

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

ORIGINAL

- - - - -x  
Mark Gerome :  
vs. :  
PECO Energy Company :  
- - Initial Hearing - - -x  
Pages 1 through 5

: Z-01633956  
Hearing Room One  
State Office Building  
Philadelphia, Pennsylvania

Tuesday, January 11, 2005

Met pursuant to notice at 10:50 a.m.

BEFORE:

CYNTHIA W. FORDHAM, Administrative Law Judge

APPEARANCES:

ANTHONY D. KANAGY, Esquire  
2301 Market Street  
Philadelphia, Pennsylvania 19103  
(For PECO Energy Company)

DOCKET  
FEB 24 2005

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None.

EXHIBIT INDEX

None.

FORM 7

P R O C E E D I N G S

1  
2 ADMINISTRATIVE LAW JUDGE CYNTHIA FORDHAM: Good  
3 morning.

4 I am Administrative Law Judge Cynthia  
5 Williams Fordham. This is the time and place  
6 for a hearing the matter of Mark -- M-a-r-k  
7 John Gerome -- G-e-r-o-m-e versus PECO Energy  
8 Company at Docket Number Z-01633956.

9 I note for the record the appearance  
10 of Mr. Anthony D. Kanagy, Esquire, for PECO  
11 Energy Company. The Complainant is not  
12 present.

13 This hearing was scheduled for 9:30  
14 a.m. as a call at the Docket Case. We had  
15 another hearing prior to this of Jason Yancy  
16 versus PECO Energy Company. It is now 10:50  
17 and I have not received either a phone call  
18 from Mr. Gerome indicating that he would be  
19 unable to attend today, or any notification  
20 prior to January 11th indicating that Mr.  
21 Gerome would be unable to attend today's  
22 hearing.

23 The Hearing Notice in this matter is dated  
24 December 30th, 2004 indicating that the case is  
25 scheduled for today at 9:30 a.m. in Hearing

1 Room 2 in the Philadelphia State Office  
2 Building. It indicated that it was one of  
3 several cases to be heard at 9:30 and that the  
4 Complainants or the parties should be in the  
5 Hearing Room when the case is called by the  
6 presiding ALJ.

7 Mr. Gerome has not appeared and it is  
8 now 10:50. Therefore, we will go forward with  
9 the hearing in this matter.

10 Mr. Gerome has filed a Complaint  
11 indicating that he submitted payment for August  
12 2003 charges and that was not accepted by PECO;  
13 and that he received shutoff notices after that  
14 time.

15 Mr. Kanagy.

16 MR. KANAGY: Yes, Your Honor. Seeing as  
17 this is more than just a straight ability to  
18 pay case, I would like to make a motion to  
19 dismiss for failure to prosecute.

20 JUDGE FORDHAM: The motion is granted  
21 since the Complainant is not here to prosecute  
22 his case. This case will be dismissed.

23 I will write a Decision which will be  
24 issued from the Harrisburg office and both  
25 parties will receive copies of that Decision.

1 If either party objects to my Decision, the  
2 Full Commission will review it. If there is no  
3 review, then my Decision will become final by  
4 Operation of Law. Thank you very much.

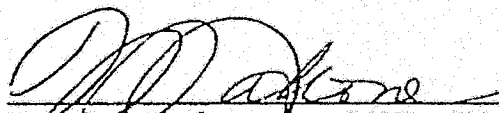
5 MR. KANAGY: Thank you, Your Honor.

6 (Whereupon, the hearing was  
7 concluded at 10:55 p.m.)

8 C E R T I F I C A T E

9 I hereby certify, as the stenographic  
10 reporter, that the foregoing proceedings were  
11 reported stenographically by me, and thereafter  
12 reduced to typewritten form by me or under my  
13 direction, and that this transcript is a true  
14 and accurate record to the best of my ability.

15 COMMONWEALTH REPORTING COMPANY, INC.

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