

CAPTION SHEET

USE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :
 2. BUREAU: ALJ :
 3. SECTION(S) : 4. PUBLIC MEETING DATE:
 5. APPROVED BY: : 00/00/00
 DIRECTOR: :
 SUPERVISOR: :
 6. PERSON IN CHARGE: : 7. DATE FILED: 09/13/04
 8. DOCKET NO: C-20043657 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PRIMUS, VERA E (PEEPLS)

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY:

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT HER ELECTRICITY WAS SHUT OFF WITHOUT NOTICE AND EVEN THOUGH SHE HAD PAID THEM \$319.39 A COUPLE OF WEEKS EARLIER. SHE FEELS THE \$60 RESTORE FEE IS UNFAIR AND WANTS BETTER COMMUNICATION FROM THE COMPANY.

DOCUMENT
FOLDER

DOCKETED
SEP 15 2004

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

SEE ATTACHED

6. 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.


Signature

9-9-2004
Date

7. If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

8. Mail to:

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

If you have additional questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Pennsylvania Public Utility Commission

Answer to the following questions.

Question # 4 & # 5

I came home on 4/29/04 and noticed that my garage door would not open due to a dead battery. When I came in the house I noticed that I had no electricity. I called PECO and they told me that my service was turned off due not non payment. I was very surprised for several reasons; First, I had paid them a couple weeks prior \$319.39 and second, I NEVER RECEIVED ANY OTHER SHUT OFF NOTICES for the past due balance.

My experiences with PECO and past due balances were the following before they would cut off of services

- I would receive a telephone call as a reminder, which I never did.
- I would receive a 10 day shut off notice in the mail, I did receive one.
- A yellow notice a few days prior to shut off in my front door, which I never got.

I called PECO three different times that day and spoke with three different people who gave me three different answers. The first person was rude and told me that I need to pay a \$400.00 deposit before my service would be restored because of my bankruptcy filing. I told her she was wrong and asked to speak to a supervisor to be told that someone would call me back with 48 hours and that never happened. I also explained that my grand daughter was asthmatic and she said that it was too late to do nothing about that.

The second person that I spoke with told me that I needed to pay the past due amount of \$195.33 to restore the service. In regards to my grand daughter who is asthmatic was told the same thing, there was nothing she can do. I asked again about the supervisor and explained the same information to her and I was told that someone would call me in 48 hours. Again I never received a phone call. I hung up and called the third time after I make the payment with speed pay system. This person was very helpful as much as she could and explained that she would do what she could to have the service restored due to my grand daughter's condition.

I asked about the \$60.00 charge restore fee that I felt was wrong to charge me due to the lack of communication on PECO's part and she advised me to contact PPUC.

I'm asking for the refund of \$60.00 (restore fee) to be refunded and that PECO needs improvement on their communications as well as customer service personnel.

Also it could not take 48 hours to speak with a supervisor or to receive a return phone call that I never received.

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

DATE SERVED: SEPTEMBER 16, 2004

C-20043657

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 VERA F PRIMUS (PEEPLES). 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.

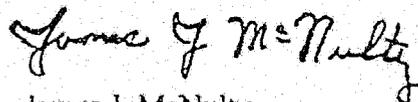
SEPTEMBER 16, 2004

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

dbb

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: SEPTEMBER 16, 2004

VERA E PRIMUS (PEEPLES)

Complainant

VS.

PECO ENERGY COMPANY

Respondent

Complaint Docket

No: C-20043657

DOCUMENT
FOLDER

DOCKETED

SEP 15 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).

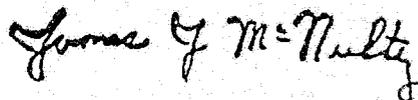
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

Exelon Business Services Company
2301 Market Street
PO Box 8699
Philadelphia, PA 19101

Business Services
Company

OCT 05 2004

Direct Dial: 215.841.5974

Fax: 215.568.3389

October 5, 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

RECEIVED

OCT - 5 2004

Re: Vera E. Primus (Peeples) v. PECO Energy Company
Docket No. C-20043657

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

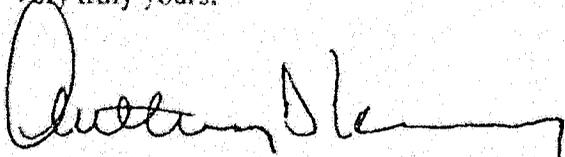
Dear Mr. McNulty.

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

- X Answer (original and 3 copies)
- _____ 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)

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

DOCUMENT
FOLDER

Enclosures

cc: All Parties

ORIGINAL
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

OCT 6 2004
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VERA E. PRIMUS (PEEPLER)

v.

DOCKET NO. C-20043657

PECO ENERGY COMPANY

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. Admitted.
4. Denied. PECO Energy specifically denies that proper termination notices were

RECEIVED

OCT - 6 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

not provided to the Complainant prior to terminating the electric services to the premises. On April 16, 2004, a 10-day notice of termination was mailed to the Complainant. On April 21, 2004, PECO attempted to contact Complainant by telephone to inform her of the impending termination. A message was left on the Complainant's home telephone answering machine. On April 22, 2004, PECO again attempted to contact the Complainant and again left a message on her answering machine. On April 29, 2004, PECO visited the premises and informed an adult female at the premises that service would be terminated. Service was terminated April 29, 2004 and a post termination notice was left at the property. On April 29, 2004 Complainant called PECO to advise that Complainant made the required payment of \$135.33 plus a \$60.00 deposit for restoration of services through a payment processing service. On April 30, 2004, service was restored to the premises.

DOCKETED
OCT 26 2004

**DOCUMENT
FOLDER**

In her Complaint, Complainant alleges certain PECO representatives acted in an unprofessional manner. PECO is currently investigating these averments. At this time, PECO is unable to confirm or deny these allegations, therefore, these allegations are denied and strict proof thereof is demanded at hearing if relevant.

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

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

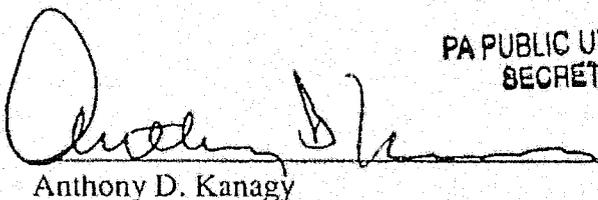
WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

RECEIVED

Respectfully Submitted,

OCT - 5 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



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

Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Direct Dial: 215.841.6841
Fax: 215.568.3389
Lisa.Lutz@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

OCT 11 2004

SECRETARY

REGISTRY

VERA E. PRIMUS (PEEPLER)

v.

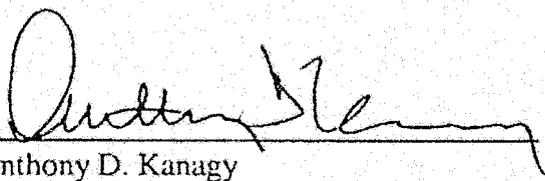
DOCKET NO. C-20043657

PECO ENERGY COMPANY

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: October 5, 2004


Anthony D. Kanagy

ORIGINAL

OCT 05 2004

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

VERA E. PRIMUS (PEEPLES)

v.

PECO ENERGY COMPANY

:
:
:
:
:

DOCKET NO. C-20043657

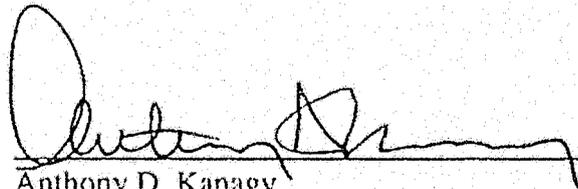
CERTIFICATE OF SERVICE

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:

Vera E. Primus (Peeples)
1331 E. Upsal St.
Philadelphia PA 19150

ORIGINAL

Dated at Philadelphia, Pennsylvania, October 5, 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