

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCUMENT
FOLDER

Barbara Botdorf

v.

PECO Energy Company

DOCKETED
JUL 13 2004

Z-01348749

PREHEARING ORDER

A telephonic Initial Hearing in this case is scheduled for Monday, August 9, 2004, at 2:00 p.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three copies to me one week before the hearing. Proposed exhibits should be properly pre-marked for identification purposes.

2. If you or any proposed witness will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one week before the hearing.

3. If the Commission's Bureau of Consumer Services (BCS) has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made. **FAILURE TO MAKE REGULAR PAYMENTS AS DIRECTED BY THE BCS MAY RESULT IN AN ORDER REQUIRING A "CATCH-UP" PAYMENT EQUAL TO THE AMOUNT OF THE PAYMENTS THAT SHOULD HAVE BEEN MADE.** The utility must submit a copy of the latest BCS decision as a hearing exhibit.

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4. At the hearing, the customer must be prepared to testify about, or otherwise document, the total net monthly income of the household. A household includes all individuals regularly residing there and receiving the benefit of the utility service. The "total net monthly income of the household" includes, but is not limited to, the following payments received by every person residing in the customer's home: (a) the "after taxes take-home-pay" from salaries, wages, tips or other compensation; (b) pension, retirement or social security benefits; (c) Supplemental Security Income (SSI); (d) unemployment compensation benefits; (e) workers' compensation benefits; (f) alimony; (g) support; (h) public assistance; and (i) any other source(s) of income.

5. If the customer or any member of the customer's household is receiving food stamps and/or medical assistance, the customer must be prepared to testify or document the amount of food stamps or the nature of the medical assistance received.

6. At the hearing, the customer must be prepared to testify about or document the total monthly expenses of the household, which shall include, but are not limited to, the following items: (a) rent or mortgage payments; (b) utility bills (including electric, gas, telephone, water, sewer, cable television, etc.); (c) food, in addition to any food stamp benefits; (d) clothing; (e) automobile (loan payments, gasoline, maintenance, etc.); (f) transportation (bus, taxicabs, jitneys, etc.); (g) insurance premiums (homeowners' or renters' insurance, automobile insurance, life insurance, medical insurance, etc.); (h) medical bills, (doctors, dentists, hospitals, prescriptions, etc.); (i) credit card and charge account payments; (j) loan payments; and (k) miscellaneous expenses. When testifying to these expenses, the customer should be prepared to give balances due and missed payments for each item.

7. TO ASSIST THE CUSTOMER IN PROVIDING THE INCOME AND EXPENSE INFORMATION REQUIRED BY THIS ORDER, THREE (3) COPIES OF A BUDGET INFORMATION FORM ARE ENCLOSED. THE CUSTOMER MUST FILL OUT THIS FORM; RETURN ONE (1) COMPLETED COPY TO ME, AND SEND ONE (1) COMPLETED COPY TO THE ATTORNEY FOR THE UTILITY AT LEAST ONE WEEK

BEFORE THE HEARING. YOU SHOULD KEEP ONE (1) COMPLETED COPY AND THIS ORDER FOR YOUR USE DURING THE HEARING.

8. The utility must prepare and submit the following documents at least one week before the hearing: (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less; (b) a service usage comparison report for the same period as the account statement; (c) a copy of the most recent BCS decision, if any; and, (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

9. 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).

10. 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 party 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.

11. A request for a change of the scheduled hearing date must state the agreement or opposition of the other party, and must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa.Code §1.15(b). Requests for changes of hearing dates must be sent to me and the other party of record. The correct address is: Administrative Law Judge Kandace F.

Melillo, P.O. Box 3265, Harrisburg, PA 17105-3265. Changes are granted only in rare situations where good cause exists.

12. YOU MAY LOSE THIS CASE IF YOU DO NOT TAKE PART IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

13. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal hearing and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

14. **Commission policy is to encourage settlements. 52 Pa.Code §5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.**

Date: July 12, 2004

Kandace F. Melillo
Kandace F. Melillo
Administrative Law Judge

MONTHLY BUDGET INFORMATION

Customer's Name: Barbara Botdorf

Date: July 12, 2004

Name of Utility: PECO Energy Company

P.U.C. Docket No.: Z-01348749

Hearing Date: Monday, August 9, 2004 @ 2:00 p.m.

Administrative Law Judge: Kandace F. Melillo

Monthly Household Income

Amount

(Include net income from all persons living in your home.)

Salaries, wages & tips	\$ _____
Public assistance	_____
Social security or SSI	_____
Alimony	_____
Child support	_____
Pension	_____
Retirement benefits	_____
Unemployment compensation	_____
Workers' compensation	_____
Food stamps	_____
Other income (List source & amount):	_____
_____	_____
_____	_____
_____	_____
Total:	\$ _____

(IMPORTANT: COMPLETE EXPENSE INFORMATION ON NEXT PAGE.)

Monthly Household Expenses

Amount

Balance

Owed

Rent/mortgage

\$ _____

\$ _____

Electric

Gas

Telephone

Water

Sewage

Trash pickup

Cable television

Food (Other than food stamps)

Clothing

Automobile:

 Loan payment

 Gasoline

 Repairs & maintenance

 Car insurance

Other transportation:

 Bus

 Taxicabs

 Jitneys

Insurance premiums:

 Renters'/homeowners' insurance

 Life insurance

 Medical insurance

Medical bills:

 Doctors

 Dentists

 Hospitals

 Prescriptions

List credit cards & charge accounts:

List loan payments:

List other expenses:

Total:

\$ _____

\$ _____