

PLEASE DOCKET

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Henry and Edna Rush

v.

Commerce Energy, Inc.

Henry and Edna Rush

v.

PECO Energy Company

DOCUMENT
FOLDER:

C-20066025

C-20066026

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P.U.C.
SECRETARY'S BUREAU

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PREHEARING ORDER

An Initial Hearing in these two cases has been scheduled to be held on Monday, August 28, 2006 at 10:00 a.m. in an available Hearing Room on the 13th floor of the Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA 19130.

The parties are hereby directed to comply with the following requirements:

1. A request for a continuance of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa.Code §1.15(b). Requests for a change of hearing date must be sent to me and all parties of record. The correct address is:

1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: (215) 560-2105
Fax: (215) 560-3133

Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa.Code §5.231(a). Each of the involved utilities are directed to contact the Complainants at least one week before the scheduled hearing to discuss a possible settlement of their respective cases. Even if the case is unable to be settled, many questions or issues may be resolved during your talks. If an agreement is reached, a formal hearing in your particular case will not be necessary.

3. If you intend to present any documents for my consideration, you must bring four (4) copies to the hearing.

4. This hearing is a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

5. Pursuant to 52 Pa.Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code §1.24(b).

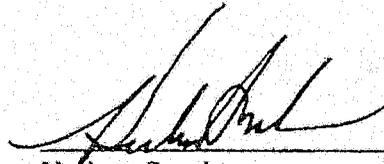
6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

7. The Complainants are responsible for payment of each utility's current undisputed bills for service pending the resolution of these Complaints. 52 Pa. Code §56.181. Failure to make payments may result in the termination of utility service.

8. **THE COMPLAINTS WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.**

9. The Complainants bear the burden of proof and must demonstrate by a preponderance of the evidence that they are entitled to the relief requested in the Complaint.

Date: August 2, 2006



Herbert Smolen
Administrative Law Judge

ORIGINAL

August 21, 2006

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AUG 21 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

Re: Henry and Edna Rush v. Commerce Energy, Inc. Docket No. C-20066025

Dear Secretary McNulty:

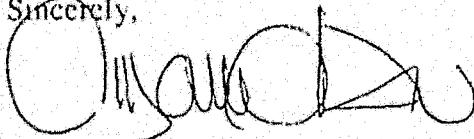
Pursuant to 52 Pa. Code §5.24(b), Commerce Energy certifies that the above referenced complaint has been satisfied and discontinued. Mr. and Mrs. Rush acknowledge that the complaint has been satisfied.

By copy of this letter, I am alerting Mrs. Rush of her right to object to any part of this notice to the Public Utilities Commission within (10) days of the date of this letter.

A copy of this filing has been served in accordance with the attached Certificate of Service.

Should you need additional information or have any questions, please contact my assistant, Inger Goodman at (800) 962-4655 ext. 2508. Thank you for your assistance.

Sincerely,



Tiffanie Ha
Counsel, Commerce Energy, Inc.

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IG/th

Cc:

Henry and Edna Rush
657 Ridge Road
Telford, PA 18969

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SEP 08 2006

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August 21, 2006

Henry and Edna Rush
657 Ridge Road
Telford, PA 18969-1445

Re: Complaint Docket No: C-20066025

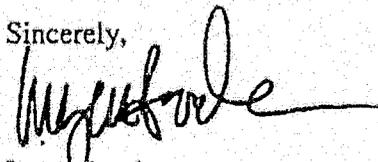
Dear Mr. and Mrs. Rush:

It was a pleasure to speak with you on Tuesday, August 15, 2006. As per our conversation, this letter will confirm the settlement of the above-referenced Public Utility Commission (PUC) complaint against Commerce Energy. Per our phone conversation, enclosed is a refund check in the amount of \$294.06. This refund represents Commerce Energy's bill amount for two months; December 2005 and January 2006. Account analysis enclosed.

I am enclosing a Withdrawal of Complaint Form with this letter. This form will be sufficient confirmation for the Pennsylvania PUC that the above referenced complaint has been settled and the file may be closed. We will notify the PUC that this matter has been settled. Please sign the attached form and return it to me in the enclosed return envelope. I will make a copy for Commerce Energy's records and forward the original to the appropriate office at the PUC.

I am glad we were able to settle this amicably. Should you have any further questions or concerns, please do not hesitate to call me at (714) 259-2508.

Sincerely,



Inger Goodman
Sr. Regulatory Analyst
Commerce Energy

Cc: Tiffanie Ha Counsel, Commerce Energy

Secretary James McNulty
Judge Herbert Smolen

Public Utilities Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

Encl.
Billing Analysis
Check No. 52579

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**WITHDRAWAL OF
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT
Henry and Edna Rush v. Commerce Energy, Inc.
Pa. PUC Docket No. C-20066025**

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

Mr. and Mrs. Rush

Date

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Commerce Energy
8/16/2006

Henry and Edna Rush
LDC Acct #: 400207920531

Meter Number	Start Date	End Date	Usage	Unit	Rate	Total Bill Amt	Last Two Months
9G 3643050	1/4/2006	2/2/2006	985	kWh	\$0.1317	\$139.87	\$139.87
9G 3643050	12/2/2005	1/4/2006	1298	kWh	\$0.1144	\$154.19	\$154.19
9G 3643050	11/2/2005	12/2/2005	937	kWh	\$0.1144	\$109.95	
9G 3643050	10/4/2005	11/2/2005	890	kWh	\$0.1247	\$113.45	
9G 3643050	9/2/2005	10/4/2005	1261	kWh	\$0.0918	\$122.36	
9G 3643050	8/2/2005	9/2/2005	1479	kWh	\$0.0885	\$133.82	
9G 3643050	7/5/2005	8/2/2005	1623	kWh	\$0.0885	\$146.42	
9G 3643050	6/2/2005	7/5/2005	1476	kWh	\$0.0800	\$122.38	
9G 3643050	5/3/2005	6/2/2005	875	kWh	\$0.0751	\$68.59	
9G 3643050	4/4/2005	5/3/2005	836	kWh	\$0.0751	\$65.52	
9G 3643050	3/2/2005	4/4/2005	1135	kWh	\$0.0702	\$82.90	
9G 3643050	2/2/2005	3/2/2005	1059	kWh	\$0.0702	\$77.07	
9G 3643050	1/4/2005	2/2/2005	1160	kWh	\$0.0698	\$83.77	
						Total Refund	\$294.06

*Bill Amount includes Gross Receipt Tax of 5.9%

DATE	INVOICE NO.	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
8/18/2006	400207920531	Refund - LDC 400207920531	294.06	0.00	294.06
CHECK: 0000052579 8/21/2006 Henry and Edna Rush				TOTAL	294.06

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: August 29, 2006
SUBJECT: C-20066025 Henry & Edna Rush v. PECO Energy Company
TO: Wanda Zeiders
Docket Management
FROM: Susan Licon, ALJ Support Staff
Office of Administrative Law Judge

DOCUMENT
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On August 24, 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 Herbert Smolen
Beth Plantz
Case File

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SEP 12 2006