

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Patrick Vizzini, Sr.

v.

PECO Energy Company

DOCUMENT  
FOLDER

C-20066021

SECRETARY'S OFFICE

JUN 19 2:00 PM '06

PREHEARING ORDER

On May 15, 2006, I was assigned as the presiding officer in this case. The purpose of this order is to bring to the attention of the parties certain procedural rules that apply to the participants in this proceeding. This case is scheduled for a telephonic hearing on Monday, June 19, 2006 at 2:00 p.m.

In the complaint, which was filed on March 22, 2006, the Complainant alleged the following: that the Respondent is trying to bill him for electric that he did not use; that the Respondent installed a new meter because the old meter was cracked; that a month later, the Respondent replaced the meter because someone allegedly tampered with the meter; that the Complainant is paying the same amount that he paid in previous years; that his wife pays the bill on time each month; and that the Respondent's employees are rude.

On April 12, 2006, the Respondent, through its counsel, filed an Answer. The Respondent admitted that the Complainant was billed for service used but not registered on electric meters at his property. The Respondent denied that the bills were improper. The Respondent averred that a new automated meter reader ("AMR") was installed during a field visit to the Complainant's property on February 28, 2005, after an unauthorized meter alteration was discovered. The Respondent stated that another unauthorized meter alteration was discovered in a subsequent field visit to the Complainant's property on March 28, 2005. The Respondent installed a new AMR on March 28, 2005. On June 15, 2005, the account was backbilled from October 18, 2002 through June 9, 2005 for a total of \$3,432.40. The

Respondent referred to the Bureau of Consumer Services decision, dated March 3, 2006, which indicated that the electric billing was correct as rendered and required the Complainant to pay \$3,012.35 to continue service and pay a budget of \$137.00 a month.

The Complainant has the burden of proving that the allegations in the complaint are true. Section 332(a) of the Public Utility Code, 66 Pa. C.S. §332(a). The Complainant is required to pay the undisputed portion of the bill until a final order is issued in this matter.

The Respondent must submit the account statement and the applicable BCS decision.

If you wish to offer documents into evidence during the hearing (i.e. letters, bills, canceled checks, receipts, account statements, etc.), you should send three copies to me (a copy for the presiding officer and 2 copies for the Court Reporter) and send a copy to every other party in the case at least seven days in advance. Please keep a copy for yourself. 52 Pa. Code §5.409. Please send my copies to 1302 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130.

Pursuant to 52 Pa. Code §1.15(b), requests for postponements or continuance of hearings must be submitted in writing no later than five (5) days prior to the hearing. Requests for postponement or continuance of hearings are to be sent to the presiding officer with copies to the Scheduling Office and the other party of record. The address for the Scheduling Office is P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

All witnesses should be prepared to testify during the June 19, 2006 hearing. If the witness will be at a different telephone number, please notify my office at least five days in advance so that the necessary arrangements can be made.

If you will be at a different telephone number than the one listed on the hearing notice, please contact my office immediately. My telephone number is (215) 560-2105.

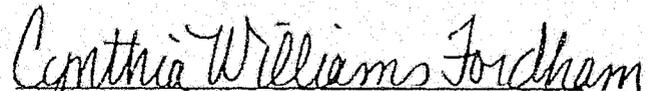
ORDER

THEREFORE,

IT IS ORDERED:

1. That the Complainant shall pay the undisputed bill pending a final Commission Order.
2. That the parties shall comply with the procedural rules and regulations discussed herein.

Date: June 7, 2006

  
Cynthia Williams Fordham  
Administrative Law Judge

Legal Department

Telephone 215 841 5544

Fax 215 568 3389

www.exe.oncorp.com

Business Services  
Company

Exelon Business Services Company

2301 Market Street / 523 1

PO Box 8699

Philadelphia, PA 19101-8699

**ORIGINAL**

Direct Dial: 215-841-6841

June 12, 2006

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

**RECEIVED**

JUN 12 2006

Re: **Patrick Vizzini, Sr. v. PECO Energy Company**  
 Docket Number: **C-20066021**

 PA PUBLIC UTILITY COMMISSION  
 SECRETARY'S OFFICE

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that the parties in the above referenced complaint have reached an accord.

By copy of this letter, I am alerting the Complainant of his right to object to the closing of this matter in writing to the Public Utility Commission within ten (10) days of the date of this letter.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you.

Sincerely,

*Lisa A. Lutz*  
 Lisa A. Lutz  
 Counsel for PECO Energy Company

**DOCUMENT  
FOLDER**

cc: Mr. Patrick Vizzini, Sr.  
 Administrative Law Judge Cynthia W. Fordham  
 Susan Licon

**DOCKETED**  
 JUN 16 2006

85

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: June 14, 2006  
SUBJECT: C-20066021 Patrick Vizzini, Sr. v. PECO Energy Company  
TO: Wanda Zeiders  
Docket Management  
FROM: Susan Licon, ALJ Support Staff  
Office of Administrative Law Judge

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On June 14, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Cynthia W. Fordham  
Beth Plantz  
Case File

**DOCKETED**  
JUN 28 2006

**Legal Department**

Exelon Business Services Company  
2301 Market Street / 523-1  
PO Box 8599  
Philadelphia, PA 19101 8599

Telephone 215 841 5544  
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Business Services  
Company

Direct Dial: 215 841 6841

# ORIGINAL

June 19, 2006

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

## RECEIVED

JUN 19 2006

RE: **Patrick Vizzini, Sr. v. PECO Energy Company**  
**Pa. PUC Docket No.: C-20066021**

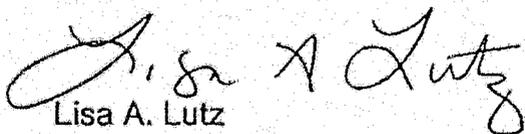
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dear Secretary McNulty:

Enclosed is a copy of Withdrawal of Complaint signed by the Complainant in the above-referenced case. The Complainant has agreed to withdraw the complaint without prejudice. Please send me a final order or closing notice in this matter.

Thank you for your help and if you have any questions regarding this request, please call my direct dial number (215) 841-6841.

Very truly yours,

  
Lisa A. Lutz  
Counsel for PECO Energy Company

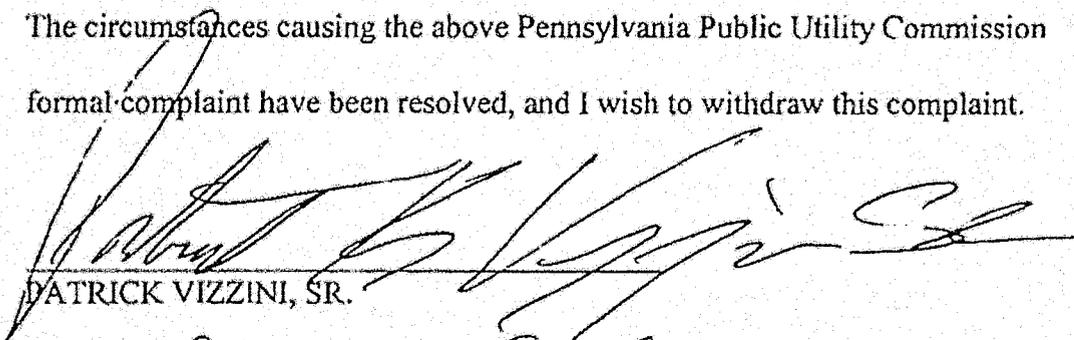
LAL/zr

Enc.

## DOCUMENT FOLDER

WITHDRAWAL OF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT  
Patrick Vizzini, Sr. v. PECO Energy Company  
Docket Number: C-20066021

The circumstances causing the above Pennsylvania Public Utility Commission formal complaint have been resolved, and I wish to withdraw this complaint.

  
PATRICK VIZZINI, SR.

Date

6-13-06

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JUN 19 2006

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCKETED  
JUL 10 2006

# OALJ Hearing Report

Please check those blocks which apply

Docket No.:	C-20066021		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Patrick Vizzini, Sr. v. PECO Energy Company	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Philadelphia, PA	Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
		Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
Date:	June 19, 2006	Estimated Add'l Days:		
ALJ:	Cynthia W. Fordham	RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Precision Reporting	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">RECEIVED</div> <div style="font-size: 1.2em; margin-bottom: 10px;">JUN 26 2006</div> <div style="font-size: 0.8em; margin-bottom: 10px;">PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU</div> <div style="font-size: 0.7em;">PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing.</div>		REMARKS: <i>Hearing cancelled</i>		
		<i>Certificate of satisfaction filed</i>		
		<i>Done.</i>		

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FOLDER

Name and Telephone Number	Address	Who are you representing?
	City      State      Zip	
Telephone:	E-mail Address:	Fax Number:
	City      State      Zip	
Telephone:	E-mail Address:	Fax Number:
	City      State      Zip	
Telephone:	E-mail Address:	Fax Number:

Check this box if additional parties or attendees appear on back of form.

*elp.*

\_\_\_\_\_  
Reporter's Signature

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*