

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: Z 01196423
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 09/25/02
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BUCKNER, DORIS A

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: MONTGOMERY

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES FROM 11/16/99 TO 4/19/01 SHE WAS CHARGED AN INCORRECT CAP RATE. NUMEROUS PHONE CALLS WERE MADE TO CORRECT IT WITH NO RESULTS. SHE HAD AN INFORMAL COMPLAINT BUT HER ELECTRIC WAS SHUT OFF ON 7/25/02. SHE WANTS A CREDIT FOR THE 18 MONTHS INVOLVED AS SHE WAS OVERBILLED AND NO ADJUSTMENTS HAVE BEEN MADE.

DOCUMENT  
FINDER

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OCT 02 2002

Z-0119642  
FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

9/25/02

Please Print:

110550

ST 1196423

1. Your Name, Mailing Address and Telephone Number.

Name DORIS A. BUCKNER

Street/P.O. Box 1230 Hall Avenue Apt.#

City ROSLYN State PA Zip 19001

County Montgomery Home Telephone-Area Code (215) 885-7771

Work Telephone-Area Code (215) 885-7770

2. Name of Company your complaint concerns: PHILADELPHIA ELECTRIC

3. What is your complaint?

From the Billing Date of November 16th, 1999 (October 16 to November 12, 1999  
Electric and Gas Charges) until the Billing Date of April 19th, 2001 (March 16  
to April 17, 2001) an incorrect Cap Rate was used. We were to be at 50% off  
(J) Rate instead 25% off (K) Rate was used for 18 Months by Universal Serv-  
ices Department of P.F.C.O. Numerous telephone calls telling the Super-  
visors that wrong rate was being used. They said for me to call the P.U.C.  
which I did on Monday: March 19th, 2001 and got a CASE#916999 from a MATT  
HRIZNAK. Nothing was sent back to me on this or no telephone communication  
I found out that someone closed the Case on Thursday-June 6th, 2002 from  
the Electric Company, when our Electric was going to be shut off. I called  
on TUESDAY-July 9th, 2002 CASE # 1185727 but our ELECTRIC & GAS was SHUT off on Thursday  
July 25

SECRETARY'S OFFICE

(-over-)

2502 SEP 25 5:01

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801

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

I WANT A CREDIT FOR THE 18 MONTHS INVOLVED, AS MY YEARLY INCOME ON THE  
1099 Forms for the YEARS of 1999 WAS \$1,49.18 and 2000 was \$1,911.44 (see  
Photo-Copy attached) as we were over billed and no adjustments have been on  
my Billing Statements for these inaccuracies.

(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.

Louis A. Buckner  
Original Signature of complaining person

September 24<sup>th</sup>, 2002  
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 8/14/2002. The Commission will send you formal complaint forms.

*September 3<sup>rd</sup>*  
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.)

DORIS BUCKNER  
1230 HALL AVENUE  
ROSLYN PA 19001

*(215) 885-7770*  
(Area Code) Telephone Number

*Doris A. Buckner 8/28/2002*  
Signature

Mail this completed form to:

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

ST Number:	1196423	Date of mailing:	8/14/2002
Company:	PECO ENERGY		

REVISD 12/97



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

9/25/02

IN REPLY PLEASE  
REFER TO OUR FILE

September 5, 2002

ST 1196423

DORIS BUCKNER  
1230 HALL AVENUE  
ROSLYN PA 19001

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 September 25, 2002 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:

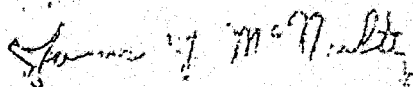
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**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

nvi

CC: PECO

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 2, 2002

DORIS A. BUCKNER  
Complainant

DOCUMENT  
FILED

VS.

Complaint Docket  
No: Z-01196423

PECO ENERGY COMPANY  
Respondent

**DOCKETED**  
OCT 02 2002

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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 17120, 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).

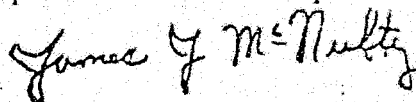
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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: OCTOBER 2, 2002

Z-01196423

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

DOCUMENT  
FOI DER

Dear Sir/Madam.

A complaint has been filed against you before the Pennsylvania Public Utility Commission by DORIS A. BUCKNER. 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.

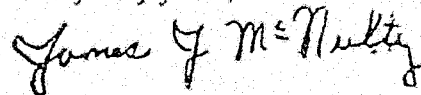
OCTOBER 2, 2002

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,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty  
Secretary

KSB

## Legal Department

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

Telephone (215) 841-5544  
Fax (215) 668-3389  
www.exeloncorp.com

Business Services  
Company

# ORIGINAL

SRB

Direct Dial. 215 841 6841

October 25, 2002

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

RE: Doris A. Buckner v. PECO Energy Company  
Docket No. Z-01196423

RECEIVED  
OCT 25 2002  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

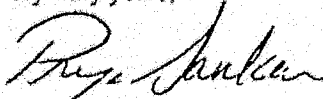
Dear Mr. McNulty:

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

_____	Answer (original and 3 copies)
_____	Petition (original and 3 copies)
<u>  X  </u>	Answer and Motion (original and 3 copies)
_____	Motion/Petition (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)

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  
Attorney  
Exelon Business Services Company

Enclosures

DOCUMENT  
FOLDER

121

**ORIGINAL**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

**RECEIVED**

OCT 25 2002

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Doris A. Buckner

v.

PECO ENERGY COMPANY

DOCKET NO. Z-01196423

ANSWER OF RESPONDENT PECO ENERGY COMPANY

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code §5.61,  
responds to the Complaint and states:

DOCUMENT  
FOLDER

1. Admitted.
2. Admitted.
3. Denied in part. Admitted in part. It is admitted only that Complainant was

placed on the CAP rate program. Denied. By way of further response, PECO Energy records indicate that Complainant's proof of income has been reviewed at least five times starting on or around November 1999 for CAP RATE eligibility. Each review has concluded that Complainant is not eligible for the 50% discounted CAP Rate. However, each review has concluded that Complainant is eligible for the 25% discounted CAP Rate.

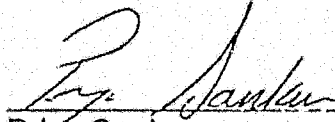
It is admitted that service was terminated at Complainant's residence on July 25, 2001 for nonpayment. PECO Energy provided Complainant with proper notice.

PECO can neither confirm nor deny the remainder of Complainant's averments. Therefore, PECO denies all remaining averments of Complainant.

**DOCKETED**  
OCT 29 2002

4. This paragraph is a request for relief and no answer is required.

Respectfully submitted,



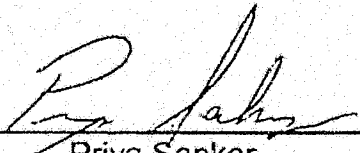
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Priya Sankar  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
215-841-6841  
priya.sankar@exeloncorp.com

VERIFICATION

I, Priya Sankar, hereby declare that I am an attorney representing 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: October 25, 2002

  
\_\_\_\_\_  
Priya Sankar

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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OCT 25 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Doris A. Buckner

v.

PECO ENERGY COMPANY

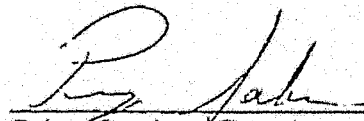
DOCKET NO. Z-01196423

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  
Certified mail, properly addressed and postage prepaid to:

Doris A. Buckner  
1230 Hall Avenue  
Roslyn, PA 19001

Dated at Philadelphia, Pennsylvania, October 25, 2002



Priya Sankar, Esquire  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
215-841-6841  
priya.sankar@exeloncorp.com



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

December 27, 2002

In Re: Z-01196423

(See attached list)

Doris A. Buckner v. PECO Energy Company

Billing dispute.

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: Thursday, March 20, 2003  
Time: 10:00 a.m.  
Presiding: Administrative Law Judge Allison K. Turner  
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:

Doris A. Buckner (215) 885-7771  
Priya Sankar, Esquire (215) 841-6841

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**DOCKETED**

JAN 02 2003

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 Turner  
Judy Weaver  
Beth Plantz  
Docket Section  
Calendar File