

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: 01/12/06
8. DOCKET NO: C-20065758	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: MABRY, RUSSELL R.

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: MONTGOMERY

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WANTS THE SPECIFIC REASONS FOR HIM BEING AT "RISK FOR BANKRUPTCY" THAT THEY MENTIONED IN A LETTER THAT HE HAS FROM PECO.

DOCUMENT
FOLDER

DOCKETED
JAN 12 2006

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Normal Complaint Form

C-2006-5758

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

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

Name RUSSELL A MARBY

Street/P.O. Box 733 VILLAGE LN Apt # —

City SANADOTA State PA Zip 19464

County MONT.

Area Code/HOME Phone 484 524 8183

Area Code/WORK Phone 610-831-2996

Utility Account Number 40-20-07-582560
(from your bill)

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

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

RECEIVED
2006 JAN 12 PM 8:59
SECRETARY'S BUREAU
P.U.C.

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO

3. TYPE OF UTILITY (check one)

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



3. TYPE OF UTILITY (check one)

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

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.

SEE ATTACHED DOCUMENTS.

I WANT THE SPECIFIC REASONS FOR MY BEING AT "RISK FOR BANKRUPTCY". THEY MENTION IN A LETTER I HAVE FROM PEC AN OFFER OF THIS INFO.

RECEIVED

DEC 30 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

5. RELIEF

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

PECO MUST GIVE ME THE SPECIFIC REASONS THEY MENTION IN THEIR LETTER. THIS IS THEIR LETTER. I HAVE A COPY. I WANT THE INFO I WOULD LIKE A MEETING WITH PECO AND THE PUC SET ATTACHED.

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. AFTER 7 MOS. MORINA CALLED ME TO ASK WHAT SHE COULD DO.

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 RUSSELL MARRY, 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).

R. MARRY
(Signature)

12-20-08
(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

June 19, 2005

Customer Relation East,

This is at least my fourth request, two previous requests in writing and one via a phone call, for information you claim to offer regarding your deposit policy. In your original letter to me (see attached), you state:

This decision was based on the following:

Your Bankruptcy Risk Score identifies you may be a risk for Bankruptcy.

If you would like a statement of specific reasons why PECO Energy did not wave the deposit, please contact us within 60 days We will provide you with a statement

What I want is specifics of why I am at risk for bankruptcy? I recently bought a home and received a credit score of over 700 from all 3 reporting agencies, including Equifax whom you reference in you letter.

I have contacted the PUC regarding this deposit (see attached), and will contact them again and enter a formal complaint if I have not received a response from you regarding this by the end of business Wednesday, June 22, 2005.

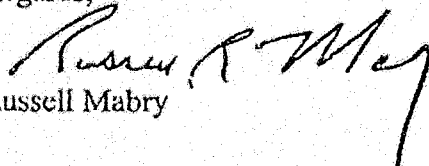
My contact information:

Work 610-831-2990

Home: 484-524-8183

E-mail Russma57@hotmail.com

Regards,


Russell Mabry

I have enclosed a copy of a letter I have sent to PECO, faxed to PECO and included with my monthly statement. They have received at least 20 copies of this letter in addition to phone calls I have made asking for information they claim to provide. In a letter they sent to me PSCO states:

Your Bankruptcy Risk Score identifies you may be a risk for Bankruptcy. If you would like a statement of specific reasons why PECO Energy did not wave the deposit please contact us within 60 days... We will provide you with a statement...

I want this information. I have complied with their guide lines and have contacted them within the 60 days time frame.

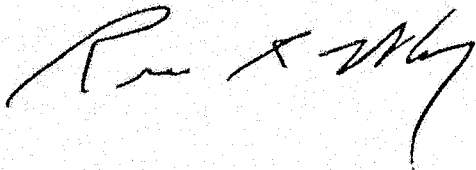
Thank you.

Russell Mabry

Additional information:

Attached is a copy of the "Bankruptcy Score" details that I have been requesting for the last 8 months. It looks like a word document created on the fly. What\who is Advanced Energy?

I was promised a return of my deposit monies, as of 1-7-06 I have not received this check.

A handwritten signature in black ink, appearing to read "R. X. W. G.", is centered on the page.

RECEIVED

2006 JAN 12 AM 8:59

PA P.O.C.
SECRETARY'S BUREAU

7

Date: 7/18/05

Page 1

Time: 09:42AM

ERAPI Bankruptcy Score Report

Verification Acct #	Requested Service DI	Verification Name	Score Value	Score Reason/Reject Reason*	ERAPI/BNI
4020075825	4/28/05	MABRY, RUSSELL R	289	Current Delinquent Rating Reported	Bankruptcy Navigator Index(BNI)
				Number of Consumer Initiated Inquiries in the Past 12 Months	Bankruptcy Navigator Index(BNI)
				Number of Credit Union Accounts ever reported 60+ days past due	Bankruptcy Navigator Index(BNI)
			962	Number of consumer initiated inquiries in past 3 months	Bankruptcy Navigator Index(BNI)
				Number of Accounts Opened in the Past 12 Months	Advanced Energy
				Number of Accounts ever reported 30 + days past due	Advanced Energy
				Number of Consumer Initiated Inquiries in the Past 12 Months	Advanced Energy
				Number of Credit Union Accounts ever reported 30+ days past due	Advanced Energy

BID SCORE WAS AT 290

Catalog: W71d 1cagrosiwntERAPPostIE RAPPostIE rap cat
Report: W71d 1cagrosiwntERAPPostIE RAPPostIE rap cat

* A Score Value of 0 indicates Reject Reasons
A Non Zero Score Value indicates Score Reasons



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

IN REPLY PLEASE
REFER TO OUR FILE

December 7, 2005

BCS1920204

RUSSELL MABRY
733 VILLAGE LN
FOOTSTOWN PA 19464-7217

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 December 27, 2005 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:

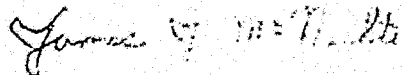
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

DDI
cc: PECO ENERGY

Request for Formal Complaint Forms
(Notification of Intent to Appeal)

Notice to Customer:

If you sign and return this form, you are telling the Public Utility Commission that you want to appeal this decision. Do not return this form unless you want to appeal this decision.

If you want to appeal, you must return this form within 20 days of 11/15/2005. The Commission will send you formal complaint forms if you return this form.

You must comply with 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 shut off your service.

Sincerely,
Pennsylvania Public Utility Commission

Yes, I want to appeal this decision. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

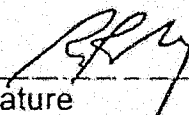
RUSSELL MABRY
733 VILLAGE LN
POTTSTOWN PA 19464 - 7217

610-831-8990

(Area Code) Telephone Number

BCS: 1920204

Company: PECO ENERGY



Signature

Date of Mailing: 11/15/2005

Mail this completed form to:

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

RECEIVED

2005 NOV 28 AM 11:27

PA P.U.C.
SECRETARY'S BUREAU

RECEIVED
2005 NOV 28 AM 11:27
PA P.U.C.
SECRETARY'S BUREAU

RECEIVED

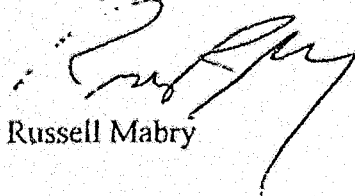
3

I have enclosed a copy of a letter I have sent to PECO, faxed to PECO and included with my monthly statement. They have received at least 20 copies of this letter in addition to phone calls I have made asking for information they claim to provide. In a letter they sent to me PSCO states:

Your Bankruptcy Risk Score identifies you may be a risk for Bankruptcy. If you would like a statement of specific reasons why PECO Energy did not wave the deposit please contact us within 60 days... We will provide you with a statement....

I want this information. I have complied with their guide lines and have contacted them within the 60 days time frame.

Thank you.

A handwritten signature in black ink, appearing to read "Russell Mabry", written in a cursive style.

Russell Mabry

June 19, 2005

Customer Relation East,

This is at least my fourth request, two previous requests in writing and one via a phone call, for information you claim to offer regarding your deposit policy. In your original letter to me (see attached), you state:

This decision was based on the following:

Your Bankruptcy Risk Score identifies you may be a risk for Bankruptcy.

If you would like a statement of specific reasons why PECO Energy did not wave the deposit, please contact us within 60 days... We will provide you with a statement....

What I want is specifics of why I am at risk for bankruptcy? I recently bought a home and received a credit score of over 700 from all 3 reporting agencies, including Equifax whom you reference in your letter.

I have contacted the PUC regarding this deposit (see attached), and will contact them again and enter a formal complaint if I have not received a response from you regarding this by the end of business Wednesday, June 22, 2005.

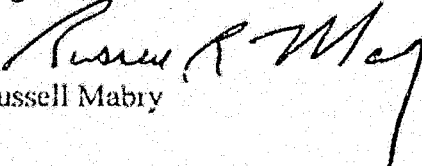
My contact information:

Work 610-831-2990

Home: 484-524-8183

E-mail Russma57@hotmail.com

Regards,


Russell Mabry



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

11/15/2005

BCS No: 1920204

RUSSELL MABRY
733 VILLAGE LN
POTTSTOWN PA 19464 - 7217

The Public Utility Commission has completed its investigation into your informal complaint. Our decision is attached. We sent a copy of this decision to your utility company. You and the company must both follow this decision. Both parties may appeal this decision. If no one appeals, the decision will become final 20 days after the date of this letter.

If you do not agree with this decision you can appeal it by filing a formal complaint. Complete and return the attached Notification of Intent to Appeal within 20 days of the date on the form. The Commission will mail you formal complaint forms. When you complete and return the formal complaint forms, your appeal begins. The Commission will assign your complaint to the Office of Administrative Law Judge. They will contact you about your formal complaint.

You do not need a lawyer to file an appeal.

You must make all of the payments required by this decision. If you do not make these payments the utility company can shut off your utility service.

Do not mail your payments to the Public Utility Commission. Mail your payments directly to your company.

If you have any questions, please call 1-800-692-7380.

Sincerely,

KARL GERMICK
Investigator

INFORMAL COMPLAINT DECISION
THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RUSSELL MABRY
733 VILLAGE LN
POTTSTOWN PA 19464 - 7217

Date: 11/15/2005

v.

BCS: 1920204

Acct. No: 402007582560

PECO ENERGY

You contacted the Public Utility Commission to ask us to review PECO ENERGY's request for a security deposit. We looked into your records with the company and decided that:

- The Law allows a company to require a security deposit. The Law also sets the maximum amount of that deposit. Our review finds that PECO ENERGY's request follows the Law.
- The PECO ENERGY is requiring a deposit in the amount of \$234.00.
- You must pay all of the deposit to have your utility service turned on.

KARL GERMICK
Investigator



PECO ENERGY

800-494-4000

C-20065758

PECO Energy Company
2301 Market Street
PO Box 8699
Philadelphia, PA 19101-8699

N3-1
8688

May 03, 2005

ACCOUNT NUMBER
40-20-07-582560

RUSSELL R MABRY

Scanned

DEC 28 2005

Linked

For Service to:

733 VILLAGE LA
SANATOGA PA
19464

Dear Customer,

Thank you for choosing PECO Energy as your electric service provider. During your application process you were notified of our deposit policy. PECO Energy is permitted to request a deposit from applicants who do not have an established credit history with PECO Energy. The deposit may be waived if the applicant's credit risk rating meets certain criteria. PECO Energy has determined that you will be required to pay a deposit in an amount equal to two months average energy usage. This decision was based on the following:

Your Bankruptcy Risk Score identifies that you may be at risk for Bankruptcy.

If you would like a statement of specific reasons why PECO Energy did not waive the deposit, please contact us within 60 days of the date of this letter. We will provide you with the statement of reasons within 30 days after receiving your request. PECO Energy's credit decision was based in whole or in part on information received from the consumer reporting agency listed below. The credit reporting agency did not participate in PECO Energy's decision and is unable to supply specific reasons why PECO Energy is requesting a deposit. You have the right under the Fair Credit Reporting Act to obtain a free copy of your credit report from the credit reporting agency within 60 days of this letter. You also have the right to dispute any information contained in your report.

The credit reporting agency used by PECO Energy to make its decision was: Equifax Information Services, LLC PO Box 740241 Atlanta, GA 30374-0241 (888) 259-2689.

You can avoid having to pay a deposit by providing one of the following within 10 days: previous utility ledger of credit, proof of ownership or rental of real property at the service address, a credit report with a minimum score of 700 and/or other records of good credit history. Any documentation must be signed and in the applicant's name. If no documents are received, the deposit will appear on your PECO Energy bill within 60 days. The deposit will be billed in three monthly installments: 50% the first month, 25% in the second month and 25% in the third month.

After PECO Energy retains the deposit for 12 months and based upon your payment and/or credit history, you may be eligible to either have your deposit and interest applied to your account or to receive a refund check. If you discontinue your service within 12 months, we will promptly apply your deposit and interest to your outstanding balance and refund any overpayment.

PECO Energy offers a number of programs to assist customers who are having trouble meeting their monthly energy costs. Payment arrangements, budget billing plans and other programs may be available to assist you.

If you would like to pay your deposit with Mastercard, VISA, Debit Card or Check-by-phone, 24 hours a day, please call 1-877-595-8806*

* A convenience fee of 2.8% will be applied to each credit or debit card transactions, and a convenience fee of \$1.00 will be applied to each Check-by-Phone transaction, by the service provider.

If you have any questions or need additional information on this matter, please call 1-800-709-8685, Monday through Friday, 8 a.m. to 5 p.m.

Sincerely,
Credit Department
PECO Energy

Account # 40-20-07-582560

RUSSELL R MABRY
733 VILLAGE LA
SANATOGA PA
19464



PECO ENERGY

FAX # 215-841-5160

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 13, 2006

DOCUMENT
FOLDER

RUSSELL R. MABRY
Complainant

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: C-20065758

DOCKETED
JAN 12 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).

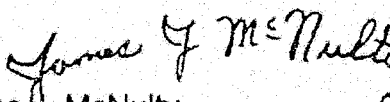
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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 13, 2006

C-20065758

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 RUSSELL R. MABRY. 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.

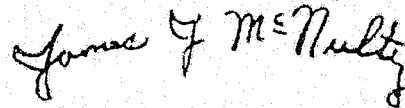
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

JANUARY 13, 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,

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

James J. McNulty
Secretary

JIH

Legal Department

Telephone 215 841 5544

Fax 215 568 3389

Exelon Business Services Company

www.exeloncorp.com

2301 Market Street / 523-1

PO Box 8699

Philadelphia, PA 19101 8699

Business Services
Company

ORIGINAL

Direct Dial. 215 841 6841

February 3, 2006

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FEB 03 2006

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Russell R. Mabry v. PECO Energy Company
PUC Docket No. C-20065758

Dear Mr. McNulty:

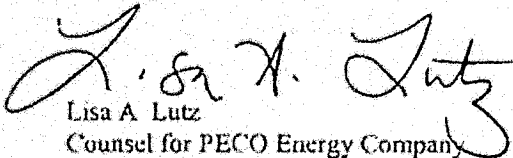
Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

<u>X</u>	Answer (original and 3 copies)
___	Petition (original and 3 copies)
___	Answer and Motion (original and 3 copies)
___	Motion to Dismiss (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)

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: X Call of the Docket ___ Non-Call of the Docket

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FEB 03 2006

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RUSSELL R. MABRY

v.

PECO ENERGY COMPANY

DOCKET NO. C-20065758

ORIGINAL

ANSWER 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.

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FEB 8 2006

4. Admitted in part and denied in part. PECO Energy admits that Complainant was charged a credit deposit on this account. PECO Energy denies that the credit deposit was improper; and further avers that the credit deposit is permitted pursuant to 52 Pa. Code §§ 56.31 and 56.33. Complainant's electric service was initiated on April 28, 2005. On May 3, 2005, a deposit notification letter was mailed to Complainant, pursuant to 52 Pa. Code §§ 56.31 and 56.33; this letter did provide options to avoid having to pay a deposit. On May 16, 2005 and May 24, 2005, Complainant did telephone PECO Energy, and the representative explained the transfer fee and deposit installments; Complainant was also informed of the requisite documentation required for waiver of the deposit.

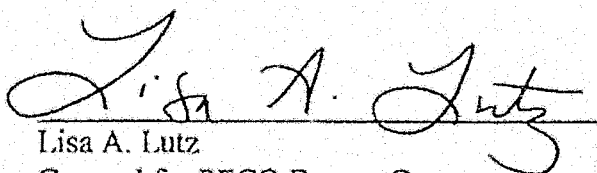
The credit deposit of \$234.00 was billed in three installments. The first installment of \$117.00 was billed on May 3, 2005 and two additional installments of \$58.50 were billed on June 2, 2005 and July 5, 2005. On December 27, 2005 the deposit was waived/credited to Complainant's account. The deposit amount of \$234.00 plus interest was refunded to Complainant on January 23, 2006.

The Bureau of Consumer Services ("BCS") entered a decision on November 15, 2005 and found that PECO Energy was permitted to charge the credit deposit. A copy of the decision is attached hereto 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.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

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

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RUSSELL R. MABRY

v.

PECO ENERGY COMPANY

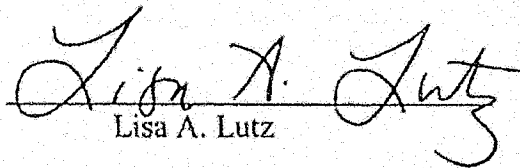
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DOCKET NO. C-20065758

VERIFICATION

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: February 3, 2006


Lisa A. Lutz

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Date: 1/18/06

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

Case Number: 1920204
Customer Name: RUSSELL MABRY
Address: 733 VILLAGE LN
SANATOGA PA 19464-7217

Opened On: 6/13/05
Utility Type: Electric Distributor
Account Number: 402007582560
Company Name: PECO Energy

Prior Case: Total Balance: \$153.94 Balance Date: 6/17/05

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

Decision Issued: N Oral Written: W
Investigator: KWIAIKOWSKI, JOSHUA PUC Decision Issued Dt: 11/15/05 PUC Case Closed Dt: 11/15/05
Decision Recvd Dt: 11/15/05 05:25PM

Letter Description: DECISION/DEPOSIT CORRECT/LEVEL 2-4

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:

Resolution:
COMP REQUEST FOR A DEPOSIT IS PERMITTED. LETTER SENT

Exhibit A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RUSSELL R. MABRY

v.

PECO ENERGY COMPANY

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DOCKET NO. C-20065758

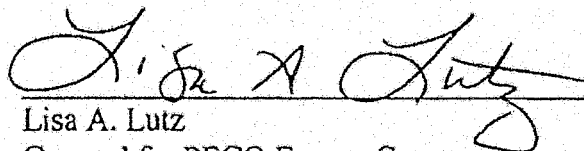
CERTIFICATE OF SERVICE

I, Lisa A. Lutz, 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, properly addressed and postage prepaid to:

Russell R. Mabry
733 Village Lane
Sanatoga, PA 19464

ORIGINAL

Dated at Philadelphia, Pennsylvania, February 3, 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

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Docket # C-20065758

2/15/2006

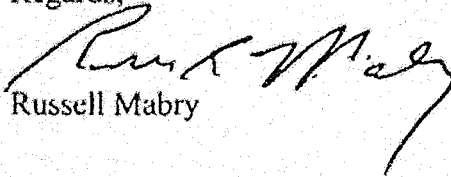
Herb Nurick,

With regard to Mabry vs. PECO:

My issue was not the deposit required, but the information PECO claims to provide, as the basis for the deposit. This was labeled by PECO as my "Bankruptcy Score". After 11 months of communications with PECO, I received a letter from their attorney, pointing to their legal right to require a deposit but no mention of the Bankruptcy Score information. In January, I did receive what looks to be a MC Word generated document with cells and a score. PECO should be ashamed. Is this the best they could do after 11 months?

I withdraw my complaint and consider this matter closed in light of the fact PECO provided me with my Bankruptcy Score.

Regards,


Russell Mabry

DOCUMENT
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FEB 28 2006

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: February 22, 2006
SUBJECT: Russell R. Mabry v. PECO Energy Company
C-20065758
TO: Wanda Zeiders
Docket Management
FROM: Linda Salome, ALJ Support Staff
Office of Administrative Law Judge

DOCUMENT
FOLDER

On February 21, 2006, a Petition for Leave to Withdraw was filed in the above-captioned proceeding. If no objection is filed to this petition within 10 days of service, 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: Herbert Nurick, Mediation Coordinator
Beth Plantz
Case File

DOCKETED
FEB 28 2006