

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: 01/03/06
 8. DOCKET NO: C-20065742 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: KOPKO, RONALD J. & JANINE M.

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: BUCKS

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE IS A RELIABILITY, SAFETY OR QUALITY PROBLEM WITH THEIR SERVICE. THEY WANT THE PUC TO ORDER THE COMPANY TO CORRECT ALL TRANSMISSION LINES AND DISTRIBUTION LINES SAFETY, RELIABILITY AND QUALITY OF SUPPLY PROBLEMS. THEY ALSO WANT THE PUC TO ORDER THE COMPANY TO CONDUCT EXTENSIVE TREE MAINTENANCE AND TREE REMOVAL ON PEBBLE HILL, SUGAR BOTTOM AND WILKSHIRE ROADS. ALSO, ORDER THE COMPANY TO IMPLEMENT MORE FREQUENT AND EXTENSIVE LINE & TREE MAINTENANCE. ORDER THE COMPANY TO INSTALL AN EFFECTIVE WHOLE-HOUSE SURGE SUPPRESSION SYSTEM IN THEIR HOME, AT THE COMPANYS EXPENSE. THEY WANT THE PUC TO MAKE SURE THE COMPANY IS LIABLE WITHOUT QUESTION FOR ANY FUTURE ELECTRICAL SYSTEM DAMAGE IN THEIR HOME AS A RESULT OF THE COMPANYS PAST REPEATED NEGLIGENCE AND WILLFUL MISCONDUCT. LASTLY, THEY WANT THE COMPANY TO BE FINED FOR REPEATEDLY NOT PROVIDING THE LEVEL OF SERVICE REQUIRED BY LAW.

DOCKETED

JAN 11 2006

DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

ORIGINAL

C-20065742

Please print or type.

110550

1. CUSTOMER NAME (COMPLAINANT)

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

Name RONALD J & JANINE M KOPKO

Street/P.O. Box 1601 PEBBLE HILL RD Apt#

City DOYLESTOWN State PA Zip 18901

County BUCKS

Area Code/HOME Phone 215-345-9188

Area Code/WORK Phone SAME (RETIRED)

Utility Account Number 45-17-40-390518 (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

RECEIVED
2006 JAN -3 AM 10:23
SECRETARY'S BUREAU

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE (local, long distance)

20

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.

SUMMARY — ATTACHMENT I
 FACTS — ATTACHMENT II, WITH EXHIBITS
 DETAILS — ATTACHMENT III, WITH EXHIBITS

5. RELIEF

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

RELIEF — ATTACHMENT IV

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: Ronald J. Kopko
I RONALD J. KOPKO, 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).

Ronald J. Kopko
(Signature)

December 22, 2005
(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 nd Floor Harrisburg, Pennsylvania 17120
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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.

Attachment I

Summary

PECO refuses to remedy extremely dangerous, damaging, unreliable, unsafe, and public safety problems in their power transmission/distribution lines at a spot location (Pebble Hill and Sugar Bottom Roads in Doylestown Township, PA). At least (5) extended outages in (5) years at this location were the result of poor system design, inadequate line maintenance, poor repairs, and severely overloaded service poles.

In (3) instances in (3) years (1-3) 36 KV transmission lines fell on an 8KV distribution line directly below resulting in extremely high voltage surges which caused us several thousand dollars in electronics burnout damages each time, together with smoke and fire flares. PECO refused to pay the last claim, and I successfully filed a law suit and have a judgment against them.

In my opinion, an extremely dangerous public safety problem exists. Furthermore, PECO has been failing to provide the level of service required by law.

Attachment II

Facts

1. PECO refuses to remedy extremely dangerous, damaging, unreliable, unsafe, and public safety problems in their power transmission/distribution lines at a spot location (Pebble Hill and Sugar Bottom Roads in Doylestown Township, PA).
2. PECO poor system design, inadequate line maintenance, poor electrical repairs, and severely overloaded service poles on Pebble Hill Road were directly responsible for at least (5) extended outages in (5) years.
3. In (3) outages in (3) years (1) to (3) 36 KV transmission lines fell on an 8 KV distribution line directly below, resulting in extremely high voltage surges, and causing us several thousand dollars in damages each time, together with smoke and fire flares. Approximately 100 or more neighbors also experienced these surges and damages.
4. PECO refused to pay us for the last high voltage surge burnout damage which occurred, as a result of their negligence, on 7-16-05. Consequently, I personally initiated legal action and was successfully awarded a court judgment against PECO on 11-16-05. (Exhibit 1)
5. Historically, PECO has been providing very unreliable electric service to us in this area, and it continues to worsen.

⋮

Attachment III

Details

1. PECO refuses to remedy the dangerous, damaging, unreliable, and unsafe electrical service provided to our residence on Pebble Hill Road. The primary problem is an area only a few hundred yards long as seen in Exhibit 2. The area is semi-wooded with 2 lane roads.

PECO refusal to conduct adequate tree trimming and line maintenance, particularly in the vicinity of the (3) 36 KV lines is a major root cause for outages and our high voltage surge burnouts. These lines are superimposed on a low voltage distribution line with inadequate clearance and protection.

Another contributing factor is the severely overloaded poles (Exhibits 3, 4, 5, 6, 7). Not only are they overloaded but the "Z" route and sharp road angles create extreme pole stresses. In a poor attempt to compensate, PECO utilizes *many* multiple anchors, brace poles and tension wires in dangerous vulnerable locations (curve in the road, across the road, and at the bottom of the hills). A new school just opened this year at the top of the hill and many school buses now descend these hills.

PECO continues to allow the situation to become even more dangerous by permitting several other utilities to place additional heavy cables on their poles. These cables (Exhibits 3, 4, 5, 6, 7) place additional heavy loading on the *already* stressed poles. Furthermore, the low height of these cables (Exhibits 8, 9) pose a dangerous risk to the public should they be pulled down, and bring the (3) high voltage transmission lines down once again. Abnormally tall farm, construction, and erection equipment are using this road in this rapidly developing area.

2. In my opinion, PECO used poor engineering judgment when initially installing these lines at Sugar Bottom and Pebble Hill Roads, and the problem is being exacerbated.

PECO has a history of poor line maintenance and electrical repairs in this area. Following the first high voltage surge burnout in July 2002 their repairs provided inadequate clearance between the high voltage transmission lines and low voltage distribution line, which resulted in a repeat high voltage surge burnout in our home in December 2002! In my opinion, the conductor clearances were never adequate, and to this day are dangerously close as seen at the corner pole (Exhibit 3). Also, please note that the problem area cited has a history of temporary (?) fixes such as pole extensions seen in Exhibits (7, 10).

PECO tree maintenance has been poor and is worsening on Pebble Hill Road. PECO has testified in court (CV-552-05) (Exhibit 1) that they *do not* trim as wide as PPL, and that they trim trees within (10) feet of lines. However, as seen in (Exhibits 10, 11, 12, 13, 14, 15, 16, 17) branches and trees are resting on wires, or rubbing against the wires at several locations on Pebble Hill Road. Clearly, some trees were never trimmed to within (10) feet of the line (Exhibits 16, 17).

I believe PECO has gone to extended tree pruning cycles which may be (5) years now, worsening the situation. It appears that no preventative line maintenance is being done, and hence the situations seen in the exhibits.

Furthermore, when line maintenance was done, especially following a tree-related outage (at least 4 in 5 years in this limited area), the offending limbs were removed even though the remaining tree was dead and/or a threat to maintaining reliable electrical service as required by law (Exhibits 18, 19, 20).

3. The (3) high voltage surge burnouts in our home and many of our neighbors (one episode resulted in more than 105 claims) occurred in July 2002, Dec. 2002, and July 2005. We experienced several thousand dollars in damages each time, and extended loss of heating and air conditioning, appliances, computers, printers, phones, TV, entertainment, etc. Furthermore, when systems were repaired we found that some have been compromised, and don't have the same quality/capability relative to prior performance. Additional hardships were imposed on us to shop for replacements, hire and schedule contractors, get estimates, etc.

My wife of 4 ½ years lives in fear in this house whenever the weather is stormy. She has experienced all (3) high voltage surge burnouts and is witness to other extended outages. I estimate we average more than one extended outage each year, and flickering lights and/or brief outages nearly every other storm.

We are being forced to defend our house from PECO at our expense! Our computers had to be protected with two levels of surge suppression and an uninterruptible power supply (Exhibits 21, 22). The severity of the sustained high voltage/high current surges we have experienced has tripped multiple circuit breakers, "blown up" high capacity surge suppressors (Exhibit 23), and then continued downstream to burnout electronics in appliances, computers, and entertainment devices. This is dangerous and absurd, especially when smoke and small fires occurred from the exploding surge suppressors. PECO needs to be reprimanded!

Following the second high voltage surge burnout to our home in December 2002, I sent a letter to PECO (Exhibit 24). Note especially paragraphs 1 and 4. I followed up with a telephone call to PECO and asked why they continue to harass and torture us and not remedy the line problems so it never happens again. A PECO representative told me, "because that costs money!"

4. PECO refused to compensate us for the last high voltage surge burnout damages which occurred, as a result of their negligence, on 7-16-05. Consequently, I personally initiated legal action and was successfully awarded a court judgment against PECO on 11-16-05.

In my presentation to the court I stated that PECO is currently running TV ad campaigns claiming "bringing you reliable energy all year long", and "safety is our top priority". I believe the judge concurred that the electric service PECO is providing my family is neither safe nor reliable.

5. Historically, PECO has been providing very unreliable electric service to us in this area, and it continues to worsen.

I am dismayed and frustrated by the cavalier attitude of PECO and their refusal to take full responsibility for the continuing dangerous and damaging high voltage surge burnouts described in this complaint. In my opinion, all the outages and damages we have experienced were the result of *preventable* accidents caused by PECO refusing to spend money and address the root causes. This clearly willful and wanton misconduct on the part of PECO and their refusal to accept liability as required by Section 12.1 of the tariff, begs for PUC intervention to protect victimized customers.

Attachment IV

Relief

I would like the PUC to consider and execute the following requests:

1. Order PECO to correct all transmission lines and distribution line safety, reliability, and quality of supply problems cited in this complaint. Totally protect and/or isolate the 8KV distribution line from interference and or contact with (3) 36 KV transmission lines.
2. Order PECO to conduct extensive tree maintenance and tree removal on Pebble Hill, Sugar Bottom, and Wilkshire Roads, especially in the area of the (3) 36 KV superimposed transmission lines, such that potential high voltage surge burnouts are not possible again - (3) is enough!
3. Order PECO to implement more frequent and extensive line and tree maintenance, at least equivalent to that conducted by PP&L.
4. Order PECO to install an effective whole-house surge suppression system in our home, at their expense, as a result of their repeated reckless disregard for the safety of electric service to our home.
5. Order PECO that they will be liable without question for any future electrical system damage in our home as a result of their past repeated negligence and willful and wanton misconduct.
6. Fine PECO for repeatedly not providing the level of service required by law, especially in the areas of reliability, quality, and safety.

:

EXHIBITS 1-24

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **BUCKS**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

Mag Dist No. **07-2-02**

MDJ Name: Hon
PHILIP J. DALY

Address **1277 ALMHOUSE RD
WARRINGTON, PA**

Telephone (215) **343-7961** **18976-0000**

PLAINTIFF: **KOPKO, RONALD J**
1601 PEBBLE HILL RD
DOYLESTOWN, PA 18901-9188

VS.

DEFENDANT: **MCGURK, KEVIN**
2301 MARKET ST APT/STE 16-1
C/O JONATHAN E MYERS
PHILADELPHIA, PA 19103



Docket No.: **CV-0000552-05**
 Date Filed: **9/09/05**

RONALD J. KOPKO
1601 PEBBLE HILL RD
DOYLESTOWN, PA 18901-9188

THIS IS TO NOTIFY YOU THAT:

Judgment: FOR PLAINTIFF

Judgment was entered for: (Name) KOPKO, RONALD J

Judgment was entered against: (Name) MCGURK, KEVIN

in the amount of \$ 1,063.50 on: (Date of Judgment) 11/16/05

Defendants are jointly and severally liable (Date & Time) _____

Damages will be assessed on:

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical damages arising out of residential lease \$ _____

Amount of Judgment	\$ <u>1,000.00</u>
Judgment Costs	\$ <u>63.50</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>1,063.50</u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

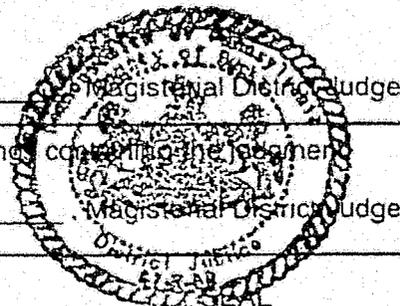
ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

NOV 16 2005 Date

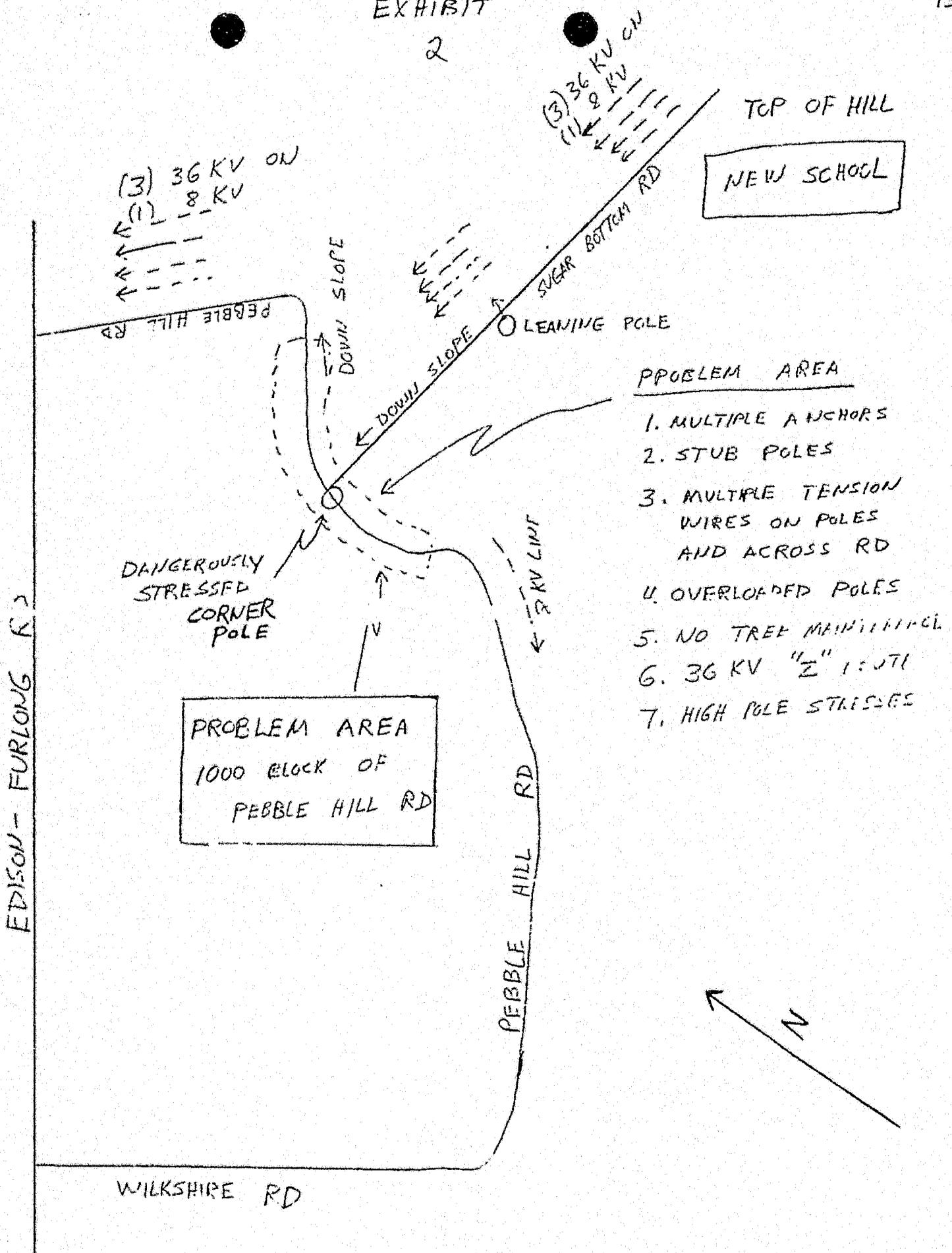
[Handwritten Signature]



I certify that this is a true and correct copy of the record of the proceeding, conforming to the Judgment.

_____ Date _____

My commission expires first Monday of January, 2008



PROBLEM AREA

1. MULTIPLE ANCHORS
2. STUB POLES
3. MULTIPLE TENSION WIRES ON POLES AND ACROSS RD
4. OVERLOADED POLES
5. NO TREE MAINTENANCE
6. 36 KV "Z" 1:071
7. HIGH POLE STRESSES

PROBLEM AREA
1000 BLOCK OF
PEBBLE HILL RD

(3) 36 KV ON
(1) 8 KV

(3) 36 KV ON
(1) 8 KV

NEW SCHOOL

EDISON - FURLONG RD

PEBBLE HILL RD

PEBBLE HILL RD

WILSHIRE RD

TOP OF HILL

SUGAR BOTTOM RD

LEADING POLE

DANGEROUSLY STRESSED CORNER POLE

DOWN SLOPE

DOWN SLOPE

N

EXHIBIT

3

OVER SIZED DOCUMENTS

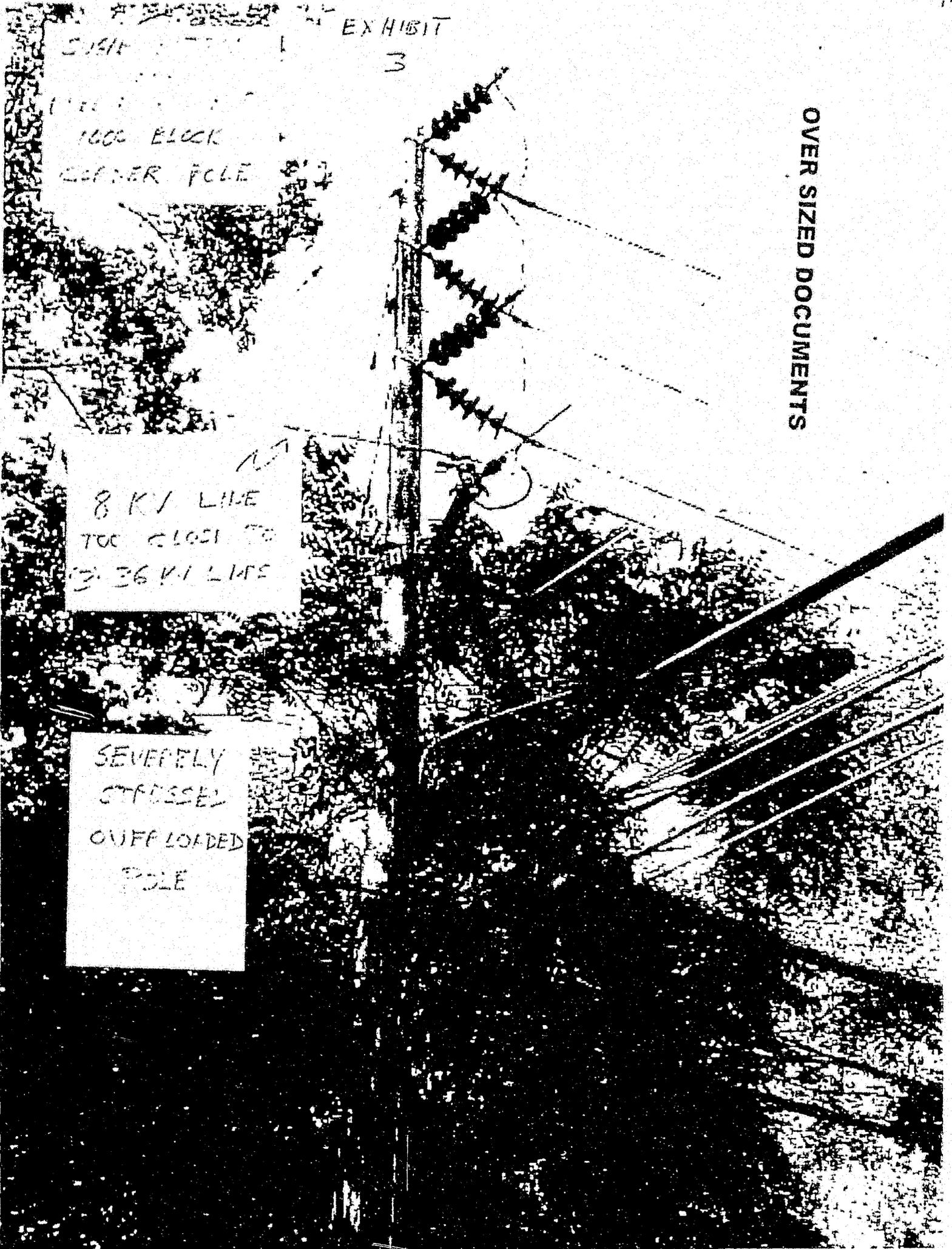
SOUTH

1000 BLOCK

LEAFER POLE

8 KV LINE
TOO CLOSE TO
36 KV LINE

SEVERELY
STRESSED
OUFF LOADED
POLE



EXHIBIT

5

OVER SIZED DOCUMENTS

(3) STACKED
36 KV LINES
ON
TOP OF POLE

WITH AMERIS



EXHIBIT
6

OVER SIZED DOCUMENTS

57117
11111
57117



EXHIBIT

7

MAKE DO

EXTENDED

OVER SIZED DOCUMENTS

SP. 1

11/11

1

8

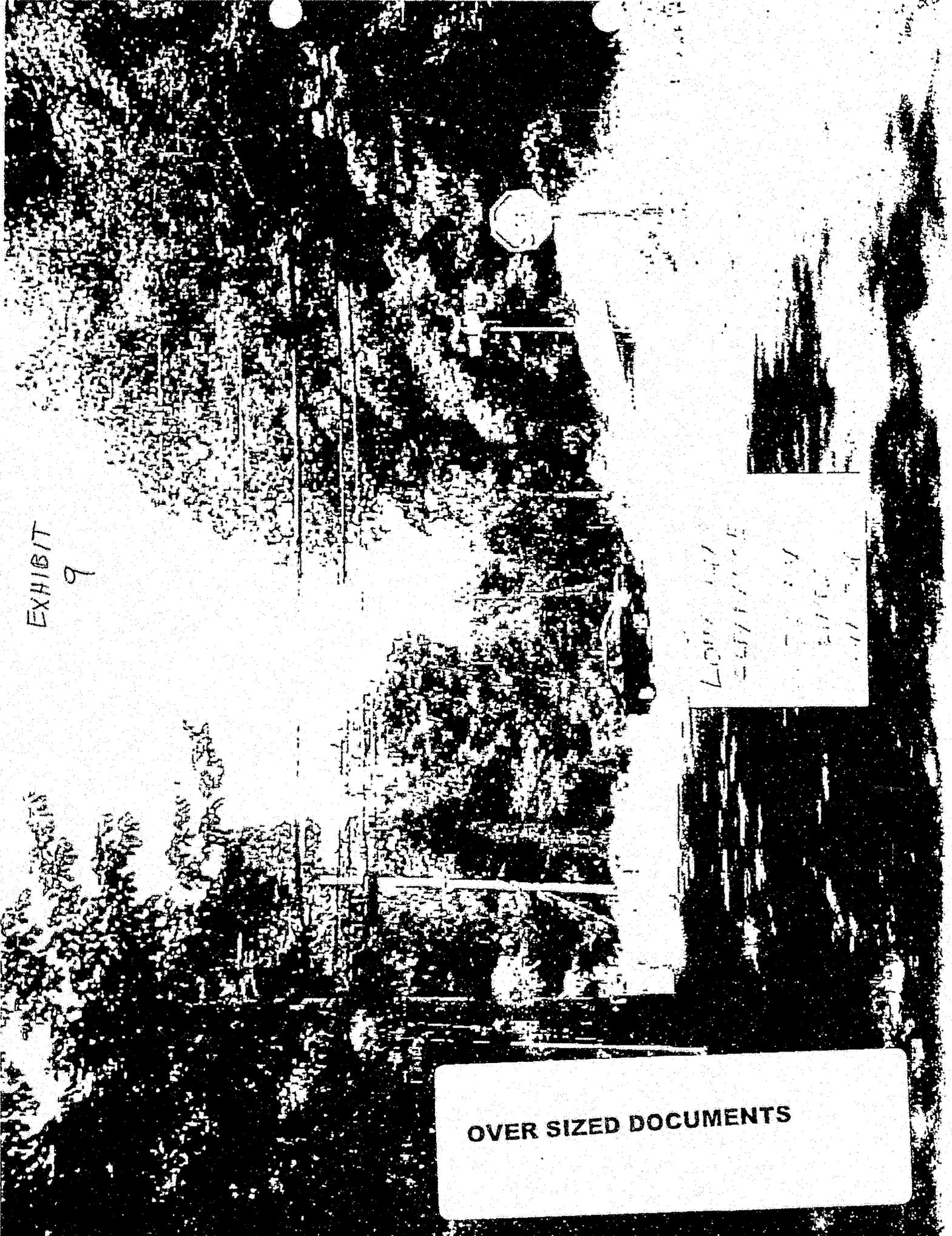
OVER SIZED DOCUMENTS

FROM
OTHER STATES

LOW

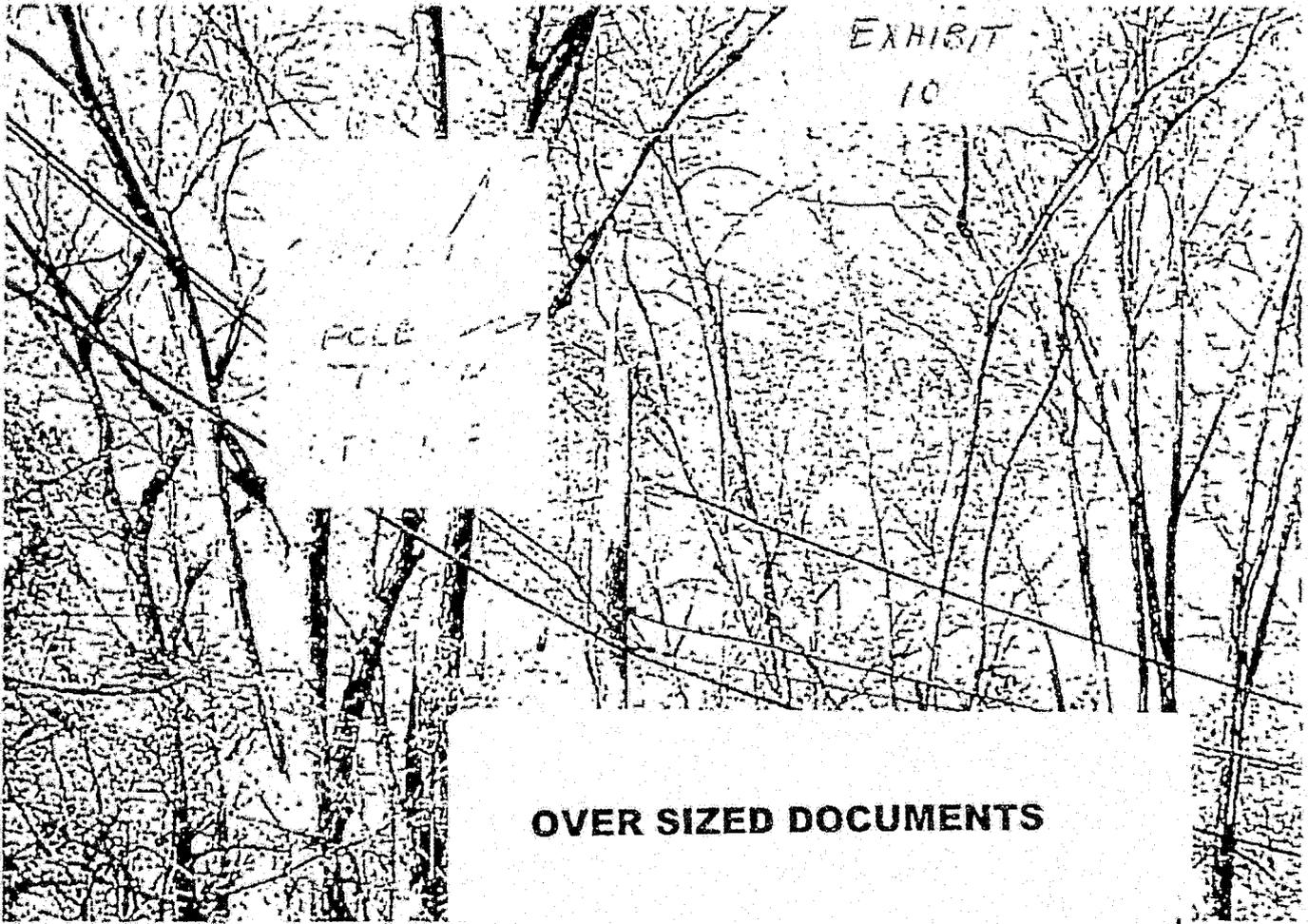
EXHIBIT
NO. 8

EXHIBIT
9

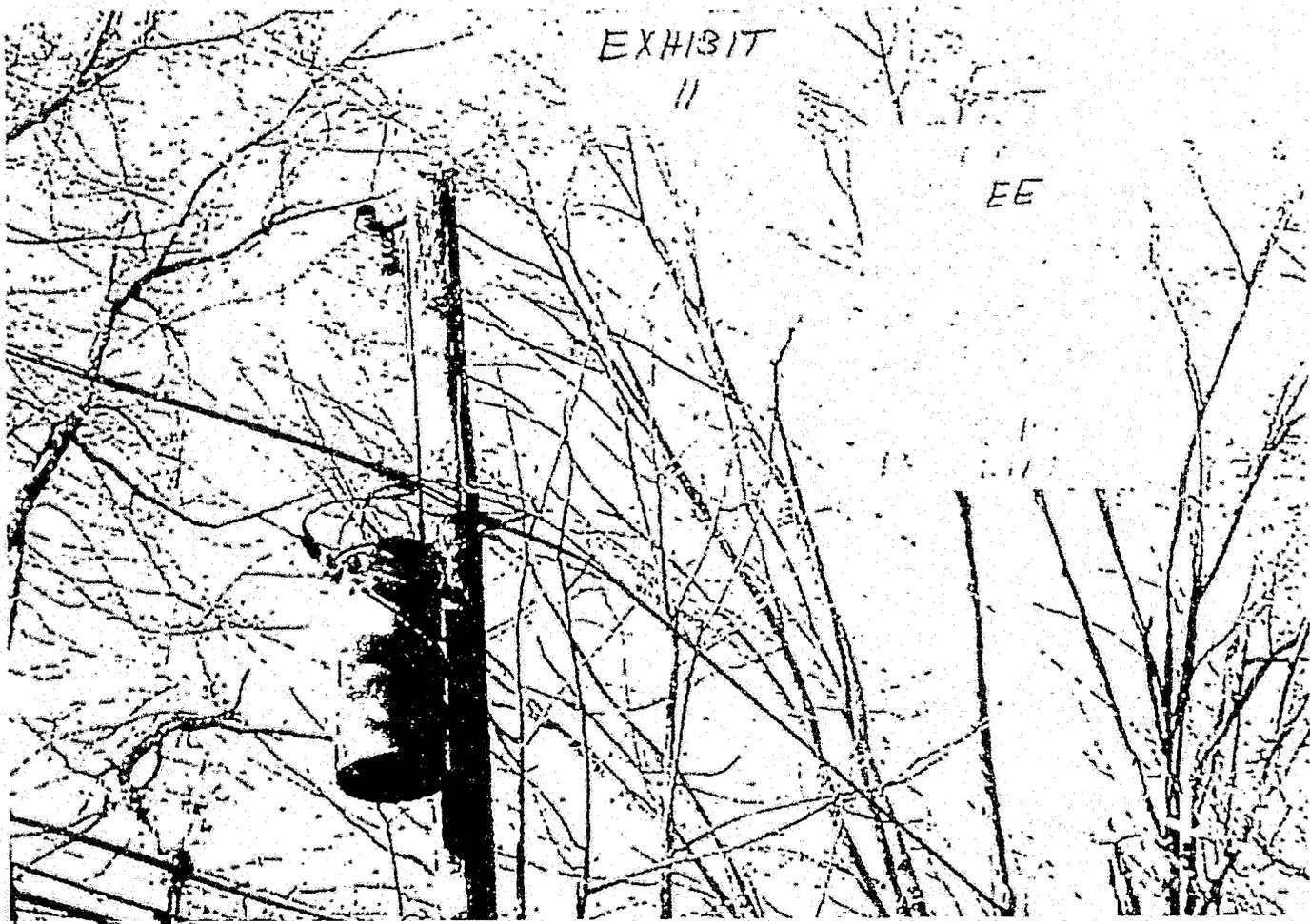


LOW 141
 2011/11/11
 11:11
 11:11

OVER SIZED DOCUMENTS



OVER SIZED DOCUMENTS



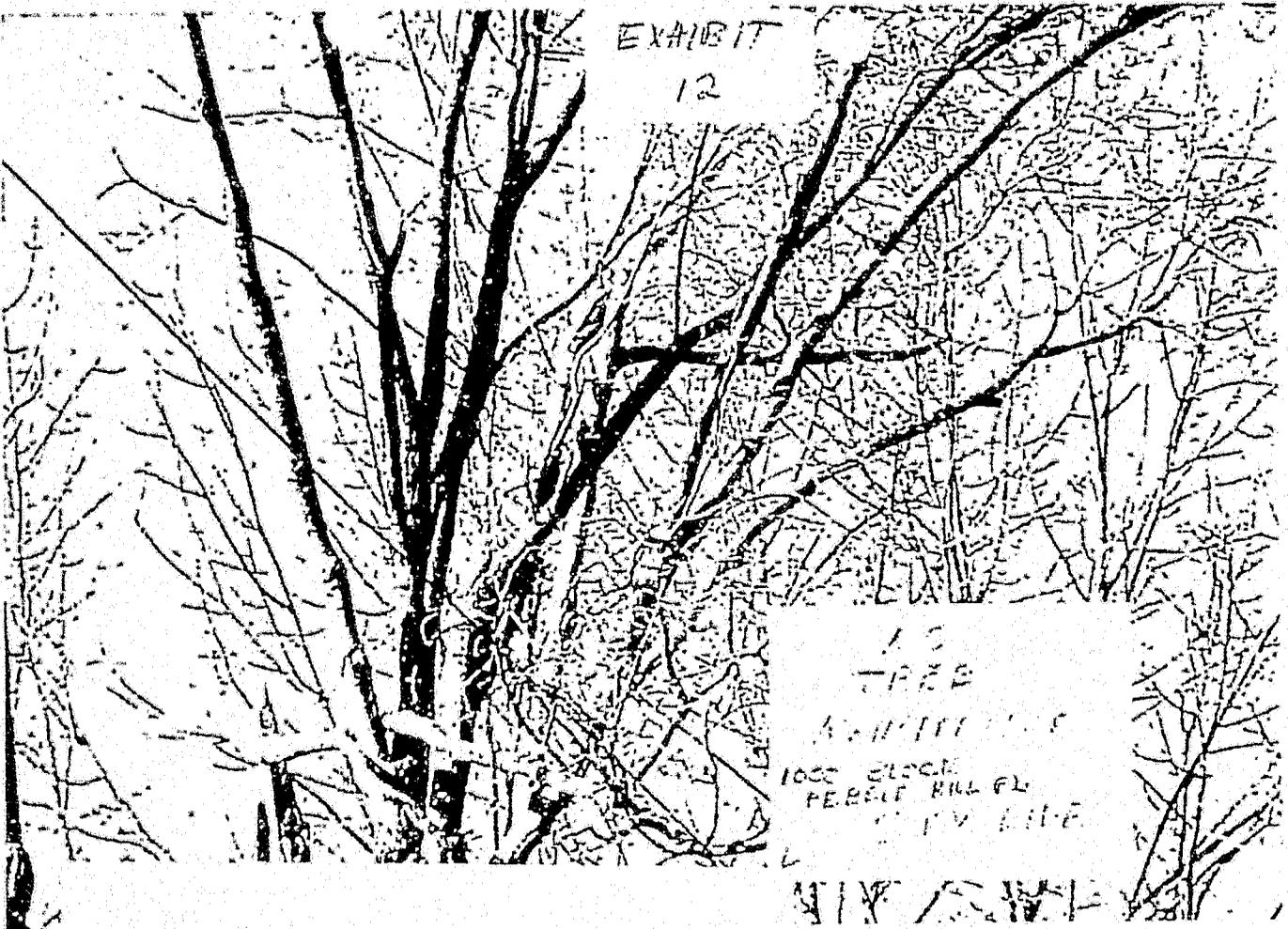


EXHIBIT
12

15
TREE
1000 22000
PERCENT RING
...

OVER SIZED DOCUMENTS

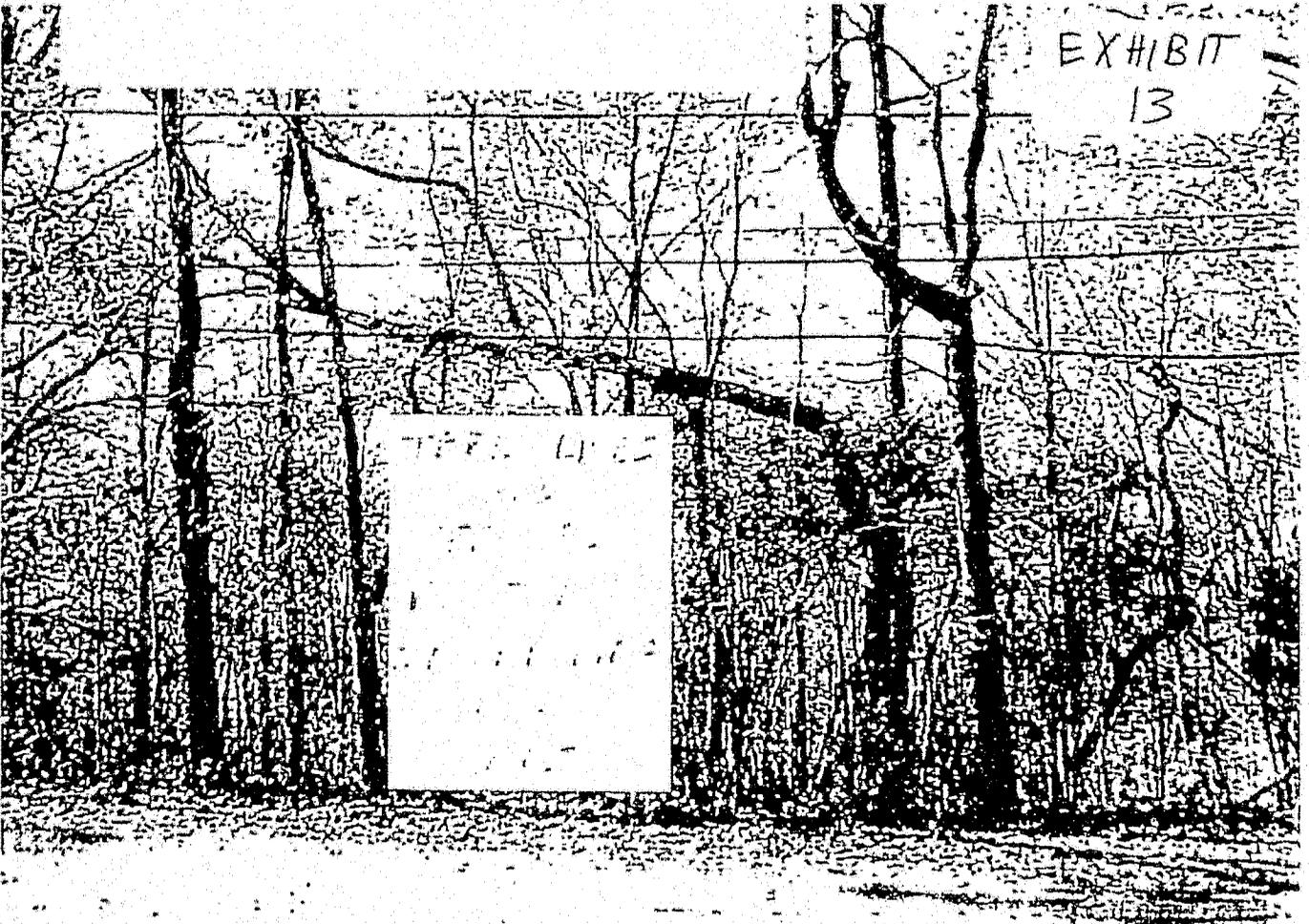
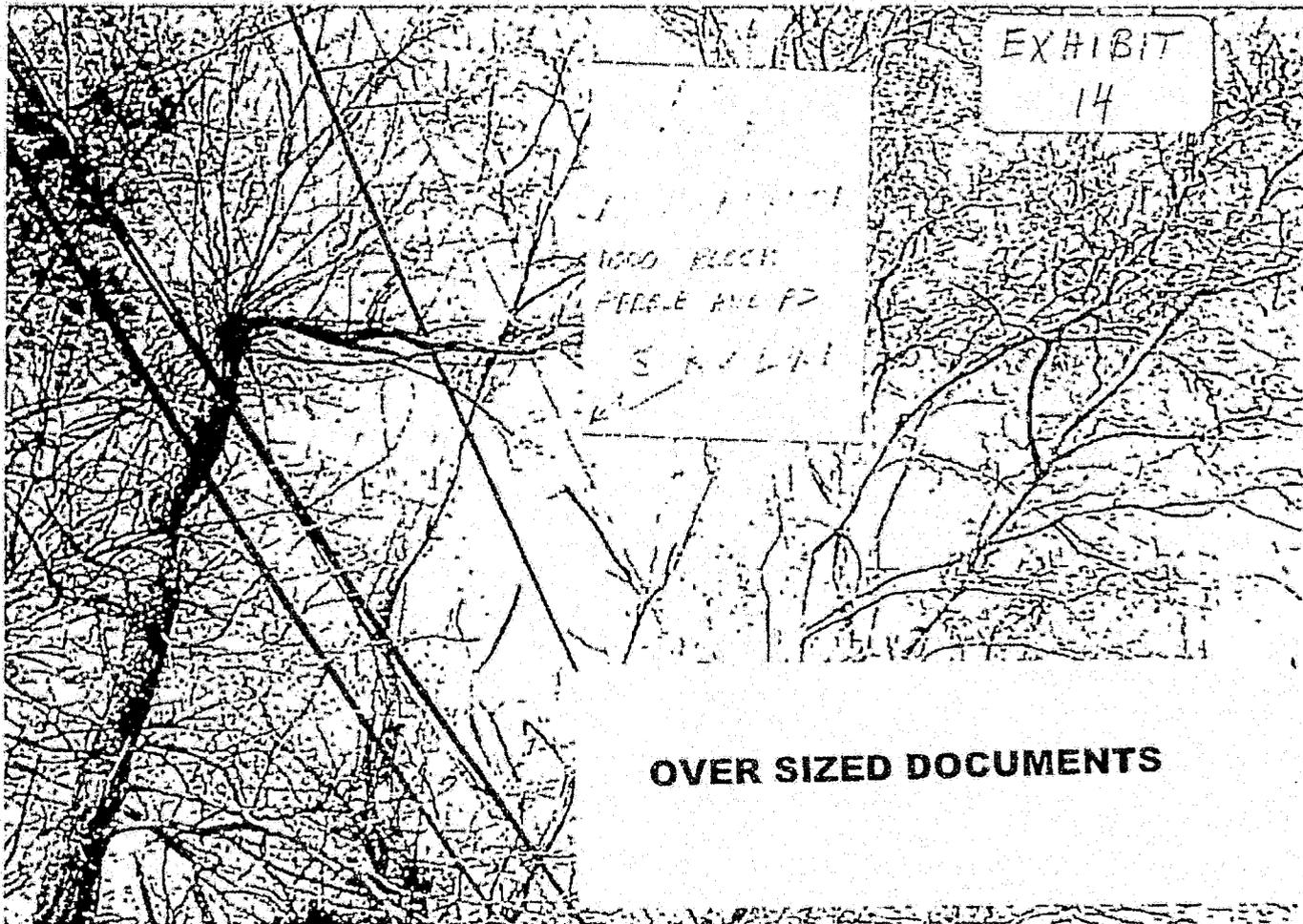


EXHIBIT
13

TREE LINE
...



OVER SIZED DOCUMENTS

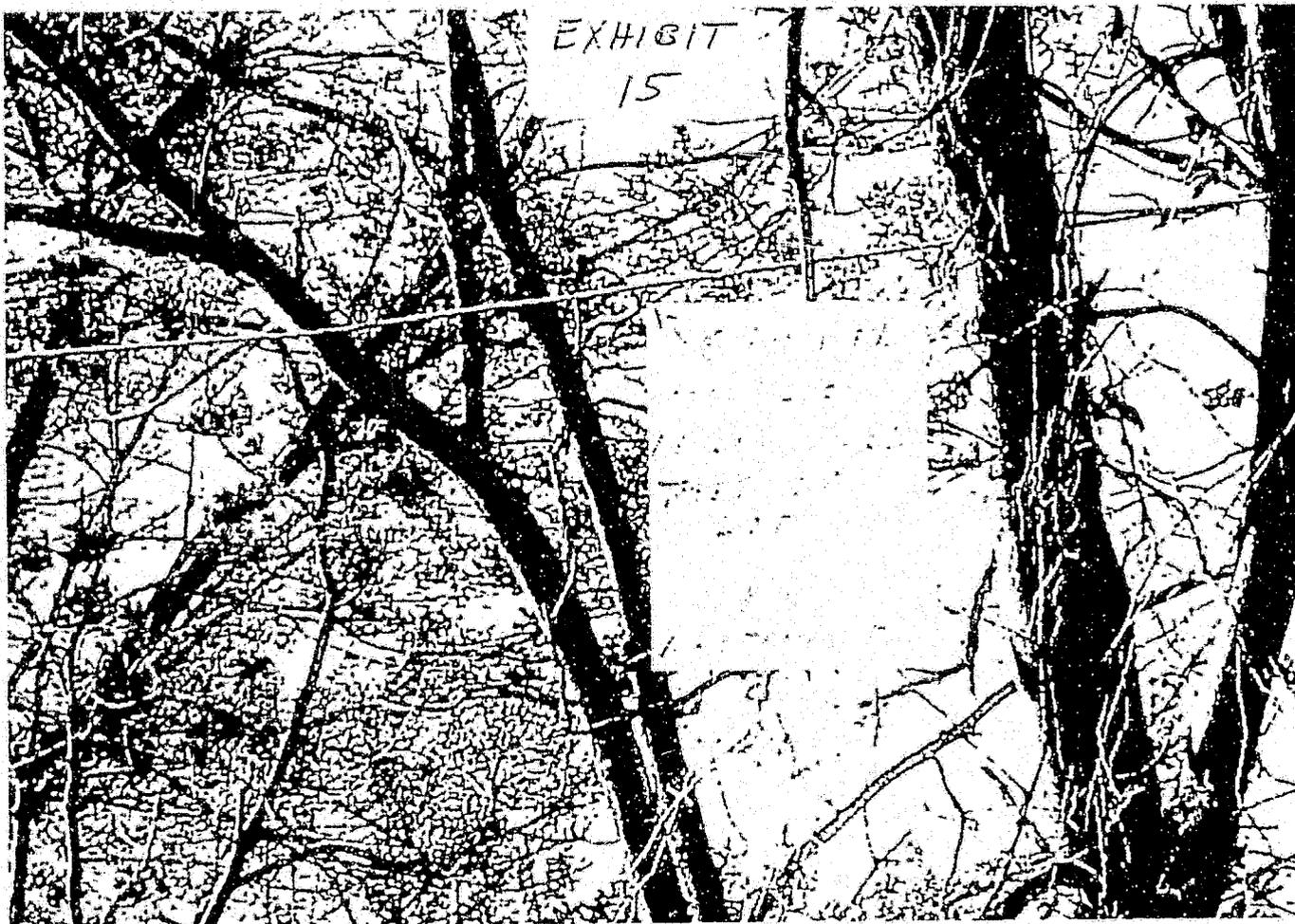
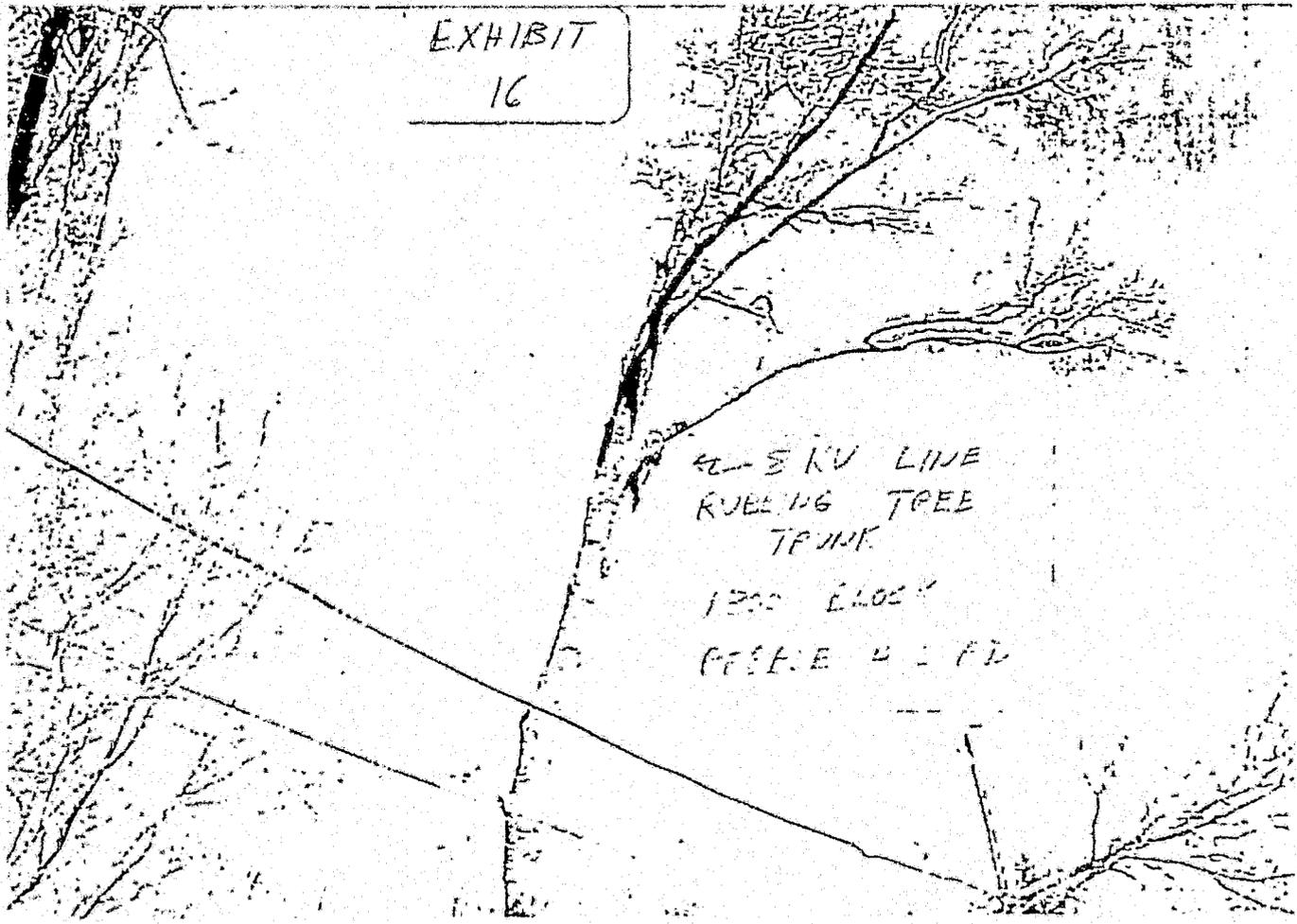


EXHIBIT
16



OVER SIZED DOCUMENTS

10-1-1951
1111111111

25

8 KV LINE
TOWER 116
MARCH
1951

EXHIBIT
17

OVER SIZED DOCUMENTS

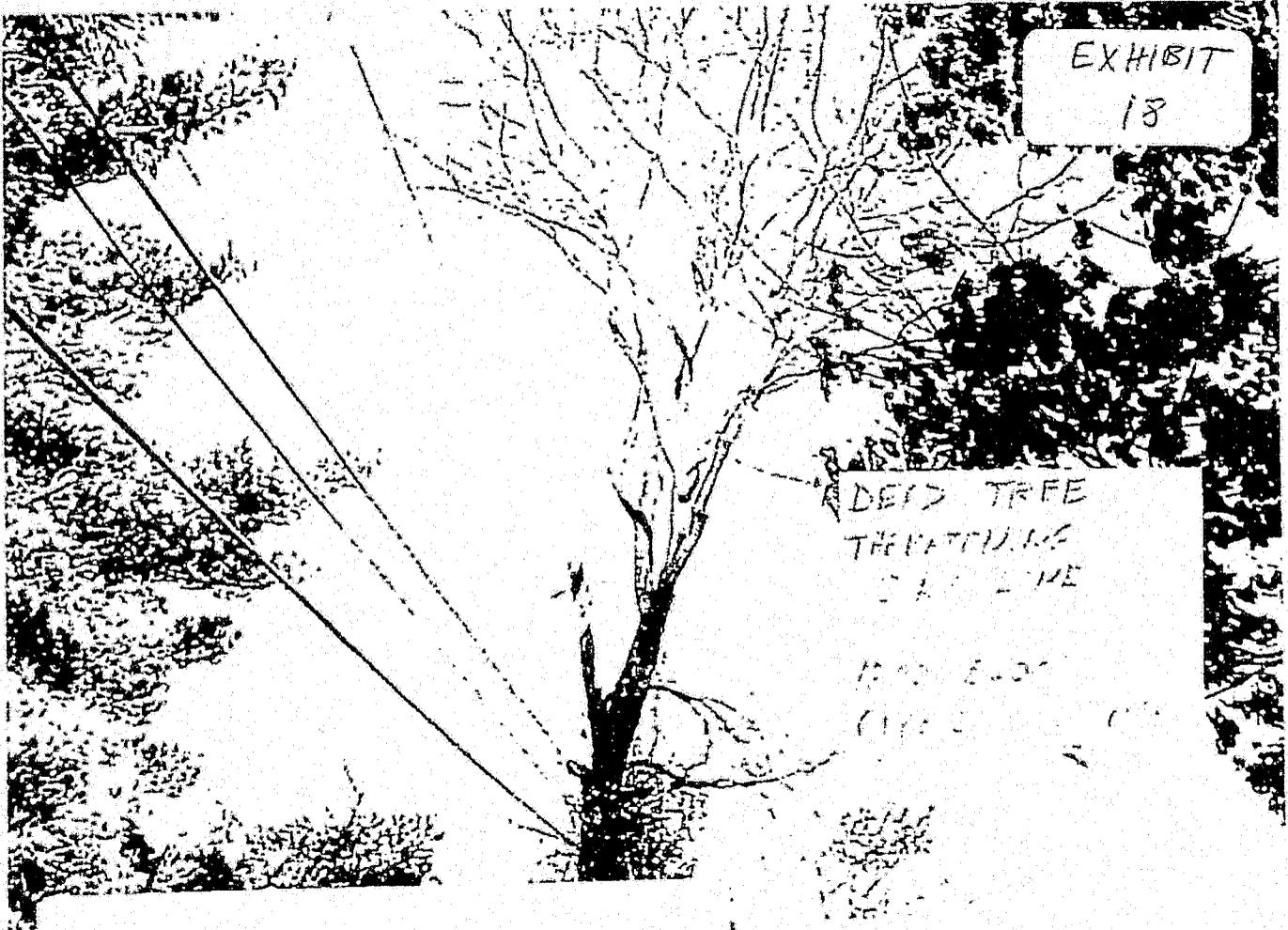
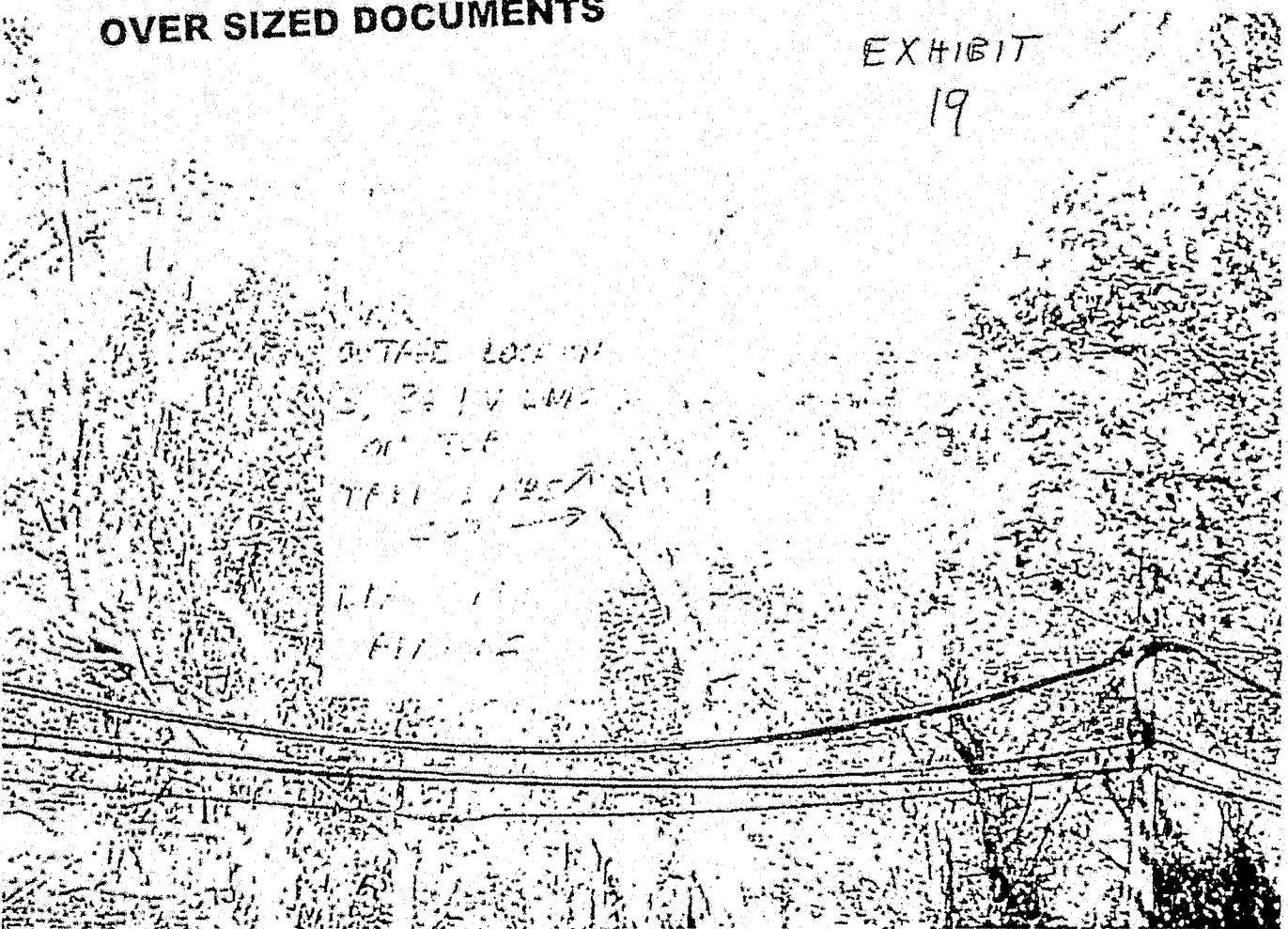


EXHIBIT
18

DEED TREE
THREATENING
CROSSING
ROAD ELOP
CROSSING

OVER SIZED DOCUMENTS

EXHIBIT
19



OUTSIDE LOCATED
S. 26 1/4 LMS
ON TREE
TREE MUST
BE REMOVED
WITHIN
FIVE

100 BLOCK
WILKSHIRE RD

EXHIBIT
20

OVER SIZED DOCUMENTS

8KV
LINE →

← SITE OF 8 KV
LINE OUTAGE
(1) LINE CUT -
PECO REFUSED TO
REMOVE OTHERS

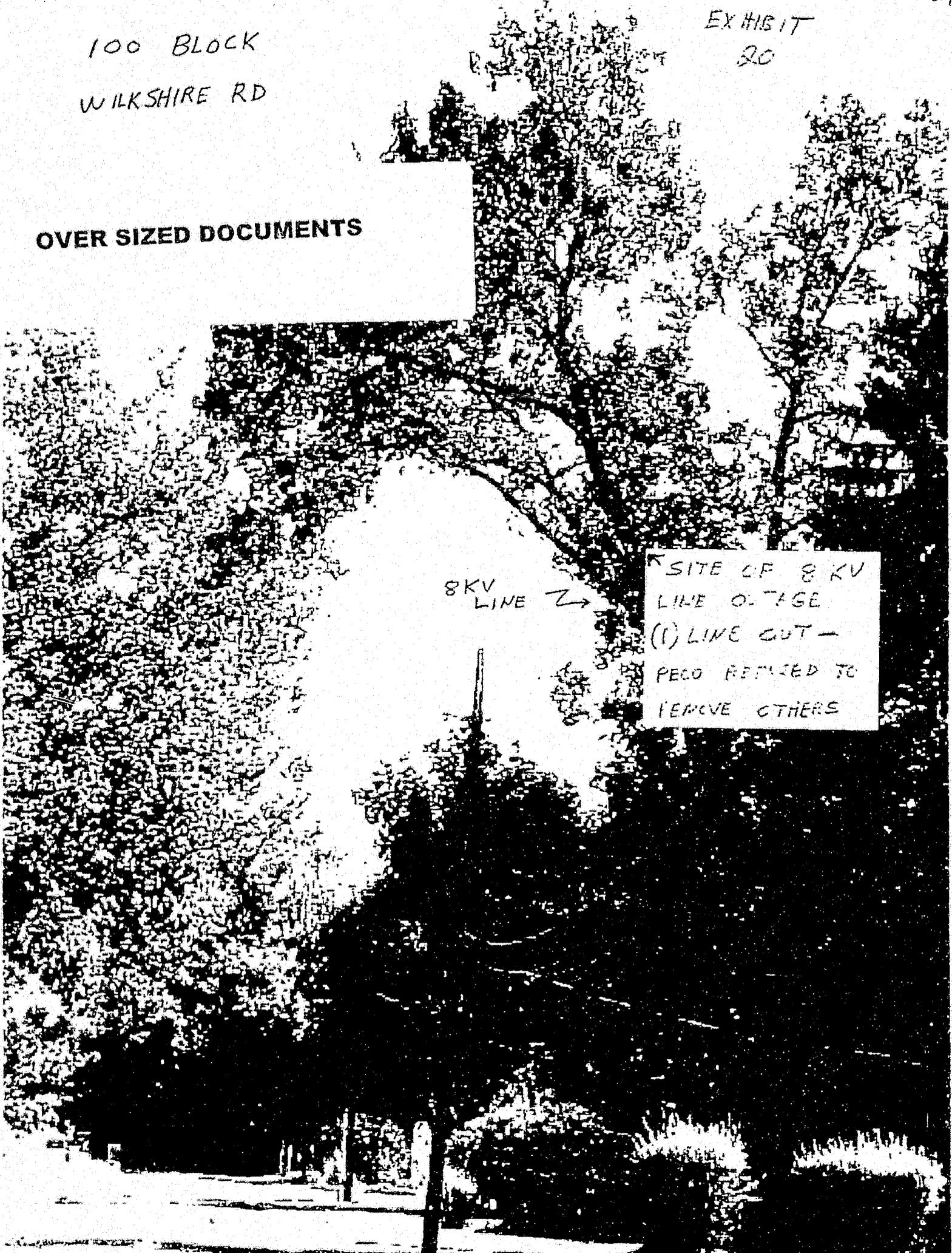
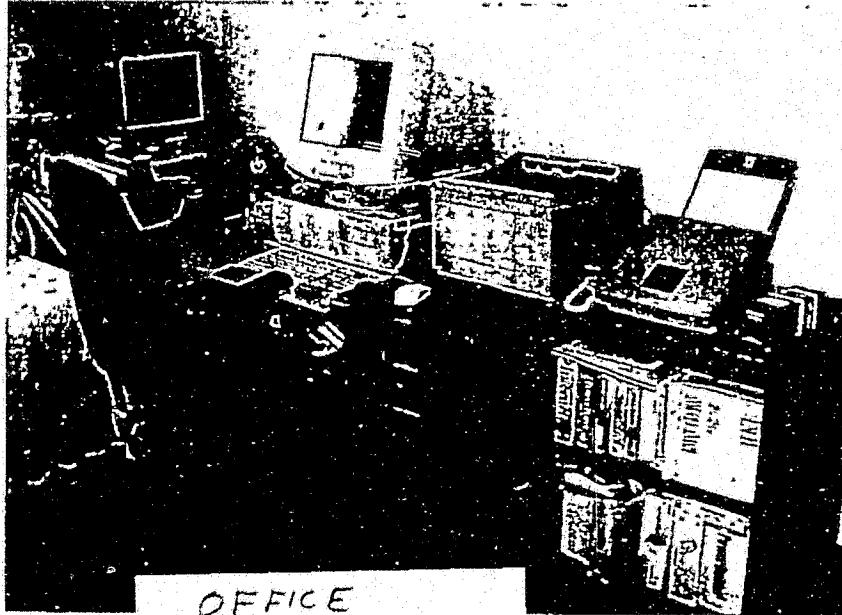


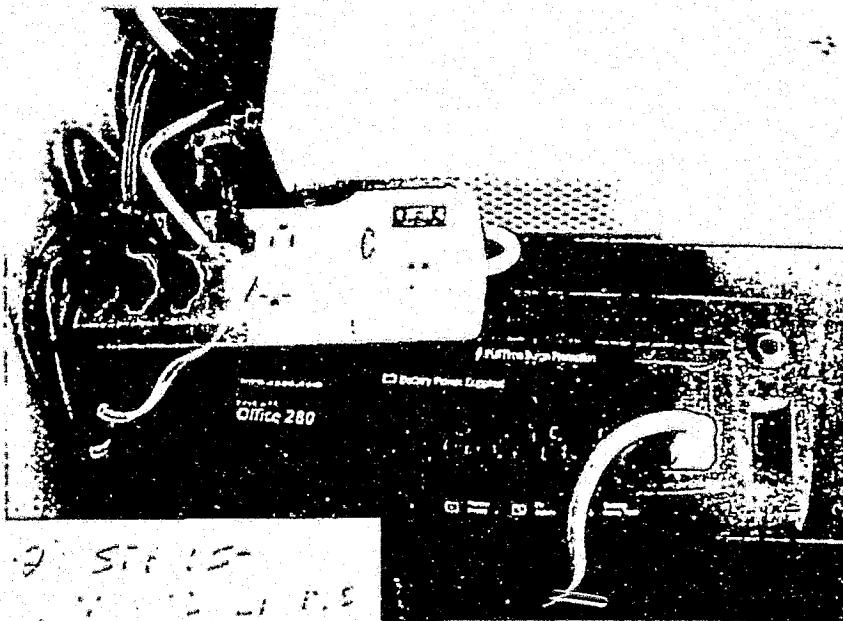
EXHIBIT
21



OFFICE
(3) COMPUTERS
PRINTER
SCANNER
FAX

OVER SIZED DOCUMENTS

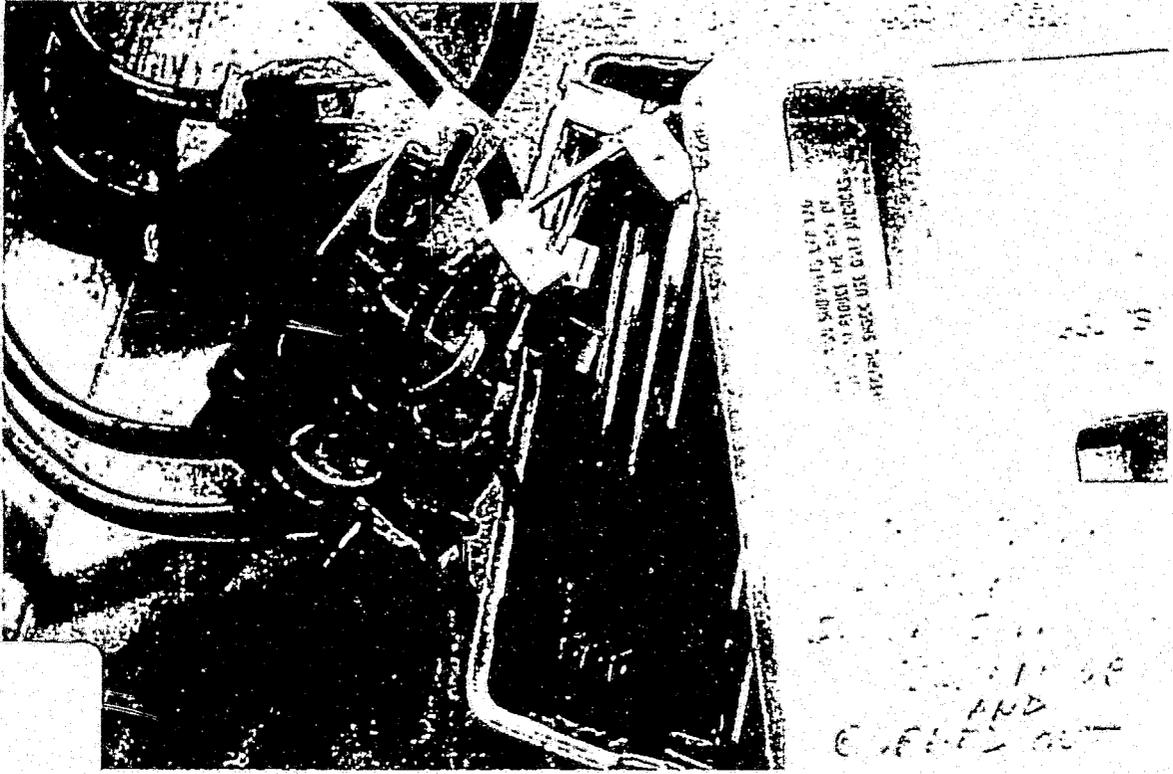
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22



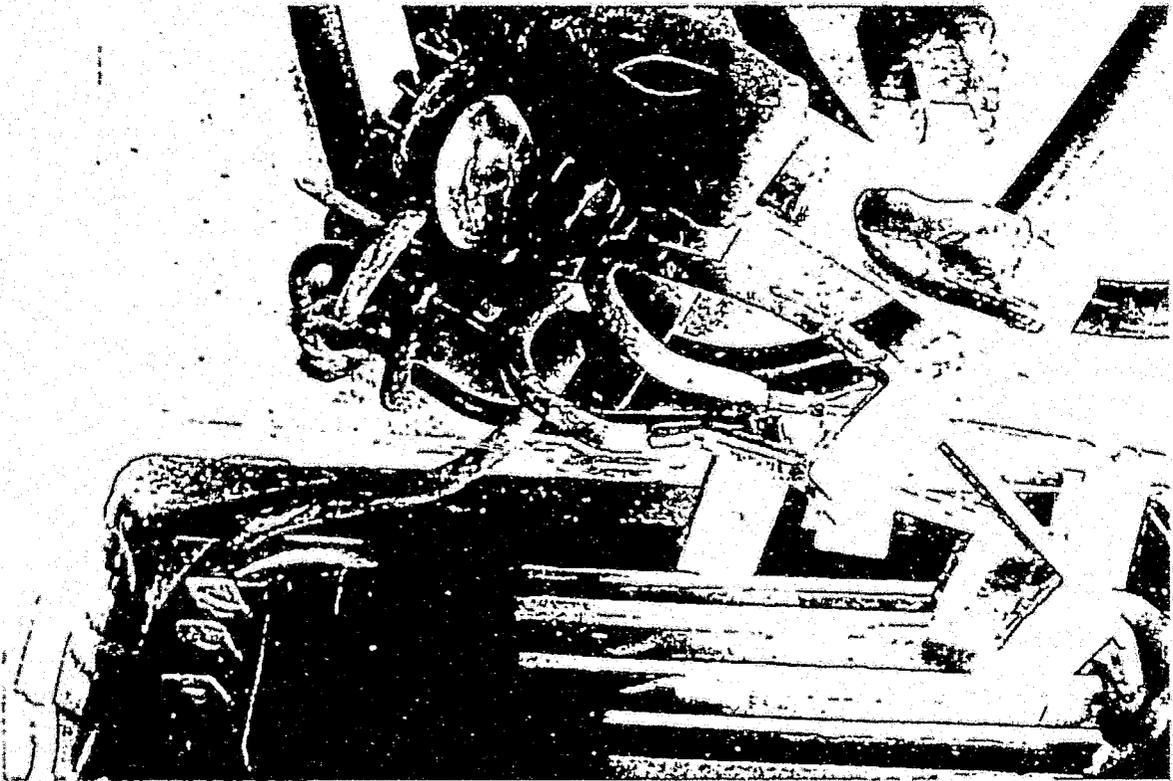
2 STAGES
OF SURGE
SUPPRESSION AND
...
...

EXHIBIT

23



OVER SIZED DOCUMENTS



24

January 28, 2003

Mr. Paul Golden
PECO Energy
400 Park Avenue
Warminster, PA 18974

RE: Power Surge Damage on December 26, 2002 — 2ND TIME IN 6 MONTHS

Dear Mr. Golden,

→ As a result of the very high voltage surge we experienced on December 26, 2002, substantial damage was again sustained at our residence. While accidents will happen, what made this event so disheartening and frustrating is that it was a repeat of the same high voltage burnouts we experienced in July of 2002. In fact, the line problem occurred at the same location near Pebble Hill and Sugarbottom Roads in Doylestown Township.

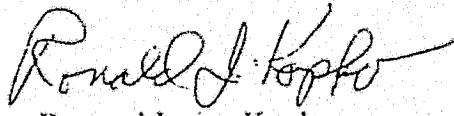
Attached is a summary of the obvious damages we incurred. Please be advised that we have not yet replaced the Zenith TV or Hitachi split air conditioning system. Our appliance dealer has advised us to replace the TV for the cost shown because Zenith is out of business, and the unit likely has substantial damage due to no internal voltage suppression system (the manufacturer recommended always unplugging the set if "expecting" a voltage surge!).

Both split air conditioning systems were previously burned out in July 2002. The Mitsubishi system was repaired for the cost shown (same as the current estimate). The Hitachi system was also repaired in July, but with difficulty because Hitachi is out of business, and parts are not available. Subsequently, non-standard parts and repairs were made at that time at a cost of \$577.00. We now have been advised to replace one-half of this split system at the cost shown in the attachment.

→ Lastly, we are very concerned regarding the safety of electrical service to our home. In late July and December small fires and slight black smoke damage occurred when some of the surge suppressor plug-in strips were burned up. We both live in fear now whenever we leave our home. If there is any help available at PECO Energy to install a high voltage suppressor device at the service pole or entrance to the residence, we would like, and need, this equipment.

While we appreciate your assistance in getting us reimbursement for our damages, the extended loss of appliances and air conditioning, the aggravation to hire people and make repairs, and the living in fear of a third repeat event is simply "getting old" .

Sincerely yours,



Ron and Janine Kopko
1601 Pebble Hill Road
Doylestown, PA 18901

ATTACHMENT

3RD REPEAT 7-16-05

Electrical Damage Costs

Repair printed wire power board (burned up failure) on GE Spacemaker microwave oven		
	Parts & Labor	\$184.44
Replace (4) GFI receptacles (can't be reset).		
	Parts & Labor	\$169.40
Replace (4) High Energy Rating Surge Suppressor Outlet Strips		
	Parts	\$190.75
Replace Zenith TV with Phillips competitive TV		
		\$320.00
Repair Mitsubishi Split Air Conditioning System on Second Floor of Residence		
	Parts & Labor	\$480.00
Replace one-half of Hitachi-Split Air Conditioning System on First Floor of Residence. Further repairs unreliable and no guarantee		
	Parts & Labor	\$1,475.00
Sears estimate to replace timer and control assembly on water softener		
	Parts and Labor	\$196.60
	TOTAL:	\$3,016.19

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: January 11, 2006

RONALD J. & JANINE M. KOPKO
Complainant

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: C-20065742

DOCUMENT
FOLDER

DOCKETED

JAN 11 2006

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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: January 11, 2006

C-20065742

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

DOCUMENT
FOLDER

Dear Mr. Smith:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by RONALD J. & JANINE M. KOPKO. 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.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

January 11, 2006

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

Telephone 215 841 5544
Fax 215 568 3389
www.exeloncorp.com

Business Services
Company

Exelon Business Services Company
2301 Market Street/ 523-1
PO Box 8699
Philadelphia, PA 19101 8599

ORIGINAL

Direct Dial: 215 841 6841

February 2, 2006

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

RECEIVED

FEB 2 2006

RE: Ronald J. & Janine M. Kopko v. PECO Energy Company
PUC Docket No. C-20065742

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)

DOCUMENT
FOLDER

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
Lisa A. Lutz
Counsel for PECO Energy Company

LAL/zr

Enc.

Scheduling Recommendation: _____ Call of the Docket X Non-Call of the Docket

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 2 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RONALD J. & JANINE M. KOPKO :

v. :

DOCKET NO. C-20065742

PECO ENERGY COMPANY :

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 that Complainant

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DOCKETED
FEB 6 2006

experienced multiple service outages over the past several years. PECO Energy denies there are service, reliability or quality problems with Complainant's electric service.

By way of further answer, PECO submits that the majority of outages of service was as a result of storm and weather-related problems. Over the past four years, there were eleven outages affecting Complainant's electric service. Seven of these outages were caused by lightning and severe storm-related damage, one of the outages was caused by a pole hit, all of which damage was beyond the control of PECO. Three outages, over the four-year span, were caused by defective equipment. PECO Energy denies that it has not responded and made timely repairs on each outage occurrence.

PECO Energy has also responded by performing cyclical tree trimming. PECO Energy also proactively patrols all distribution facilities, inspecting all major equipment

components for defects and/or damage; these patrols also inspect for excessive vegetation growth.

5. This paragraph is a request for relief and no answer is required. By way of further response, the Pennsylvania Public Utility Commission is not authorized to award damages.

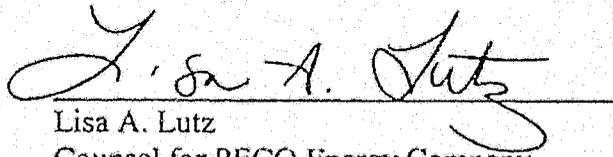
Elkin v. Bell Tel. Co., 491 Pa. 123, 420 A 2d 371 (1980).

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,



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

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RONALD J. & JANINE M. KOPKO

v.

PECO ENERGY COMPANY

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DOCKET NO. C-20065742

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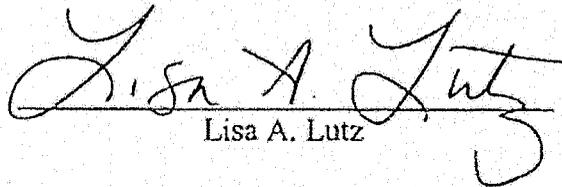
FEB 2 2006

VERIFICATION

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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. February 2, 2006


Lisa A. Lutz

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RONALD J. & JANINE M. KOPKO

v.

PECO ENERGY COMPANY

DOCKET NO. C-20065742

RECEIVED

FEB 2 2006

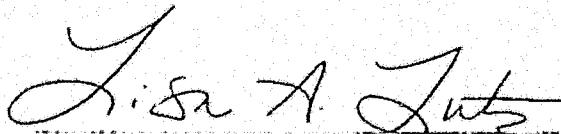
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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:

RONALD J. & JANINE M. KOPKO
1601 Pebble Hill Road
Doylestown, PA 18901

Dated at Philadelphia, Pennsylvania, February 2, 2006.



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