

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Erving R. Landing

v.

PECO Energy Company

C-20055651

DOCKETED
FEB 24 2006

PREHEARING ORDER

**DOCUMENT
FOLDER**

An Initial Hearing in this case is scheduled for Thursday, March 23, 2006 at 9:30 a.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 9:15 a.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

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

1. A request for a change 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 changes of hearing dates 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. Parties are required to send to the other parties copies of any correspondence sent me, and to so indicate in their correspondence that the other parties were sent copies.

3. Commission policy promotes settlements. 52 Pa.Code §5.231(a). The utility is directed to contact you at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

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

5. This hearing is a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedures, 52 Pa Code, Chapters 1, 3 and 5.

6. 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).

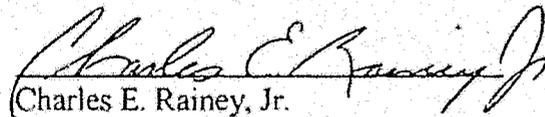
7. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will

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.

8. **COMPLAINANT IS RESPONSIBLE FOR PAYMENTS OF BILLS FOR USAGE INCURRED PENDING THE RESOLUTION OF THIS COMPLAINT. FAILURE TO MAINTAIN PAYMENTS MAY RESULT IN THE TERMINATION OF UTILITY SERVICE. IN ADDITION, PAYMENT OF ALL UNPAID BILLS IN ONE LUMP SUM COULD BE REQUIRED UPON RESOLUTION OF COMPLAINT.**

9. Complainants bear the burden of proving the case and should be prepared to support their claim with documentation and/or specific dates of events which could have an impact on the claims.

Date: February 14, 2006


Charles E. Rainey, Jr.
Administrative Law Judge

OALJ Hearing Report

Please check those blocks which apply

Docket No.:	C-20055651	Prehearing Held:	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
Case Name:	Erving R. Landing v. PECO Energy Company	Hearing Held:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	March 23, 2006	Estimated Add'l Days:				
ALJ:	Charles E. Rainey, Jr.	RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:	by 4-24-06			
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:				
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
REMARKS:		Record held open for receipt of transcript, late-filed exhibit, and any objection thereto				

DOCUMENT FOLDER

MAR 30 2006

COMMISSION
SUPERVISOR

PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing.

Name and Telephone Number	Address			Who are you representing?
610-859-9814	1301 Stewart St Chester PA 19013			Pro Se
Erving Landing	Chester	PA	19013	
Telephone:	E-mail Address:	Fax Number:		
Erving Landing	Chester	PA	19013	
Telephone:	E-mail Address:	Fax Number:		
Erving Landing	Chester	PA	19013	
Telephone:	E-mail Address:	Fax Number:		

Over

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

Jay Cohen
Reporter's Signature

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



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office of Administrative Law Judge

1302 Philadelphia State Office Building, 1400 W. Spring Garden St., Philadelphia, PA 19130

Telephone: (215) 560-2105

IN REPLY PLEASE
REFER TO OUR FILE

May 10, 2006

DOCUMENT
FOLDER

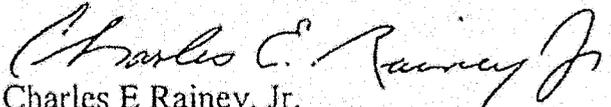
James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Erving R. Landing v. PECO Energy Company
Docket No. C-20055651

Dear Mr. McNulty:

Enclosed for inclusion in the record in the above-referenced case is PECO's Late-Filed Exhibit 6. PECO's Late-Filed Exhibit 6 was admitted into evidence.

Sincerely,


Charles E Rainey, Jr.
Administrative Law Judge

CERjr/mg

Enclosure

BA

Legal Department

Exelon Business Services Company
4301 Market Street, 523-1
PO Box 8699
Philadelphia, PA 19101-8699

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

Direct Dial: 215 841 6841
Fax 215.568.3389

March 27, 2006
Via Fax and Express Delivery

Administrative Law Judge Charles E. Rainey, Jr.
Pennsylvania Public Utility Commission
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130

RECEIVED

MAR 28 2006

Public Utility Commission
Philadelphia Office
Administrative Law Judge

RE: Erving R. Landing v. PECO Energy Company
PUC Docket No. C-20055651
Initial Hearing Date: March 23, 2006

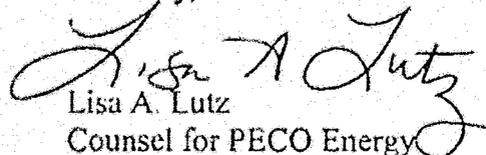
Dear Judge Rainey:

During the hearing held on March 23rd, the report from the Bureau of Consumer Services ("BCS") submitted by the Complainant, and marked as Complainant's Exhibit 8, incorrectly indicated on Page 3 of 4, "That according to company records, Mrs. Landing (sic) payments of \$170.00 and \$80.00 were made towards the account."

Enclosed is PECO's Late-Filed Exhibit 6, which is PECO's report of its final position, submitted to the BCS. PECO's report to the BCS was that "Per Mrs. Landing, payments of \$170.00 and \$80.00 were made towards the account." As Ms. Tarpley testified at the hearing, PECO's records do not reflect payments of \$170.00 and \$80.00, but do reflect a payment of \$175.00 on this account made on November 13, 2003.

If you have any questions regarding this late-filed exhibit, please contact me at (215) 841-6841. Thank you.

Sincerely,


Lisa A. Lutz
Counsel for PECO Energy

Enclosure -- PECO's Late-Filed Exhibit 6

Cc: Mr. and Mrs. Erving Landing
Ms. Renee Tarpley

Date: 3/24/06

PA. Public Utility Commission
Bureau Of Consumer Services
Outbound Informal Report

Page 3

Case Number: 1601471
Investigator: SCATTON, DENNIS
Company Name: PECO Energy
Class Of Service: R
Customer Name And Service Address:
ERVING R LANDING
1301 STEWART AV
CHESTER PA 19013-2637

Opened On: 3/2/04
Account Number: 501721120076
Assessor Name/Phone Number:
Case Writer Name/Phone Number:
Mailing Address:

Date Received: 3/2/04
Utility Type: Electric Distributor
Jaqueline Seidle (215)841-4643 6031
Jaqueline Seidle (215)841-4643 6031
Rate: RD HD
Total Balance: 51,271.28

Heating: Y

Telephone: (Home) (610)859-9814

(Work) () -

Due Date: 2/22/05

Budget: \$110.00

Report Message Type	Date	Report Details
Final position to BCS		<p>Company records indicate a transfer of balance form was completed between Robin Robertson and Erving Landing (father and daughter), for the balance of \$337.43. Mr. Landing took responsibility for the billing. Per Mrs. Landing, payments of \$170.00 and \$80.00 were made towards the account. The last payment posted towards the account under Robin Robertson was \$142.00 on 07/01/03. A payment of \$175.00, was made towards the account for Erving Landing, on 11/13/03. The billing for gas from 10/24/03 to 11/21/03 was incorrect due to an estimated reading of 0825. This caused the next bill from 11/21/03 to 12/23/04 to be high, with excessive usage of 1042 ccfs, totaling \$814.41. The gas reading as of 10/24/03 was 1649. The correct reading for 11/21/03 was 1718. The gas reading for 12/23/03 was 1867. The actual gas billing from 11/21/03 to 12/23/03 was 149 ccf, totaling \$122.62. The account was adjusted. An attempt was made to discuss payments and the Cap Rate discount applied towards the account. Mrs. Landing indicated she did not have time. The total account balance is \$926.49. The past due balance is \$327.78, due 04/09/04. The current bill of \$134.52 by due date 4/19/04; then continue to pay \$15 + CB on agreement balance of \$464.19</p>

PECO Late-filed Exhibit 6