

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: 06/27/02
8. DOCKET NO: Z-01102765	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: JONES, MICHAEL V. AND LISA B.

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMF/APP COUNTY: MONTGOMERY

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT THEIR BILLS NEVER VARY SO THEY BELIEVE THEY ARE ESTI-
MATED AND THEY ARE PAYING TOO MUCH. THEY WANT THIS TO BE INVESTIGATED AND TO
BE PUT ON A REASONABLE PAYMENT PLAN.

DOCUMENT
FOLDER

DOCKETED

JUN 28 2002

ST 1102765
7-8-02

ORIGINAL

FORMAL COMPLAINT FORM
Pennsylvania Public Utility Commission

2002 JUN 27 8:19:13 Z-01102765
110550

Please Print:

1. Your Name, Mailing Address and Telephone Number

Name Michael V. Jones (Lisa B. Jones)

Street/P.O. Box 1240 Wayne Ave. Apt.#

City Phoenixville State Pa. Zip 19460

County Montgomery Home Telephone-Area Code 610 666 8160
Work Telephone-Area Code 610 220 5910

2. Name of Company your complaint concerns: PECO ENERGY, PAHA. PA.

3. What is your complaint?

We dispute the amount of our
"month to month" utility charges. We
believe they're estimated, so they
never vary (year-round), therefore we
believe we are paying too much (every
month) Our usage changes (at the least -
seasonally)
& we are very energy conservative & conscious
within our household & we don't
understand why our charges continue
to remain the same or increase every

(If you need more space, use additional paper and attach to this form).

We also have (-over-) other concerns -
like why our meter was changed on a
Saturday @ with no notice.

4. What do you want the Public Utility Commission to do about your complaint?

We cannot afford 250.00 (estimated \$ amount expected from Peco) a month. Peco has been completely unwilling to give us a more feasible payment plan. (I so did the P.U.C. after their "investigation") whether or not our charges are found to be accurate (after this complaint is resolved) we need a payment plan that is ^{far} more practical for us. Thank you.

(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Mabel A. (Lisa B. Jones)
Original Signature of complaining person

6-24-02
Date

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

Lawyer's Name N/A
Street _____
City _____ State _____ Zip _____
Telephone Number-Area Code () _____

Timely

NOTIFICATION OF INTENT TO APPEAL
(Request For Formal Complaint Forms)

Notice to Customer:

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

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within 20 days of 6/10/2002. The Commission will send you formal complaint forms.

You must comply with the terms of 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 pursue the termination of your service.

Thank You
Pennsylvania Public Utility Commission

Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:

RECEIVED

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

MICHAEL JONES
1240 WAYNE AVE
PHOENIXVILLE PA 19460

JUN 14 2002

PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

610-666-8160
(Area Code) Telephone Number

Michael Jones 6-12-02
Signature

Mail this completed form to:

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

ST Number:	1102765	Date of mailing:	6/10/2002
Company:	PECO ENERGY		

REVISED 12/97

17

June 13, 2002

Michael + Lisa Jones
1240 Wayne Ave.
Phoenixville, Pa 19360
(610) 466-5160
Peco acct # 401405632035

Pennsylvania Public ^{Utility} Commission
Harrisburg, Pa

Attn: Lisa Jenkins

S.I. # 1102765

Re: Informal Complaint Decision (dated 6/11/02)

Ms. Jenkins:

Enclosed is our "intent to appeal" form
Our reasons for appealing your decision
are simply that none of our concerns
with Peco have been addressed. The
payment plan you've set up with them
(for our past + present bills) is no different
from the one we had with them before
your "investigation". We cannot afford
\$241.00 a month! And we're not convinced
that is an accurate account of our usage.
We don't want an estimated bill.

PAPU
SI

170

JUN 17 02

PENNSYLVANIA PUC

every month. We want our meter
read every month (which has rarely
happened in the 7 years we have
resided here.) We have tried ^{to} make
changes in our usage within our
household & have not seen any
difference in our bills. That's ^{just} not
possible - something is wrong there.
We realize we have a large overdue
(past) balance & we have no trouble
~~repaying~~ repaying that, but our basic
current charges continue to go up &
makes it hard to pay the past
due balance. We would also like
to know why our old meter was
removed & a new one installed (on
5/25/02), which was a Saturday &
we were not notified about it.
Whether it's to our benefit or theirs,
it just seemed very irregular! If
you could contact us about what
exactly you found out during

the investigations that might
address these (+ other) concerns
we have with our electric services
it would be greatly appreciated.
Your correspondence was very vague
& basically we feel we're right
back where we started (before
we contacted you/PUC) If these
issues can be resolved without an
appeal we'll cancel our request
for it. But at this point we will
continue to make any & all efforts
to have our questions answered.
Thank you.

Sincerely,

Lucy Gomez

Michelle



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

7-8-02

IN REPLY PLEASE
REFER TO OUR FILE

June 17, 2002

ST 1102765

MICHAEL JONES
1240 WAYNE AVENUE
PHOENIXVILLE PA 19460

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 JULY 8, 2002 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

KSB

CC PECO ENERGY

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: June 28, 2002

MICHAEL V. AND LISA B. JONES
Complainant

DOCUMENT
FOLDER

VS.

Complaint Docket
No: Z-01102765

PECO ENERGY COMPANY
Respondent

DOCKETED
JUN 28 2002

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; THEREFFORE,

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 17120, an answer (original and two 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)

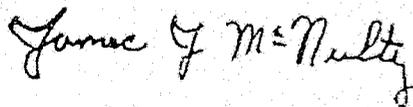
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

DATE SERVED: June 28, 2002

Z-01102765

PECO ENERGY COMPANY
C/O WARD I. SMITH ASSOCIATE GENERAL COUNSEL
2301 MARKET STREET
PHILADELPHIA PA 19101-8699

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by MICHAEL V. AND LISA B. JONES. 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.

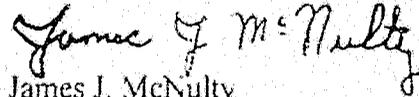
June 28, 2002

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

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

dbs



PECO Energy Company
2401 Market Street
PO Box 8699
Philadelphia, PA 19101 8699

Telephone 215 841 4000
www.exeloncorp.com

An Exelon Company

RECEIVED

ORIGINAL

JUL 17 2002

Direct Dial 215 841 5974

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

July 17, 2002

FedEx

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

BTL

RE: Michael V. Jones v. PECO Energy Company
Docket No. Z-01102765

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)
- Amended Answer and New Matter (original and 3 copies)
- Motion and Supporting Brief (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)

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,

Shari C. Gribbin
Assistant General Counsel
Exelon Business Services Company

Enclosures

cc: Certificate of Service

DOCUMENT
FOLDER

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION JUL 17 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Michael V. Jones

v.

PECO Energy Company

DOCKET NO. Z-01102765

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. Denied. PECO Energy specifically denies that Complainant is unable to pay Complainant's electric bill and strict proof thereof is hereby demanded at time of hearing

PECO Energy avers that Complainant's current outstanding balance is \$930.38. The Complainant's average monthly bill is currently \$153.00 and Complainant's calculated budget payment is currently \$169.00. With respect to meter readings, all meter readings have been actual, except the June 20, 2002, reading. An automatic reading meter was installed on May 25, 2002, the meter was accessible and no prior notice was warranted. Complainant will be contacted to complete an investigation.

A decision of the Bureau of Consumer Services ("BCS") on or about June 7, 2002, required the Complainant to pay \$171.00 budget plus \$70.00 monthly. PECO

DOCUMENT
FOLDER

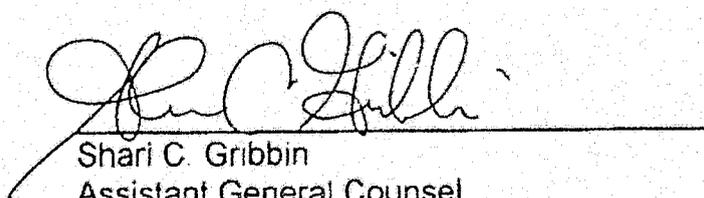
DOCKETED
JUL 22 2002

Energy avers that Complainant has not complied with the BCS decision. A copy of the BCS decision is attached as Exhibit No. 1.

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

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint or enter an Order directing payment and authorizing PECO Energy Company to terminate service if said payment is not made. If an Order directing payment is entered, PECO Energy Company requests that Complainant be required to make a lump sum payment equal to the amount of the payments missed under the Bureau of Consumer Services decision, less any payments actually made. PECO Energy further requests that, pursuant to Bernecker v. Bell Atlantic-PA, Inc., Pa. PUC Docket No. F-00231398 (1995), this Honorable Commission enter an Interim Order directing payment while the hearing in this matter is pending and authorizing PECO Energy Company to terminate service if Complainant fails to pay according to said Interim Order.

Respectfully submitted,



Shari C. Gribbin
Assistant General Counsel
Exelon Business Services Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
215/841-5974
email: shari.gribbin@exeloncorp.com

CS17

PA. PUBLIC UTILITY COMMISSION
BUREAU OF CONSUMER SERVICES
DECISION DATA

6/7/2002

RCS CASE NUMBER: 1102765 BCS UTILITY CODE: 0011

CUSTOMER NAME: MICHAEL JONES
ADDRESS: 1240 WAYNE AVE
PHOENIXVILLE, PA 19460

DATE CASE CLOSED: 6/7/2002

TOTAL/FINAL ACCOUNT BALANCE: \$1,158.10

DATE OF ACCOUNT BALANCE: 4/12/2002

NO.2'S (OFFS)
TO HAVE SERVICE RESTORED PAY: \$0.00

NO.3'S (REMEDS)
TO KEEP SERVICE ON PAY THIS AMOUNT: \$0.00 BY

TERMS: BEGINNING: July 2002

SPECIAL BUDGET OR OPTIONAL PAYMENT AMOUNT: \$241.00

REGULAR BUDGET AMOUNT: \$171.00
PLUS PAYMENT TOWARD ARREARS: \$70.00

FINAL BILL MONTHLY PAYMENT: \$0.00

CURRENT BILL MONTHLY PAYMENT: \$0.00

END OF MONTH PAYMENT: \$0.00

10 DAY PAYMENT OR RECONNECT AMOUNT: \$0.00

BEGINNING WITH THE BILL DATED:

CUSTOMER WILL PAY CB PLUS: \$0.00

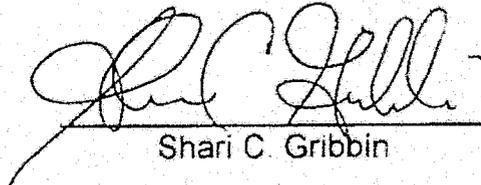
INVESTIGATOR - LISA JENKINS

DECO Exhibit #1

VERIFICATION

I, Shari C. Gribbin, hereby declare that I am an attorney 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: July 17, 2002


Shari C. Gribbin

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JUL 17 2002

Michael V. Jones

v.

PECO ENERGY COMPANY

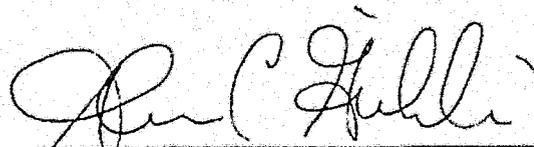
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU
DOCKET NO. Z-01102765

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, properly addressed and postage prepaid to:

Michael Jones
1240 Wayne Avenue
Phoenixville, PA 19460

Dated at Philadelphia, Pennsylvania, July 17, 2002.



Shari C. Gribbin
Assistant General Counsel
Exelon Business Services Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
215/841-5974
email. shari.gribbin@exeloncorp.com



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

August 30, 2002

In Re: Z-01102765

(See attached list)

DOCKETED
SEP 03 2002

Michael & Lisa Jones v. PECO Energy Company
Billing dispute and requests payment arrangements.

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, October 7, 2002
Time: 10:00 a.m.
Presiding: Administrative Law Judge Michael C. Schnierle
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

DOCUMENT

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.

BTI

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

Michael and/or Lisa Jones	(610) 666-8160
Shari C. Gribbin, Esquire	(215) 841-3606

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 3 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:

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

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