZO W. SMITH

v.

PECO ENERGY COMPANY


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:
:

DOCKET NO. Z-01348605

VERIFICATION

I, Priya Sankar, hereby declare that I am an attorney with 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: June 2, 2003



Priya Sankar



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

October 28, 2003

In Re: Z-01348605

DOCUMENT
FOLDER

(See attached list)

DOCKETED
OCT 30 2003

Alonzo W. Smith v. PECO Energy Company

Dispute regarding security deposit.

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

- Type: Initial telephone hearing
- Date: Wednesday, February 18, 2004
- Time: 10:00 a.m.
- Presiding: Administrative Law Judge Charles E. Rainey, Jr.
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: (215) 560-2105
Fax: (215) 560-3133

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

At the above date and time, the Presiding Officer will contact the parties as follows:

Alonzo W. Smith	215.328.9068
Priya Sankar, Esquire	215.841.6841

RJP

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

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 Rainey, Jr.
Susan Licon
Beth Plantz
Docket Section
Calendar File



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

October 30, 2003

In Re: Z-01348605

(See letter of 10-28-03)

DOCKETED

NOV 04 2003

DOCUMENT
FOLDER

Alonzo W. Smith v. PECO Energy Company

Dispute regarding security deposit.

Time Change Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial telephone hearing

Date: Wednesday, February 18, 2004

Time: 2:00 p.m.

Presiding: Administrative Law Judge Charles E. Rainey, Jr.
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: (215) 560-2105
Fax: (215) 560-3133

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

At the above date and time, the Presiding Officer will contact the parties as follows:

Alonzo W. Smith	215.328.9068
Priya Sankar, Esquire	215.841.6841

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- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

Pc: Judge Rainey
Susan Licon
Beth Plantz
Docket Section
Calendar File