

CAPTION SHEET

CASE 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: 03/17/04
8. DOCKET NO: Z-G1172975 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: SMALLS, LADONNIA

RESPONDENT/APPLICANT: PECC ENERGY COMPANY

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THE COMPANY IS TRYING TO MAKE HER PAY A BILL THAT WAS TO A PREVIOUS TENANT AND SHE DOES NOT FEEL THIS IS RIGHT. COMPLAINANT IS REQUESTING THAT SHE ONLY HAS TO PAY FOR WHAT SHE OWES.

DOCKETED
MAR 19 2004

DOCUMENT
FOLDER

FORMAL COMPLAINT FORM
Pennsylvania Public Utility Commission

ST1172975

3-29-04

Please Print:

110550

Z-01172975

1. Your Name, Mailing Address and Telephone Number.

Name Ladonna Smalls

Street/P.O. Box 614 W. Huntingdon Apt.# _____

City Phila. State PA Zip 19133

County _____ Home Telephone-Area Code (215) 229-0141
Work Telephone-Area Code (267) 918-6966 - Cell

2. Name of Company your complaint concerns: PECO

3. What is your complaint?

The electric company wants me to pay
a back bill that the tenant before me
owe and I feel that's wrong, I have
no problem paying a bill that I've
made, but not someone else.

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

(-over-)

RECEIVED
2004 MAR 17 AM 8:54
SECRETARY'S BUREAU

6

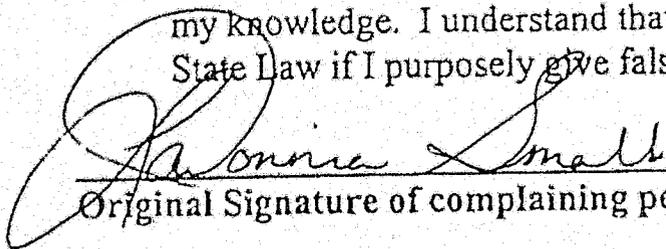
4. What do you want the Public Utility Commission to do about your complaint?

I would like for the back bill to be
dropped and only pay what I use.

(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.


Original Signature of complaining person

3-13-04
Date

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

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

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 2/20/2004. 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:

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

LADONNIA SMALLS
614 W HUNTINGDON ST APT 2
PHILADELPHIA PA 19133

(215) 229-0141
(Area Code) Telephone Number

Ladonna Smalls
Signature

Mail this completed form to:

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

ST Number:	1172975	Date of mailing:	2/20/2004
Company:	PECO ENERGY		

2004 FEB 26 AM 10:31
SECRETARY'S BUREAU

RECEIVED



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

3-29-04

IN REPLY PLEASE
REFER TO OUR FILE

March 8, 2004

ST1172975

LADONNIA SMALLS
614 W HUNTINGDON STREET APT 2
PHILADELPHIA PA 19133

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 March 29, 2004, 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:

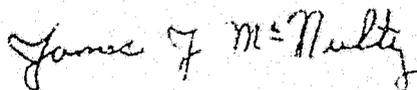
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

ddi

CC: Peco Energy

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: March 19, 2004

LADONNIA SMALLS

Complainant

VS.

PECO ENERGY COMPANY

Respondent

Complaint Docket

No: Z-01172975

DOCUMENT
FOLDER

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

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

DATE SERVED: March 19, 2004

Z-01172975

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

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by LADONNIA SMALLS. 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.

DOCKETED

MAR 19 2004

DOCUMENT
FOLDER

March 19, 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

ddi

ORIGINAL

Legal Department

Exelon Business Services Company
250 Market Street, 23rd
PO Box 8699
Philadelphia, PA 19101-8699

Telephone 215 841 5544
Fax 215 568 3389
www.exeloncorp.com

Business Services
Company

Direct Dial 215 841 6841

April 9, 2004

RECEIVED

APR - 9 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

RE: LaDonnia Smalls v. PECO Energy Company
Docket No.: Z-01172975

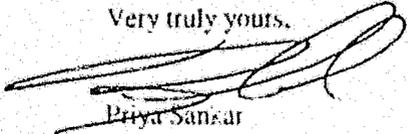
Dear Mr. McNulty:

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)
- _____ Answer and New Matter (original and 3 copies)
- _____ Motion to Dismiss (original and 9 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 documents were served on the interested parties.

Very truly yours,



Priya Sankar
Counsel for PECO Energy Company

PS:zr

Enclosures

DOCUMENT
FOLDER

112

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCUMENT
FOLDER

LADONNIA SMALLS

v.

PECO ENERGY COMPANY

DOCKET NO. Z-01172975

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 denies backbilling the Complainant for a former tenant's usage. By way of further response, Customer initiated service on January 15, 2002. PECO Energy was unable to gain access to Complainant's meter to obtain an initial meter reading. PECO Energy based its billing on estimated readings. On or around May 18, 2002, PECO Energy installed an automated meter reader (AMR). The AMR was activated on June 12, 2002. Complainant's billing is now being based on remote actual readings.

PECO is, after reasonable investigation, without sufficient information to determine the truth of the remaining averments and they are therefore denied.

DOCKETED
APR 13 2004

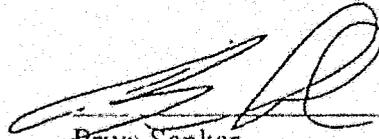
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APR - 9 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Priya Sankar', written over a horizontal line.

Priya Sankar
Counsel for PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699
215-841-6841
priya.sankar@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LADONNIA SMALLS

v.

PECO ENERGY COMPANY

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:
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:
:

DOCKET NO. Z-01172975

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 thereof via First Class, properly addressed and postage prepaid to:

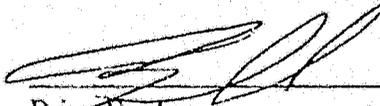
LaDonnia Smalls
614 W. Huntingdon Avenue
Philadelphia, PA 19133

Dated at Philadelphia, Pennsylvania, April 9, 2004.

RECEIVED

APR - 9 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Priya Sankar
Attorney
Counsel for PECO Energy Company
2301 Market Street
P.O. Box 8699
Philadelphia, PA 19101-8699
215-841-6841
priya.sankar@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LADONNIA SMALLS

v.

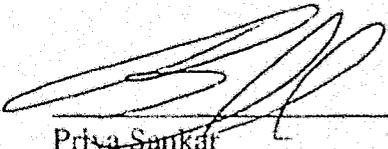
PECO ENERGY COMPANY

DOCKET NO. Z-01172975

VERIFICATION

I, Priya Sankar, hereby declare that I am an attorney with 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: April 9, 2004



Priya Sankar

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
OFFICE OF C.L.J.
04 MAY - 7 AM 9:04

PA PUC

v
PECO ENERGY COMPANY

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:
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DOCKET NOS. [See Attachment A]

DOCUMENT
FOLDER

WITHDRAWAL OF APPEARANCE

TO THE PROTHONOTARY:

Please withdraw my appearance on behalf of Defendant PECO Energy Company in all the matters listed in Attachment A.

RECEIVED

MAY - 5 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU


Priya Sankar, Esq.

DOCKETED
MAY 17 2004

ENTRY OF APPEARANCE

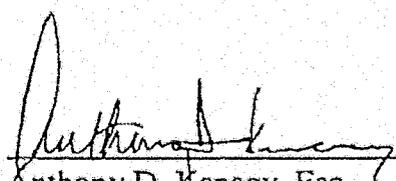
TO THE PROTHONOTARY:

Please enter my appearance on behalf of Defendant PECO Energy Company in all the matters listed in Attachment A. On the basis of this notice, I request a copy of each document hereafter issued by the Commission in this matter.

RECEIVED

MAY - 5 2004

PA PUBLIC UTILITY
SECRETARY'S B.


Anthony D. Kanagy, Esq.
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
215-841-5974

Complainant's Name	Docket Number
DONNA FOSTER	F-01522654
EDNA SHELLEY	F-01563738
MICHAEL D MC NAMARA	F-01573442
THEODORE CHUPP	Z-00933696
VALISSA JARMON	Z-00942308
WALTER J FALVEY	Z-00946507
CHRISTY JACKSON	Z-00958616
MICHAEL GALLAGHER	Z-00968224
WANDA JACKSON	Z-00989568
ANTHONY PELOSI	Z-01021410
ALZINA ARMSTRONG	Z-01021504
CYPRIAN ANYANWU	Z-01027507
JEANINE GIBBS	Z-01030708
RICHARD A SYLK	Z-01063859
JOSEPH WEST	Z-01093082
ROBIN A SMITH	Z-01127006
JILL RITSKY	Z-01152692
DIANE DICKEY	Z-01166506
LADONNIA M SMALLS	Z-01172975
NEIL H STEIN	Z-01182234
SCOTT HARTMAN	Z-01216107
BEVERLY RENSHAW	Z-01232832
LYNDEL WOOD	Z-01233128
PENNY WILLIAMS	Z-01246448
DAWN WILSON	Z-01251202
ELAINE LARSON	Z-01265985
PAULINE MC GURN	Z-01297847
WILLIAM DENNIS	Z-01311464
THOMAS VICKREY	Z-01312517
MARYJANE MAGEE	Z-01316427
THERESE GOLDEN	Z-01320053
DONNA L PRESOCK	Z-01325366



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

IN REPLY PLEASE
REFER TO OUR FILE

August 26, 2004

In Re: Z-01172975

(See attached list)

Ladonna Smalls v. PECO Energy Company

Billing dispute.

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: Wednesday, December 15, 2004
Time: 10:00 a.m.
Presiding: Administrative Law Judge Louis G. Cocheres
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

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

Ladonna Smalls	215.229.0141
Anthony D. Kanagy, Esquire	215.841.5974

DOCUMENT
FOLDER

DOCKETED
AUG 30 2004

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.

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 Cocheres
Susan Licon
Beth Plantz
Docket Section
Calendar File