

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Daniel Bacon

v.

PECO Energy Company

Z-01717799

DOCUMENT

PREHEARING ORDER

DOCKETED
DEC 30 2004

An Initial Hearing in this case is scheduled for Wednesday, January 5, 2005 at 1:30 p.m. in Hearing Room 1 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 1. 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 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 morning, 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.

The parties are hereby directed to comply with the following requirements:

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

1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: 215.560.2105
Fax: 215.560.3133

Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa.Code §5.231(a). The utility will contact you at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. The customer is required to make regular monthly payments towards their utility bill while their complaint is pending. **FAILURE TO MAKE REGULAR MONTHLY PAYMENTS MAY RESULT IN AN ORDER REQUIRING A CATCH UP PAYMENT EQUAL TO THE AMOUNT OF THE PAYMENTS THAT SHOULD HAVE BEEN MADE OR MAY RESULT IN THE UTILITY TERMINATING YOUR SERVICE.**

4. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

5. 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. The customer has the burden of proving that the utility violated Pennsylvania public utility law.

6. At the hearing, the customer must be prepared to testify about the total net monthly income of all people living in your home. This included the following:

- (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.

7. 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.

8. At the hearing, the customer must be prepared to testify about the total monthly expenses of your home, which includes:

- (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.

9. TO ASSIST THE CUSTOMER IN PROVIDING THE INCOME AND EXPENSE INFORMATION REQUIRED BY THIS ORDER, FOUR (4) COPIES OF A BUDGET INFORMATION FORM ARE ENCLOSED. THE CUSTOMER MUST FILL OUT ALL THE COPIES AND BRING THEM TO THE HEARING. IF YOU INTEND TO PRESENT ANY OTHER DOCUMENTS AT THE HEARING, YOU SHOULD BRING FOUR (4) COPIES TO THE HEARING.

10. The utility must bring the following documents to 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.

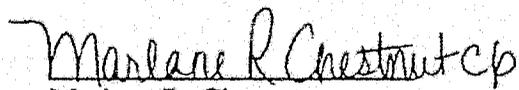
A copy should be served on the Complainant.

11. 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)

12. 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 parties 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.

13. This is a formal hearing and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

Date: December 14, 2004


Marlane R. Chestnut
Administrative Law Judge sitting as
Special Agent

MONTHLY BUDGET INFORMATION

Customer's Name: Daniel Bacon Date: December 14, 2004

Name of Utility: PECO Energy Company

P.U.C. Docket No.: Z-01717799

Hearing Date: Wednesday, January 5, 2005

Special Agent: Marlane R. Chestnut

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:

\$ _____

\$ _____



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
December 14, 2004

IN REPLY PLEASE
REFER TO OUR FILE

In Re: Z-01717799

(See attached list)

Daniel Bacon 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 1 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 1. 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 morning, 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: Wednesday, January 5, 2005
Time: 1:30 p.m.
Location: Hearing Room 1
State Office Building
Broad & Spring Garden Streets
Philadelphia, PA

DOCUMENT
FOLDER

DOCKETED
DEC 29 2004

Presiding: Administrative Law Judge Marlane R. Chestnut
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 Chestnut
Susan Licon
Beth Plantz
Docket Section
Calendar File

#502237 09/04

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

Business Services
Company

Direct Dial: 215.841.6841
Fax: 215.568.3389
January 3, 2005

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

Re: Daniel Bacon v. PECO Energy Company
Docket Number: Z-01717799

RECEIVED

JAN - 3 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

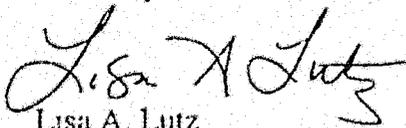
Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that the parties in the above referenced complaint have reached an accord.

By copy of this letter, I am alerting the Complainant of his right to object to the closing of this matter in writing to the Public Utility Commission within ten (10) days of the date of this letter.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you.

Sincerely,



Lisa A. Lutz
Counsel for PECO Energy Company

Cc: Mr. Daniel Bacon
Administrative Law Judge Marlane R. Chestnut
Susan Licon

**DOCUMENT
FOLDER**

DOCKETED
JAN 24 2005

133

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: January 5, 2005
SUBJECT: Z-01717799 Daniel Bacon v. PECO Energy Company
TO: Wanda Zeiders
Docket Management
FROM: Susan Licon, Scheduling Officer
Office of Administrative Law Judge

On January 4, 2005, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Marlane R. Chestnut
Beth Plantz
Case File

DOCKETED
JAN 25 2005

DOCUMENT
FOLDER

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No:	Z-01717799		YES	NO
Case Name:	Daniel Bacon v. PECO Energy Company	Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	January 5, 2005			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Marlane R. Chestnut	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS		
		<i>settled per to Cherry</i>		

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

Name and Telephone Number	Address	Who are you representing?
DOCUMENT	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:

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

Reporter's Signature

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

Legal Department

Exelon Business Services Company
2301 Market Street / 523-1
PO Box 8699
Philadelphia, PA 19101-8699

Telephone 215 841 5544
Fax 215 558 3389
www.exeloncorp.com

Business Services
Company

Direct Dial 215 841 6841

January 27, 2005

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

**DOCUMENT
FOLDER**

RE: Daniel Bacon v. PECO Energy Company
Pa. PUC Docket No.: Z-01717799

Dear Secretary McNulty:

Enclosed is a copy of Withdrawal of Complaint signed by the Complainant in the above-referenced case. The Complainant has agreed to withdraw the complaint without prejudice. Please send me a final order or closing notice in this matter.

Thank you for your help and if you have any questions regarding this request, please call my direct dial number (215) 841-3544.

Very truly yours,

Lisa A. Lutz
Counsel for PECO Energy Company

LAL/zr

Enc.

RECEIVED

2005 JAN 31 AM 12:01

SECRETARY'S BUREAU

WITHDRAWAL OF
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT
Daniel Bacon v. PECO Energy Company
Docket Number: Z-01717799

The circumstances causing the above Pennsylvania Public Utility Commission
formal complaint have been resolved, and I wish to withdraw this complaint.

Daniel Bacon
Daniel Bacon

1/10/05
Date

DOCKETED
FEB 17 2005

**DOCUMENT
FOLDER**

SECRETARIAT
JURISDICTION
RECEIVED