

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: 01/06/06
8. DOCKET NO: C-20065746	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: ADAMS, DENISE

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

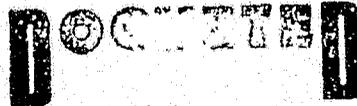
COMP/APP COUNTY: CHESTER

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE WOULD LIKE A PAYMENT AGREEMENT. SHE IS ONLY ABLE TO PAY \$50.00 A MONTH ON TOP OF HER CURRENT BUDGET.

DOCUMENT
FOLDER



JAN 11 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

C-20065746

Please print or type.

110550

1. CUSTOMER NAME (COMPLAINANT)

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

Name Denise Adams
mailing address P.O. Box 235 Brandamore Rd pa 19316
Street/P.O. Box 180 Brandamore Apt # -
City Coatesville State pa Zip 19320
County Chester

Area Code/HOME Phone 610-383-1449
Area Code/WORK Phone 610-383-7879
Utility Account Number 35-05-71-157022
(from your bill)

ORIGINAL

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name Denise Adams
Street/P.O. Box 180 Brandamore Road
City Coatesville State pa Zip 19320

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO

3. TYPE OF UTILITY (check one)

- ELECTRIC (checked)
GAS
WATER
TELEPHONE (local, long distance)
STEAM HEAT
WASTE WATER
MOTOR CARRIER (taxi, moving company, limousine)

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2006 JAN -6 AM 8:57
PA P.U.C.
SECRETARY'S BUREAU

11

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.

I would be so grateful for a payment agreement with the P.U.C. for I was on C.A.P. payment arrangement but as of Nov-2005 I am no longer eligible. I do have a good paying job so would not have a problem with payments. I'm a single parent at this time with 3 young children in my home. I work 38 hrs a week. I'm asking for help with my balance due.

5. RELIEF

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

I would like help with payment arrangements agreement. I cannot possibly pay the balance due to P.E.C.O. If I'm given the chance for payments arrangements I could pay up to \$52.00 a month towards my back balance, along with my budget amount each month.

Thank you

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:

I Denise Adams, 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).

Denise Adams
(Signature)

12/30/05
(Date)

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: January 11, 2006

DENISE ADAMS
Complainant

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: C-20065746

DOCUMENT
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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-20065746

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 DENISE ADAMS . 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

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

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

Business Services
Company

ORIGINAL

Direct Dial: 215 841 6841

January 30, 2006

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

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JAN 8 0 2006

RE: Denise Adams v. PECO Energy Company
PUC Docket No. C-20065746

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Mr. McNulty:

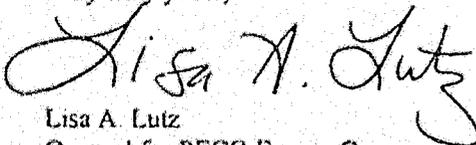
Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

<input checked="" type="checkbox"/>	Answer and New Matter (original and 3 copies)
<input type="checkbox"/>	Petition (original and 3 copies)
<input type="checkbox"/>	Answer and Motion (original and 3 copies)
<input checked="" type="checkbox"/>	Motion to Dismiss (original and 3 copies)
<input type="checkbox"/>	Reply to Motion/Petition (original and 3 copies)
<input type="checkbox"/>	Exceptions (original and 9 copies)
<input type="checkbox"/>	Reply Exceptions (original and 9 copies)
<input type="checkbox"/>	Brief (original and 9 copies)
<input type="checkbox"/>	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
Counsel for PECO Energy Company

LAL/zr

Enc.

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

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JAN 8 0 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DENISE ADAMS

v.

PECO ENERGY COMPANY

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DOCKET NO. C-20065746

ANSWER AND NEW MATTER 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.

DOCUMENT
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DOCKETED
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4. Denied. PECO Energy denies that Complainant is unable to pay her electric bill and strict proof thereof is hereby demanded at time of hearing. PECO Energy avers that Complainant's account balance is \$1,918.28. The Complainant's average monthly bill is currently \$101.00.

The Bureau of Consumer Services ("BCS") issued a decision on or about October 4, 2005, directed the case closed due to the Complainant's already participating in the Customer Assistance Program ("CAP"). A copy of the decision is attached as Exhibit A.

- 5. This paragraph is a request for relief and no answer is required.
- 6. PECO Energy is without sufficient information to confirm or deny this statement.
- 7. Admitted.

NEW MATTER OF RESPONDENT, PECO ENERGY COMPANY

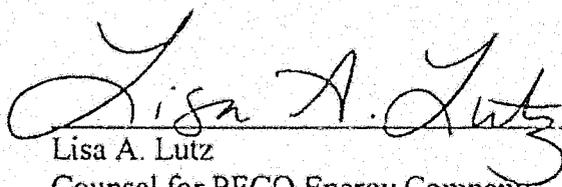
PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 5.62(b), further responds to the Complaint and states:

1. On March 7, 2003, the Complainant was approved and enrolled in the CAP Rate Program. The Complainant receives a 50% discount on the first 500 kilowatts of electric service of each month.

2. PECO Energy avers that no further payment arrangements should be granted to Complainant. Section 1405(c) of the Public Utility Code provides that, "(c)ustomer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the commission."

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint. PECO Energy further requests that your Honorable Commission enter an Interim Order directing payment of current undisputed consumption charges, pursuant to 66 Pa. Code §1410(2).

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

DENISE ADAMS

v.

PECO ENERGY COMPANY

DOCKET NO. C-20065746

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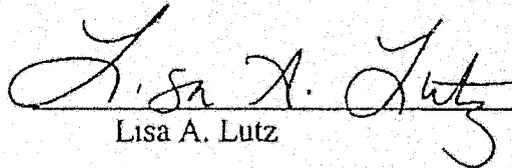
JAN 30 2006

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: January 31, 2006


Lisa A. Lutz

Date: 1/18/06

PA. Public Utility Commission
Bureau Of Consumer Services
Inbound Closing Report

Case Number: 1980620
Customer Name: DENISE ADAMS
Address: 180 BRANDAMORE RC
BRANDAMORE PA 19316-C

Opened On: 9/15/05
Utility Type: Electric Distributor
Account Number: 350571157022
Company Name: PECO Energy

Prior Case: Total Balance: \$1,796.27 Balance Date: 9/22/05

Compliance Violation(Alleged, Actual, No): NO Chap 56/64/Other: Section/Rule:

Decision Issued: N Oral Written: W
Investigator: BYNDAS, JULIA PUC Decision Issued Dt: 10/4/05 PUC Case Closed Dt: 10/4/05

Decision Recvd Dt: 10/4/05 08 25AM

Letter Description: CAP REVIEWED/NO DECISION

To Restore Service Pay:	\$0.00	To Continue Service Pay:	\$0.00	By:	
Terms:					
Special Budget Amount:	\$0.00	Regular Budget Amount:	\$0.00	Plus Arrears Payment:	\$0.00
Final Bill Monthly Payment:	\$0.00	Current Bill Monthly Payment:	\$0.00		
End Of Month Payment:	\$0.00				

Par Description:

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Resolution:
CLOSE, NO DECISION. CUSTOMER CAPRATE PARTICIPANT

Exhibit A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DENISE ADAMS

v.

PECO ENERGY COMPANY

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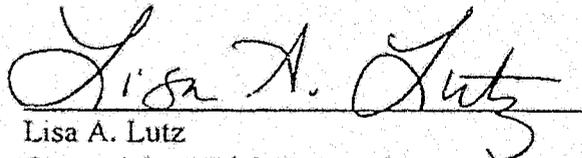
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I, Lisa A. Lutz, hereby certify that I have this day served a copy of PECO Energy Company's Answer and New Matter in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Denise Adams
P.O. Box 235
180 Brandamore Road
Brandamore, PA 19316

Dated at Philadelphia, Pennsylvania, January 31, 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

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DENISE ADAMS

v.

PECO ENERGY COMPANY

DOCKET NO. C-20065746

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§ 5 101 and 5.62(c), you are hereby notified that, if you do not file a written response denying or correcting the enclosed Motion to Dismiss of PECO Energy Company, within 10 days from service of this notice, and if you do not file a written response denying or corrected the enclosed New Matter within 20 days from service of this notice, the facts set forth by PECO Energy Company in the New Matter may be deemed to be true, thereby requiring no other proof. All pleadings, such as a Reply to Motion to Dismiss and Reply to New Matter, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Lisa A. Lutz, and where applicable, the Administrative Law Judge presiding over the issue.

File with:

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

With a copy to:

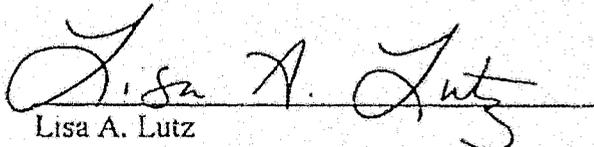
Lisa A. Lutz, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, January 31, 2006

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JAN 30 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
215-841-6841
lisa.lutz@exeloncorp.com

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JAN 8 0 2006

DENISE ADAMS

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

v.

DOCKET NO. C-20065746

PECO ENERGY COMPANY

DOCUMENT
FOLDER

PECO ENERGY COMPANY'S MOTION TO DISMISS COMPLAINT

Respondent, PECO Energy Company ("PECO"), pursuant to 52 Pa. Code § 5.101 respectfully petitions this Honorable Commission to dismiss the instant Complaint for the following reasons:

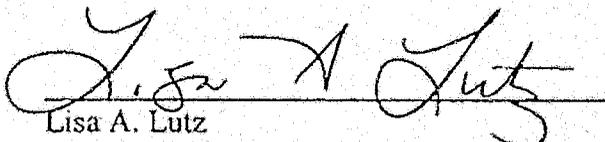
1. On or about December 30, 2005, Complainant filed a formal complaint with the Pennsylvania Public Utility Commission requesting the Commission to set or approve a new payment agreement on Complainant's utility account.
2. On or about January 11, 2006, PECO Energy was served the above-mentioned formal Complaint.
3. Pursuant to 52 Pa. Code § 5.101(b), PECO is filing an Answer and New Matter to the Complaint contemporaneously with this Motion.
4. Complainant currently participates in the residential utility discount Customer Assistance Program ("CAP") and receives a monthly discount on her utility charges.
5. Complainant is requesting further payment arrangements that the Commission cannot establish. Section 1405(c) of the Public Utility Code provides that customer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated

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or approved by the Commission. 66 Pa. C.S. § 1405(c); Walton v. PECO Energy Company, Pa.
PUC Docket Z-01593807, Initial Decision issued January 11, 2005.

WHEREFORE, PECO Energy Company respectfully requests that your
Honorable Commission dismiss the Complaint. 66 Pa. C.S. § 1405(c).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Lisa A. Lutz", is written over a horizontal line.

Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
lisa.lutz@exeloncorp.com

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JAN 30 2006

DENISE ADAMS

v.

PECO ENERGY COMPANY

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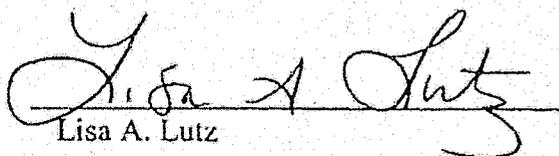
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCKET NO. C-20065746

VERIFICATION

I, Lisa A. Lutz, 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: January 31, 2006


Lisa A. Lutz

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DENISE ADAMS

v.

PECO ENERGY COMPANY

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DOCKET NO. C-20065746

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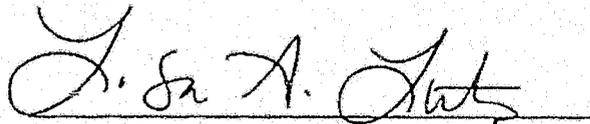
CERTIFICATE OF SERVICE

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

I hereby certify that I have this day served a copy of PECO Energy Company's Motion to Dismiss in the above matter upon all interested parties by mailing a copy thereof Certified mail, properly addressed and postage prepaid to:

DENISE ADAMS
P.O. Box 235
180 Brandamore Road
Brandamore, PA 19316

Dated at Philadelphia, Pennsylvania, January 31, 2006.



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
lisa.lutz@exeloncorp.com