

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: 02/14/06  
 8. DOCKET NO: C-20065880 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: ROBINSON, KEVIN

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

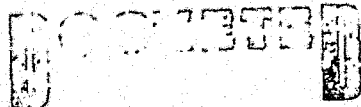
COMP/APP COUNTY: DELAWARE

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WOULD LIKE A PAYMENT AGREEMENT THAT HE CAN AFFORD. HE WOULD LIKE THE PJC TO ORDER THE COMPANY TO GIVE HIM A PAYMENT ARRANGEMENT OF \$261.00 PLUS \$150.00 TOWARD HIS PAST BALANCE UNTIL PAID.

DOCUMENT  
FOLDER



FEB 16 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

FEB 14 2006

110550

Please print or type.

C-20065880

PENNSYLVANIA PUBLIC UTILITY COMMISSION

1. CUSTOMER NAME (COMPLAINANT)

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

Name KEVIN ROBINSON

Street/P O Box 171 N. MADISON AVE Apt # \_\_\_\_\_

City Upper Darby State PA Zip 19082

County DELAWARE

Area Code/HOME Phone 610-446-0876

Area Code/WORK Phone 215-728-4849

Utility Account Number 50-05-09-241542  
(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 \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO

3. TYPE OF UTILITY (check one)

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

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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. *that I CAN AFFORD*
- 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.

*Due to my bankruptcy being dismissed the electric company gave me a budget plan of \$1196.00 per month, which consists of \$935.00 applied to the old balance formerly covered in the bankruptcy + \$261.00 for the current bill. My take home salary is less than \$1196.00 per month, & I have 3 children.*

5. RELIEF

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

*I want the PUC to order PECO to give <sup>monthly</sup> me a payment arrangement of ~~\$261~~ \$261.00 plus \$150.00 <sup>Applied</sup> toward the old balance, full paid in full.*

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 Kevin Robinson, 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).

Kevin Robinson  
(Signature)

2-10-06  
(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 <sup>nd</sup> 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.**

DOCUMENT  
FOLDER

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

Untimely  
RECEIVED

Notice to Customer:

C-20065880

JAN 23 2006

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 12/29/2005. 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.)

KEVIN ROBINSON  
171 N MADISON AVE  
UPPER DARBY PA 19082 - 1333

610-446-0417  
(Area Code) Telephone Number  
BCS: 1930081  
Company: PECO ENERGY

Kevin Robinson  
Signature  
Date of Mailing: 12/29/2005

Mail this completed form to:

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

BTL

The payment amount is larger than my monthly pay check.  
I am a single father of 3 sons making \$30,000 a year  
I am recovering from bankruptcy that was dismissed.  
I am paying \$200.00 a month now and want to pay  
the balance, but your payment plan would mean I  
couldn't pay rent, or feed my children.

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: February 16, 2006

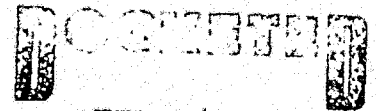
KEVIN ROBINSON  
Complainant

v.

PECO ENERGY COMPANY  
Respondent

Complaint Docket  
No: C-20065880

DOCUMENT  
FOLDER



FEB 16 2006

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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: February 16, 2006

C-20065880

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 KEVIN ROBINSON. 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.

February 16, 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 215.568.3384  
www.exeloncorp.com

Business Services  
Company

ORIGINAL

Direct Dial: 215.841.6841

March 8, 2006

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

RECEIVED

MAR 8 2006

Re: Kevin Robinson v. PECO Energy Company  
PUC Docket No. C-20065880

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dear Mr. McNulty:

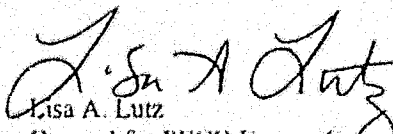
Enclosed for filing with the Commission are the following documents and copies in the matter referenced above

- 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:  CALL OF THE DOCKET  NON-CALL OF THE DOCKET

82

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

MAR 8 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
OF STATE BUREAU

KEVIN ROBINSON

v.

PECO ENERGY COMPANY

:  
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:  
:  
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DOCKET NO. C-20065880

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.

4. Denied. PECO Energy denies that Complainant is unable to pay his gas and

electric bill and strict proof thereof is demanded at time of hearing. PECO Energy avers that Complainant's account balance is \$6,675.72. Complainant's average monthly bill is \$222.00. Complainant has a poor payment history and has made only six good payments in the last 14 months.

A decision of the Bureau of Consumer Services ("BCS") issued on December 29, 2005 set a payment agreement of a special monthly budget amount of \$1,196.00, beginning February, 2006. The BCS-directed monthly special budget of \$1,196.00 includes the regular monthly budget amount of \$261.00, plus the monthly arrears payment of \$935.00. A copy of the BCS decision is attached as Exhibit A.

5. This paragraph is a request for relief and no answer is required.

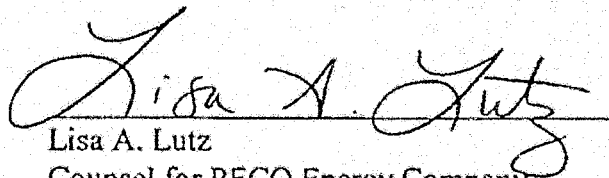
DOCKETED  
MAR 17 2006

DOCUMENT  
FOLDER

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,

A handwritten signature in cursive script that reads "Lisa A. Lutz". The signature is written in black ink and is positioned above 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

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAR 8 2006

PA PUBLIC UTILITY COMMISSION  
REGISTRATION BUREAU

KEVIN ROBINSON

v.

PECO ENERGY COMPANY

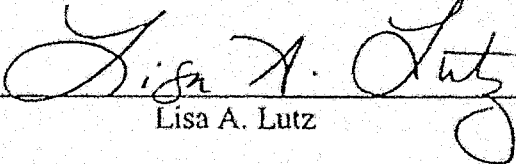
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DOCKET NO. C-20065880

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: March 8, 2006

  
\_\_\_\_\_  
Lisa A. Lutz

Date 2/28/06

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

Case Number: 1930081  
Customer Name: KEVIN ROBINSON  
Address: 171 N MADISON AVE  
UPPER DARBY PA 19082-1332

Opened On: 6/24/05  
Utility Type: Electric Distributor  
Account Number: 500509241542  
Company Name: PECO Energy

Prior Case: Total Balance: \$5,605.82 Balance Date: 7/21/05

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

Decision Issued: Y Oral Written: W  
Investigator: KWIATKOWSKI, JOSHUA  
PUC Decision Issued Dt: 12/29/05 PUC Case Closed Dt: 12/29/05

Decision Recvd Dt: 12/29/05 12 25PM

Letter Description: EGW STRAIGHT PAR/BUDGET + FOR LEVEL 2-4 HOUSEHOLDS

To Restore Service Pay: \$0.00 To Continue Service Pay: \$0.00 By:  
Terms: FEBRUARY 2006  
Special Budget Amount: \$1,196.00 Regular Budget Amount: \$261.00 Plus Arrears Payment: \$935.00  
Final Bill Monthly Payment: \$0.00 Current Bill Monthly Payment: \$0.00  
End Of Month Payment: \$0.00

Par Description:

RECEIVED

MAR 3 2006

PA PUBLIC UTILITY COMMISSION  
CONSUMER SERVICES

Resolution:  
PAR BB + 935.00.. LVL 4.. NO PRIOR PUC PAR.

Exhibit A

RECEIVED

MAR 8 2006

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

KEVIN ROBINSON

v.

PECO ENERGY COMPANY

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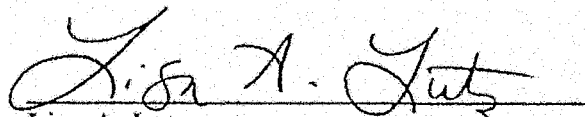
DOCKET NO. C-20065880

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:

KEVIN ROBINSON  
171 N. Madison Avenue  
Upper Darby, PA 19082

Dated at Philadelphia, Pennsylvania, March 8, 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  
March 15, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20065880

(See attached list)

## DOCUMENT FOLDER

Kevin Robinson v. PECO Energy Company

Requests payment arrangements.

### Hearing Notice

This is to inform you that your case is scheduled for hearing at 1:30 p.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the presiding Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all afternoon, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

Type: Initial Hearing  
Date: Thursday, April 20, 2006  
Time: 1:30 p.m.  
Location: Hearing Room 2  
State Office Building  
Broad & Spring Garden Streets  
Philadelphia, PA

**DOCKETED**  
MAR 31 2006

Presiding: Administrative Law Judge Herbert Smolen  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215.560.2105  
Fax: 215.560.3133

Attention: You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

If you intend to file exhibits, bring 4 copies with you to the hearing.

Individuals may represent themselves or be represented by an attorney. Individuals representing themselves do not need to be represented by an attorney. If you have an attorney representing you, your attorney should file a Notice of Appearance before the scheduled hearing date.

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:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

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

#502239 09/04

#502239 03/05