

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: 07/28/04
8. DOCKET NO: C-20043430	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: ANDREWS, VALERIE

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: MONTGOMERY

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE IS CURRENTLY UNEMPLOYED AND RECEIVING \$154 BI-WEEKLY. SHE WANTS TO BE ABLE TO PAY WHAT SHE IS ABLE TO PAY UNTIL SHE CAN GET BACK TO WORK.

DOCUMENT  
FOLDER

**DOCKETED**  
JUL 29 2004

# ORIGINAL C - 20043430

## Formal Complaint Form

Please Print.

1. Your name, mailing address and telephone number:

Name VALERIE ANDREWS  
Street/P.O.Box 620 MANATAWNY Apt # SENTRY 86  
City POTTSTOWN State PA Zip 19464  
County MONTG Area Code/Home Phone 610 323-2873  
Area Code/Work Phone 610 323-5020

2. Name of company your complaint concerns: PECO

3. What is your complaint? (Use additional paper if need more space).

I'M CURRENTLY UNEMPLOYED. AND I'M RECEIVING  
\$154.00 bi WEEKLY. THAT'S \$308 EVERY TWO  
WKS

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

Would you PLEASE ALLOW ME to PAY what  
I'm ABLE to PAY UNTIL I CAN GET BACK  
to WORK

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.

Valerie Andrews  
Signature

7-23-04  
Date

Continued on next page

3.) My RENT is \$140.00. I'm FINANCING  
A CAR with A PAYMENT of \$103.00  
AND INS. OF \$157.00.

4.) I'm trying to get my CDL  
SO I CAN get MORE HOURS.  
I'm REALLY trying.

Sincerely

Valerie  
Andrews

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

DATE SERVED: JULY 30, 2004

C-20043430

PECO ENERGY COMPANY  
C/O WARD L SMITH ASSOCIATE GENERAL COUNSEL  
P O BOX 8699  
PHILADELPHIA PA 19101-8699

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by VALERIE ANDREWS. 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.

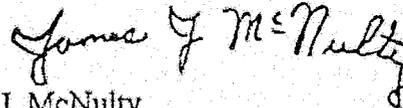
JULY 30, 2004

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

JIII

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JULY 30, 2004

VALERIE ANDREWS  
Complainant

VS.

PECO ENERGY COMPANY  
Respondent

Complaint Docket  
No: C-20043430

DOCUMENT  
FOLDER

**DOCKETED**  
JUL 29 2004

---

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,

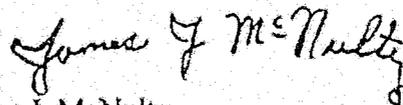
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as 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

Legal Department

Telephone 215 841 5544  
www.exe.oncorp.com

Business Services  
Company

Exelon Business Services Company  
2371 Market Street  
PO Box 8699  
Philadelphia, PA 19101

Direct Dial: 215 841 5974  
Fax: 215.568.3389  
August 18, 2004

DOCUMENT

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

ORIGINAL

Re: **Valerie Andrews v. PECO Energy Company**  
Docket No. C-20043430

Dear Mr. McNulty:

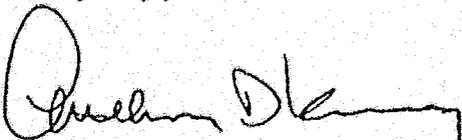
Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

- Answer (original and 3 copies)
- Answer and Motion (original and 3 copies)
- Petition (original and 3 copies)
- Answer and New Matter (original and 3 copies)
- Amended Motion (original and 3 copies)
- Exceptions (original and 9 copies)
- Reply Exceptions (original and 9 copies)
- Motion (original and 9 copies)
- Reply Motion (original and 9 copies)

DOCKETED  
SEP 02 2004  
*[Signature]*

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,



Anthony D. Kanagy  
Counsel for PECO Energy Company

Enclosures  
cc: All Parties

REC'D  
AUG 18 2004  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

64

DOCKETED

SEP 02 2004

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VALERIE ANDREWS

v.

PECO ENERGY COMPANY

DOCKET NO. C-20043430

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. Demed. PECO Energy specifically denies that Complainant is unable to pay

DOCUMENT

Complainant's electric bill and strict proof thereof is hereby demanded at time of hearing. By way of further response, PECO Energy avers that Complainant's current outstanding balance is \$799.96. The Complainant's average monthly bill is currently \$108.00. The Complainant is enrolled in the CAP Rate Program and receives a 25% discount on the first 500 kilowatts of electric service. On March 17, 2004, Complainant received a CAP charge off in an amount of \$495.11. Over the past seventeen (17) months, Complainant has only made six (6) payments. Complainant made her last payment on July 24, 2004 in an amount of \$80.00.

A decision of the Bureau of Consumer Services ("BCS") issued on or about July 9, 2004 required the Complainant to pay \$631.54 by August 2, 2004 and then to pay a \$125.00 special budget payment per month beginning August 22, 2004. The Complainant has not complied with the BCS decision. A copy of the BCS decision is attached as Exhibit A.

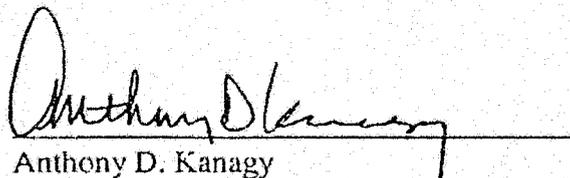
AUG 3 2004  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

PECO Energy is without sufficient knowledge to either confirm or deny the remaining statements of this Complainant. Therefore PECO Energy denies all such averments.

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 remove the automatic stay on the payment arrangement set forth under the Bureau of Consumer Services decision and authorize PECO Energy Company to terminate service if said payment is not made. 56 Pa. Code § 56.174(3); Charles Stammel v. PG Energy, a Division of Southern Union Company, Docket No. C-20027994 (Order Entered May 21, 2003). PECO Energy further requests that your Honorable Commission enter an Interim Order directing payment of current undisputed consumption charges in addition to charges set forth in the Bureau of Consumer Services decision while the hearing in this matter is pending and reminding Complainant that PECO Energy Company is authorized to terminate service if Complainant fails to pay according to said Interim Order pursuant to Sections 56.174(3) and 56.81(1) of the Public Utility Code. Charles Stammel, Docket No. C-20027994 (Order Entered May 21, 2003).

Respectfully Submitted,



Anthony D. Kanagy  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
Direct Dial: 215.841.5974  
Fax: 215.568.3389  
anthony.kanagy@exeloncorp.com

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VALERIE ANDREWS

v.

PECO ENERGY COMPANY

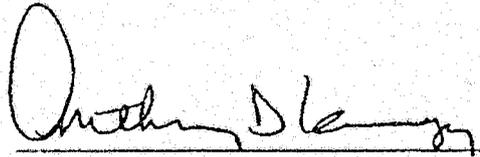
:  
:  
:  
:  
:

DOCKET NO. C-20043430

VERIFICATION

I, Anthony D. Kanagy, hereby declare that I am counsel 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: August 18, 2004



Anthony D. Kanagy

AUG 18 2004  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

Date: 8/10/04

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

Case Number: 1692111  
Customer Name: VALERIE J ANDREWS  
Address: 620 MANATAWNY ST  
SENT-86  
POTTSTOWN PA 19464-9406

Opened On: 6/15/04  
Utility Type: Electric Distributor  
Account Number: 401407444579  
Company Name: PECO Energy

Prior Case: Total Balance: \$737.57 Balance Date: 6/17/04

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: 7/9/04 PUC Case Closed Dt: 7/9/04  
Decision Recvd Dt: 7/9/04 11:25AM

Letter Description: CAP FULL CATCH-UP

To Restore Service Pay: \$0.00 To Continue Service Pay: \$631.54 By: 8/2/04  
Terms: AUGUST 22, 2004 EXTENDED DUE DATE  
Special Budget Amount: \$125.00 Regular Budget Amount: \$0.00 Plus Arrears Payment: \$0.00  
Final Bill Monthly Payment: \$0.00 Current Bill Monthly Payment: \$0.00  
End Of Month Payment: \$0.00

Par Description:

Resolution:  
SEE CS17 FOR TERMS OF PAR. WAIVE.

AUG 10 2004  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

Exhibit "A"

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VALERIE ANDREWS

v.

PECO ENERGY COMPANY

:  
:  
:  
:  
:

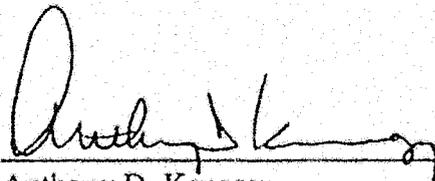
DOCKET NO. C-20043430

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:

Valerie Andrews  
620 Manatawny St.  
Sentry 86  
Pottstown, PA 19464

Dated at Philadelphia, Pennsylvania, August 18, 2004



Anthony D. Kanagy  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
Direct Dial: 215.841.5974  
Fax: 215.568.3389  
anthony.kanagy@exeloncorp.com

AUG 18 2004  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE