

**DOCUMENT** BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Barbara Botdorf

v.

PECO Energy Company

**DOCKETED**

SEP 14 2004

Z-01348749

SECRET  
SEP 14 2004  
COMMUNICATIONS SECTION

**SECOND PREHEARING ORDER**

A telephonic Initial Hearing in this case was scheduled for Monday, August 9, 2004, at 2:00 p.m. On August 9, 2004, I issued an Order granting a continuance due to flooding at Complainant's residence and misdirection of information about the hearing. The telephonic Initial Hearing has been rescheduled for Friday, October 1, 2004, at 10 a.m.

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

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

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

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

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

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

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

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

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

9. Pursuant to 52 Pa.Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code §1.24(b).

10. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other party will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

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

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

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

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

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

Date: September 8, 2004

Kandace F. Melillo  
Kandace F. Melillo  
Administrative Law Judge

MONTHLY BUDGET INFORMATION

Customer's Name: Barbara Botdorf

Date: September 9, 2004

Name of Utility: PECO Energy Company

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

Hearing Date: Friday, October 1, 2004 @ 10:00 a.m.

Administrative Law Judge: Kandace F. Melillo

**Monthly Household Income**

**Amount**

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

Salaries, wages & tips

\$ \_\_\_\_\_

Public assistance

\_\_\_\_\_

Social security or SSI

\_\_\_\_\_

Alimony

\_\_\_\_\_

Child support

\_\_\_\_\_

Pension

\_\_\_\_\_

Retirement benefits

\_\_\_\_\_

Unemployment compensation

\_\_\_\_\_

Workers' compensation

\_\_\_\_\_

Food stamps

\_\_\_\_\_

Other income (List source & amount):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total:

\$ \_\_\_\_\_

(IMPORTANT: COMPLETE EXPENSE INFORMATION ON NEXT PAGE.)

Monthly Household Expenses  
Owed

Amount

Balance

Rent/mortgage	\$ _____	\$ _____
Electric	_____	_____
Gas	_____	_____
Telephone	_____	_____
Water	_____	_____
Sewage	_____	_____
Trash pickup	_____	_____
Cable television	_____	_____
Food (Other than food stamps)	_____	_____
Clothing	_____	_____
Automobile:		
Loan payment	_____	_____
Gasoline	_____	_____
Repairs & maintenance	_____	_____
Car insurance	_____	_____
Other transportation:		
Bus	_____	_____
Taxicabs	_____	_____
Jitneys	_____	_____
Insurance premiums:		
Renters'/homeowners' insurance	_____	_____
Life insurance	_____	_____
Medical insurance	_____	_____
Medical bills:		
Doctors	_____	_____
Dentists	_____	_____
Hospitals	_____	_____
Prescriptions	_____	_____
List credit cards & charge accounts:		
_____	_____	_____
_____	_____	_____
_____	_____	_____
List loan payments:		
_____	_____	_____
_____	_____	_____
_____	_____	_____
List other expenses:		
_____	_____	_____
_____	_____	_____
_____	_____	_____
Total:	\$ _____	\$ _____

# Chapter 56 Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	Z-01348749		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Barbara Boldorf v PECO Energy Company	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taped:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Harrisburg	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:	N/A	
Date:	October 1, 2004			
		RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Special Agent:	Kandace F. Melillo	DATE:	10/1/04	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	Decision due in 25 days.	

*CONFIDENTIAL*

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?				
Anthony Kawughy Esq.	2301 Market ST, PO Box 8699	PECO Energy Co.				
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: small;">City</td> <td style="text-align: center; font-size: small;">State</td> <td style="text-align: center; font-size: small;">Zip</td> </tr> <tr> <td style="text-align: center;">Phila</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">19023</td> </tr> </table>		City	State	Zip	Phila
City	State	Zip				
Phila	PA	19023				
Telephone: 215 841 5974	E-mail Address:	Fax Number:				
Barbara Boldorf	33 S. 14th ST	Pro Se				
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: small;">City</td> <td style="text-align: center; font-size: small;">State</td> <td style="text-align: center; font-size: small;">Zip</td> </tr> <tr> <td style="text-align: center;">Darby</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">19023</td> </tr> </table>		City	State	Zip	Darby
City	State	Zip				
Darby	PA	19023				
Telephone: 610/534-4837	E-mail Address:	Fax Number:				
Telephone:	E-mail Address:	Fax Number:				

Check this box if additional parties or attendees appear on back of form.

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*

Name and Telephone Number	Address			Who are you representing?
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

**DATE:** October 4, 2004

**SUBJECT:** Barbara Botdorf v. PECO Energy Company  
Docket No. Z-01348749

**TO:** Wanda Zeiders, Supervisor of Docket Management  
Docketing Section, Secretary's Bureau

**FROM:** Kandace F. Melillo, Administrative Law Judge  
Office of Administrative Law Judge

I have attached two copies of the following exhibits, which have been admitted, into evidence in the above-referenced case for a hearing held on October 1, 2004:

PECO Exhibits 1, 2, and 3

PLEASE HAVE THESE EXHIBITS DOCKETED AND PLACED IN THE RED DOCUMENT FOLDER.

If you have any questions about the exhibits, or this Memo, please contact me at (717) 787-3788.

DOCUMENT

Attachments

SECRETARY'S BUREAU  
OCT 9 9:26

DOCUMENT

Account Statement

Customer Name: Barbara Boddorf  
 Address: 33 S 14th St  
 Darby Pa 19023-1207

Prepared by: Lou Dubois  
 Investigator: PUC  
 Case Number: 1348749

Account Number: 50-07-34-058026

Rates: Electric, Residential Cap2  
 Gas, Residential Cap2

Bill Period	DAYS	Meter Reading -Type	USAGE	Dly Avg Use	Peco Bill Amt /Budget + Agmt	Supp Chg.	Sales Tax	Amount Req'd	Due Date	Late Chg	Payment	Date Pymt Rec'd	Balance	Comments
10/09/02	29	7579-A	632	21.7	53.38			793.61	11/04/02	8.69			1,231.15	BM 04
11/08/02	30	7997-A	418	13.9	31.25			883.88	12/03/02	9.72			1,306.42	
11/08/02	30	9001-A	47	1.5	34.30									
12/10/02	32	8536-A	539	16.8	41.38			1,016.32	01/02/03	10.73			1,423.86	
12/10/02	32	9104-A	103	3.2	65.33									
01/10/03	31	9045-A	509	16.4	37.52			1,161.87	02/04/03	12.25			1,554.41	BM 04
01/10/03	31	9241-A	137	4.4	80.78									
02/10/03	31	9559-A	514	16.5	38.09			1,195.89	03/05/03	12.77	140.00	01/18/03	1,573.43	BM 07
02/10/03	31	9429-A	188	6.0	108.16									
03/11/03	29	1007-A	448	15.4	33.06			1,354.78	04/03/03	14.79			1,717.32	BM 07
03/11/03	29	9579-A	150	5.1	96.04									
04/09/03	29	10330-A	323	11.1	25.28			1,261.81	05/05/03		*178.00	03/28/03	1,809.35	*LIHEAP Cash Grant
04/09/03	29	9634-A	55	1.8	44.75									
05/09/03	30	10617-A	287	9.5	23.03			1,225.47	06/03/03			04/16/03	1,558.01	
05/09/03	30	9661-A	27	0.9	25.63									
06/10/03	32	10899-A	282	8.8	22.73			1,282.25	07/03/03				1,589.79	
06/10/03	32	9678-A	17	0.5	19.05									

NOV 03 2004

UNPAID

52.6

2-01348749  
 PECO 1  
 1 of 3

Account Statement

Customer Name: Barbara Boldorf  
 Address: 33 S 14th St  
 Darby Pa 19023-1207

Prepared by: Lou Dubois  
 Investigator PUC  
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Bill Period	DAYS	Meter Reading -Type	USAGE	Dly Avg Use	Peco Bill Amt /Budget + Agmt	Supp Chg.	Sales Tax	Amount Reqst'd	Due Date	Late Chg.	Payment	Date Pymt Rec'd	Balance	Comments
07/10/03	30	11794-A	895	29.8	87.14			1,380.36	08/04/03		20.00	06/27/03	1,662.90	
07/10/03	30	9690-E	12	0.4	15.97									
					+ 15.00									
08/11/03	32	13013-A	1219	38.0	128.85			1,537.98	09/03/03				1,825.52	
08/11/03	32	9699-A	9	0.2	13.77									
					+ 15.00									
09/10/03	30	13838-A	825	27.5	78.14			1,609.89	10/06/03		35.00	08/20/03	1,862.43	
09/10/03	30	9708-A	9	0.3	13.77									
					+ 15.00									
10/09/03	29	14303-A	465	16.0	34.12			1,675.71	11/03/03				1,933.25	
10/09/03	29	9721-A	13	0.4	16.70									
					+ 15.00									
11/07/03	29	14575-A	272	9.3	22.10			1,734.63	12/02/03				1,977.17	
11/07/03	29	9741-A	20	0.6	21.82									
					+ 15.00									
12/09/03	32	14952-A	377	11.7	28.64			1,855.04	01/05/04				2,082.58	
12/09/03	32	9834-A	93	2.9	76.77									
					+ 15.00									
01/09/04	31	15395-A	443	14.2	32.75			2,005.76	02/03/04				2,218.30	
01/09/04	31	9955-A	121	3.9	102.97									
					+ 15.00									
02/10/04	32	15864-A	469	14.6	34.66			2,231.18	03/04/04				2,428.72	
02/10/04	32	168-A	213	6.6	175.76									
					+ 15.00									
03/10/04	29	16202-A	338	11.6	26.41			1,121.00	04/05/04				2,545.76	
03/10/04	29	269-A	101	3.4	90.63									
					+ 15.00									
04/09/04	30	16514-A	312	10.4	24.78			1,142.00	05/04/04		100.00	04/05/04	2,548.20	BM 52
04/09/04	30	348-A	79	2.6	77.66									

Peco 1  
 2 of 3

Account Statement

Customer Name: Barbara Bortdor  
 Address: 33 S 14th St  
 Darby Pa 19023-1207

Prepared by: Lou Dubois  
 Investigator: PUC  
 Case Number: 1348749

Account Number: 50-07-34-058026

Rates: Electric, Residential Cap2  
 Gas, Residential Cap2

Bill Period	DAYS	Meter Reading -Type	USAGE	Diy Avg Use	Peco Bill Amt /Budget + Agmt	Supp Chg	Sales Tax	Amount Reqst	Due Date	Late Chg	Payment	Date Pymt Rec'd	Balance	Comments
05/11/04 05/11/04	32 32	16800 - A 376 - A	286 28	8.9 0.8	23.15 32.17 /106.00 + 15.00			1,263.00	06/03/04				2 603.52	BM 52
06/10/04 06/10/04	30 30	17232 - A 388 - A	432 12	14.4 0.4	32.32 17.90 + 15.00			1,235.02	07/06/04		50.00	05/19/04	2 603.74	
07/12/04 07/12/04	32 32	18102 - A 400 - A	870 12	27.1 0.3	84.64 17.90 + 15.00			867.56	08/04/04		25.00 *160.00 ^300.00	07/07/04 06/30/04 06/30/04	2 221.28	*Overage ^Overage
08/10/04 08/07/04	29 26	19014 - A 412 - A	912 12	31.4 0.4	90.10 16.70 + 15.00			989.36	09/02/04				2 328.08	
09/10/04 09/10/04	31 34	20054 - A 423 - A	1040 11	33.5 0.3	106.71 17.00 + 15.00			1,103.07	10/05/04		25.00	08/24/04	2 426.79	

Reading Type Codes: A - Actual E - Estimated C - Customer R - Remote

PECC B

BARBARA BOTDORF

50-07-34-058026

09/21 PENDING AGMT 03/17/RMK

CP2-PUC

33 S 14TH ST

SP-AGR

DARBY PA

19023

TEL-610-534-4837

\*\*\*\*\* CREDIT 3 \*\*\*\*\* NEXT FORMAT CRED

ACTV AGMT TYPE	AGMT-PUC	3	DATE OPN	03/10/04	AMOUNT	1428.72	INST	15.00
TYPE	DATE OPN	AMOUNT	INSTALL	EXT DATE	DATE CLD	DISPOSITION		
EXTN-CMS	04/05/04	300.00		06/04/04	06/04/04	NOT KEPT		
EXTN-CMS	03/10/04	1000.00		04/05/04	04/05/04	NOT KEPT		
AGMT-FSMT	03/17/04				03/17/04	FSMT INFO ONLY		
LEVEL 1A	04/10/02	542.54	15.00		03/10/04	RENEGOTIATED		
LEVEL 1A	03/31/03	1032.68			04/16/03	UTL- PECO REF		
LEVEL 1A	01/13/03	894.61			01/29/03	UTL- PECO REF		
	12/03/02	803.33		01/01/03	01/01/03	NOT KEPT		
LEVEL 1A	12/02/02	803.33			12/18/02	UTL- PECO REF		
	10/17/02	711.12		11/14/02	11/14/02	NOT KEPT		
LEVEL 1A	10/02/02	581.15			10/18/02	UTL- PECO REF		
LEVEL???	09/12/02	434.27			09/30/02	UTL- REF FSMT		
	08/05/02	218.65		09/03/02	09/03/02	NOT KEPT		
	07/02/02	144.58		07/31/02	07/31/02	NOT KEPT		
LEVEL 1A	07/01/02	144.58			07/17/02	UTL- PECO REF		
LEVEL 1I	10/17/01	487.17	15.00		04/10/02	RENEGOTIATED		
LEVEL 1A	01/17/02	90.29			02/04/02	UTL- PECO REF		
LEVEL 1A	01/07/02				01/07/02	FSMT INFO ONLY		
LEVEL 1A	11/30/01				11/30/01	FSMT INFO ONLY		

DOCUMENT DOCKETED  
NOV 03 2004

COLLECTION SYSTEM

9:26  
BUREAU

2-01348749

PECO 2  
1 of 1

Date: 9/21/04

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

Case Number: 1348749  
Customer Name: BARBARA BOTDORF  
Address: 33 SOUTH 14TH STREE  
DARBY PA 19023-0

Opened On: 4/2/03  
Utility Type: Electric Distributor  
Account Number: 500734058026  
Company Name: PECO Energy

Prior Case: Total Balance: \$2,428.72 Balance Date: 2/27/04

Compliance Violation(Alleged, Actual, No): NO Chap 56/84/Other: Section/Rule:

Decision Issued: Y Oral Written: W  
Investigator: SHINDLE, ROBERT PUC Decision Issued Dt: 3/3/04 PUC Case Closed Dt: 3/1/04

Decision Recvd Dt: 3/1/04 11:25AM

Letter Description: CAP PARTIAL CATCH-UP

To Restore Service Pay: \$0.00 To Continue Service Pay: \$1,000.00 By: 4/5/04  
Terms: MAY 2004  
Special Budget Amount: \$121.00 Regular Budget Amount: \$106.00 Plus Arrears Payment: \$15.00  
Final Bill Monthly Payment: \$0.00 Current Bill Monthly Payment: \$0.00  
End Of Month Payment: \$0.00

Par Description:

**DOCKETED**  
NOV 03 2004

**DOCUMENT**

Resolution:

CAPRATE[R]...CUSTOMER MUST PAY 1000 TO CO BY 4/5/04 THEN BEG MAY 2004 PAY 121/MO (CAPRATE BUDGET 106 + 15) UNTIL CAPRATE AGREEMENT IS CURRENT... WAIVE LPCS.

NOV 03 9:26  
BUREAU

2-01348749