

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: C-20066021 :
- 4. PUBLIC MEETING DATE: 00/00/00 :
- 7. DATE FILED: 03/22/06 :
- 9. EFFECTIVE DATE: 00/00/00 :

PARTY/COMPLAINANT: VIZZINI, PATRICK SR.

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: BUCKS

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THE COMPANY IS TRYING TO BILL HIM FOR ELECTRIC THAT HE DID NOT USE. HE WANTS THE PUC TO LOOK INTO THE CASE.

DOCUMENT
FOLDER

DOCKETED

MAR 23 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED

2006 MAR 13 AM 10:06

PA P.U.C. SECRETARY'S BUREAU

RECEIVED
2006 MAR 22 AM 9:19
PA P.U.C. SECRETARY'S BUREAU

110550

Please print or type.

C-2006602

ORIGINAL

1. CUSTOMER NAME (COMPLAINANT)

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

Name Patrick Vizzini SR.

Street/P.O. Box 74 Homestead Apt # _____

City Levittown State PA Zip 19056

County BUCKS

Area Code/HOME Phone 215-269-6561

Area Code/WORK Phone _____

Utility Account Number 45-06-0441-466062
(from your bill)

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

Name [Signature]

Street/P.O. Box _____

City _____ State _____ Zip _____

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: P.E.C.O.

3. TYPE OF UTILITY (check one)

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

36

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) *They are trying to bill me for electric I did not use*

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.

PECO put a new meter in, because the old one was cracked, then a month later replace that meter because they said it was tampered with.

5. RELIEF

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

P.U.C should look into the case and see I'm still paying the same amount I payed the year before. And in 2 straight February's, my bill was way more than I could have used. There is no way I could use that much electric. I believed the bill was \$280 or around that in the two February's. I don't need that much electric.

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. *I SPOKE BUT THEY DON'T CARE WHAT I SAY.*

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: PATRICK VIZZINI SRI 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)

Patrick Vizzini (Signature) *GR 3-10-06* (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
--	--

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.



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

March 14, 2006

IN REPLY PLEASE
REFER TO OUR FILE NUMBER

PATRICK VIZZINI, SR.
74 HOMESTEAD STREET
LEVITTOWN PA 19056

Dear Sir/Madam:

We are returning your formal complaint form to you because there is additional information needed to process the complaint. Please follow the colored tabs marked missing information or original signature. Fill in the information requested and return them to the address listed at the top of this letter.

We are granting a 15-day extension from the date of this letter for the form to be returned. Please return the forms no later than April 4, 2006.

Once we receive the formal with the information required we will be able to process your complaint. Thank you for your cooperation in this matter.

Very truly yours,

James J. McNulty
Secretary

Enclosures

and

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: March 23, 2006

DOCUMENT
FOLDER

PATRICK VIZZINI, SR.
Complainant

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: C-20066021

DOCKETED

MAR 23 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: March 23, 2006

C-20066021

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 PATRICK VIZZINI, SR. . 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.

March 23, 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

ORIGINAL

Direct Dial 215 841 6841

April 12, 2006

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

RECEIVED

APR 12 2006

Re: Patrick Vizzini, Sr. v. PECO Energy Company
PUC Docket No. C-20066021

PA PUBLIC UTILITY COMMISSION
SECRETARIAT'S OFFICE

Dear Mr. McNulty:

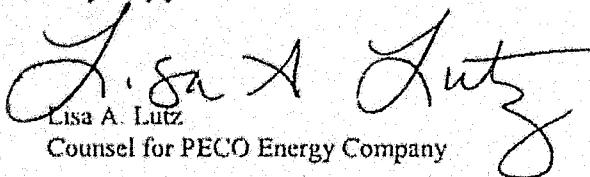
Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

- X Answer (original and 3 copies)
- Petition (original and 3 copies)
- Answer, New Matter and Motion to Dismiss (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: CALL OF THE DOCKET X NON-CALL OF THE DOCKET

56

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 12 2006

PATRICK VIZZINI, SR.

PENNSYLVANIA PUBLIC UTILITY COMMISSION
PHILADELPHIA BUREAU

v.

DOCKET NO. C-20066021

PECO ENERGY COMPANY

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.

DOCKETED
APR 24 2006

**DOCUMENT
FOLDER**

4. Admitted in part and denied in part. PECO Energy admits that Complainant was billed for service used but not registered on electric meters at his property; PECO Energy denies the bills were improper.

By way of further answer, PECO Energy avers that during a field visit to the Complainant's property on February 28, 2005, an unauthorized meter alteration was discovered. At that time, a new automated meter reading ("AMR") was installed. On a subsequent field visit to the Complainant's property on March 28, 2005, an unauthorized meter alteration was again discovered. A new AMR unit was installed on March 28, 2005.

On June 15, 2005, the account was back-billed from October 18, 2002 to February 8, 2005 for \$2,821.42 and back-billed from February 8, 2005 to June 9, 2005 for \$610.98.

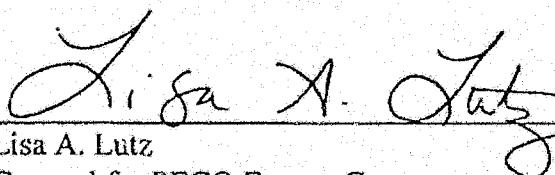
Complainant benefited from the service and is responsible for the electric service bill as rendered.

A decision by the Bureau of Consumer Services ("BCS") issued on March 3, 2006 requires Complainant to pay \$3,012.35 to continue service and established a payment arrangement of \$137.00 per month. 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. PECO Energy admits its representatives discussed the matter with Complainant.

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
(215) 841-6841
lisa.lutz@exeloncorp.com

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 12 2006

PA PUBLIC UTILITY COMMISSION
REGULATORY BUREAU

PATRICK VIZZINI, SR.

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:
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v.

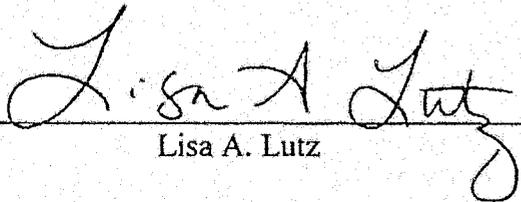
DOCKET NO. C-20066021

PECO ENERGY COMPANY

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: April 12, 2006



Lisa A. Lutz

Date: 4/7/06

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

Case Number: 1961860
Customer Name: PATRICK VIZZINI
Address: 74 HOMESTEAD RD
LEVITTOWN PA 19056-1335

Opened On: 8/15/05
Utility Type: Electric Distributor
Account Number: 450641466062
Company Name: PECO Energy

Prior Case: Total Balance: \$3,278.20 Balance Date: 2/16/06

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

Decision Issued: N Oral Written: O
Investigator: CLEA, JOHN PUC Decision Issued Dt: 3/3/06 PUC Case Closed Dt: 3/3/06
Decision Recvd Dt: 3/3/06 08 25AM

Letter Description: CHAPTER 14 EGW ON D SMISS LETTER

To Restore Service Pay: \$0.00 To Continue Service Pay: \$3,012.35 By:
Terms:
Special Budget Amount: \$0.00 Regular Budget Amount: \$137.00 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:

YOU APPEAR TO QUALIFY FOR LIHEAP. IF YOU QUALIFY, THE LIHEAP PROGRAM WILL MAKE A PAYMENT TO HELP KEEP YOUR SERVICE ON. YOU MUST APPLY TO RECEIVE THIS HELP. PLEASE CALL LIHEAP AT 1-866-857-7095 TO APPLY.

RECEIVED

APR 12 2006

PA PUBLIC UTILITY COMMISSION
REGULATORY BUREAU

Resolution:

TRANS TO INVS. STO. DISMISSAL. CO REP P KAUKER. CUST MUST CONTACT CO FOR TERMS. JEGDISMISSAL SENT 2/28/06 CO FOUND METER TAMPERING HOLE DRILLED INTO METER-NEW METER INSTALLED 9U4350676; 3/22/05 CO NOTICED DECREASE AFTER NEW METER INSTALLED—3/28/05 FOUND HOLE DRILLED INTO NEW METER. NEW METR 9G3897312, 4/25/05 METER OKAY. CO BILLED ACCOUNT 10/18/02-2/8/05 2821.42 2/8/05-6/9/05 610.09/ DISMISSAL SENT CO REP P KAUKER. CLOSE JEG

Exhibit A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PATRICK VIZZINI, SR.

v.

PECO ENERGY COMPANY

:
:
:
:
:

DOCKET NO. C-20066021

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:

PATRICK VIZZINI, SR.
74 Homestead Road
Levittown, PA 19056

Dated at Philadelphia, Pennsylvania, April 12, 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

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

April 14, 2006

Ms. Amanda Eagle
Secretary's Department
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

RECEIVED

APR 13 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

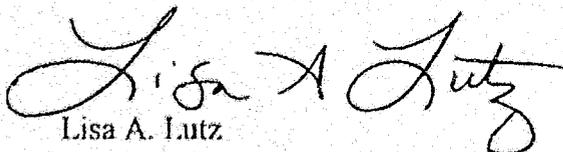
Re: **Patricia Vizzini, Sr. v. PECO Energy Company**
PUC Docket No. C-20066021

Dear Ms. Eagle:

Enclosed for filing is a signed Certificate of Service for the above-mentioned case.

Thank you for calling and alerting me that the Certificate was not signed with the original Answer filed on April 12th.

Very truly yours,


Lisa A. Lutz
Counsel for PECO Energy Company

LAL/zr

Enc.

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 12 2006

PATRICK VIZZINI, SR.

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

v.

DOCKET NO. C-20066021

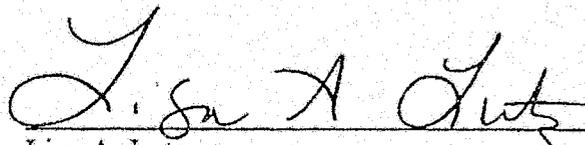
PECO ENERGY COMPANY

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:

PATRICK VIZZINI, SR.
74 Homestead Road
Levittown, PA 19056

Dated at Philadelphia, Pennsylvania, April 12, 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



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
May 15, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20066021

(See attached list)

**DOCUMENT
FOLDER**

Patrick Vizzini, Sr. 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: Monday, June 19, 2006
Time: 2:00 p.m.
Presiding: Administrative Law Judge Cynthia W. Fordham
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: 215.560.2105
Fax: 215.560.3133

DOCKETED
MAY 17 2006

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.

RECEIVED
2006 MAY 16 AM 10:2
PA P.U.C.
SECRETARY'S BUREAU

At the above date and time, the Presiding Officer will contact the parties as follows:

Patrick Vizzini, Sr.	215-269-6561
Lisa A. Lutz, Esquire	215-841-5841

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 5 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 at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Fordham
Susan Licon
Beth Plantz
Docket Section
Calendar File