

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: 08/30/04
8. DOCKET NO: C-20043606 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BROWN, REGINA M.

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COME/APP COUNTY:

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE RECEIVED A LTR STATING THAT SHE SHOULD PAY A DOWN PAYMENT OF \$652. SHE JUST STARTED A NEW JOB AND HAD A FINANCIAL HARDSHIP.

DOCUMENT
FOLDED

DOCKETED
SEP 10 2004

ORIGINAL
Formal Complaint Form

C-20043606

Please Print.

1. Your name, mailing address and telephone number:

Name Regina M Brown
Street/P.O.Box 6121 TORRESdale Ave Apt # —
City Phila State PA Zip 19135
County _____ Area Code/Home Phone 215-332-5583
Area Code/Work Phone 215-214-6777

2. Name of company your complaint concerns: P.E.C.O.

3. What is your complaint? (Use additional paper if need more space).
My complaint is that I received a letter stating that I should pay a down payment of 652.00-which since I just started a new job and had a financial hardship.

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

See Attachments

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.

Regina M. Brown 8/28/04
Signature Date

Continued on next page

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 _____

Area Code/Phone Number _____

Mail to:

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

**For more information, please contact the Secretary's Bureau at
717-772-7777.**

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

the PUC to reason with me and get me a Lower payment due to financial hardship and to so me and my children can have light and continue with our daily living conditions without interruptions.

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

which since then I was in the process of losing my home along with other finances. I tried to make the current charges on the bill, which I did even though it wasn't on time. I am asking that you lower my down payment to as low as possible until I get back on my feet.

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

DATE SERVED: SEPTEMBER 13, 2004

C-20043606

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

DOCUMENT
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Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by REGINA M. BROWN. 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.

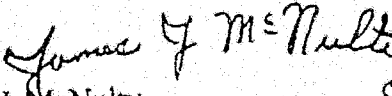
SEPTEMBER 13, 2004

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: SEPTEMBER 13, 2004

REGINA M. BROWN

Complainant

VS.

PECO ENERGY COMPANY

Respondent

Complaint Docket

No: C-20043606

DOCUMENT
FOLDER

DOCKETED
SEP 10 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,

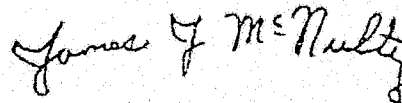
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as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

Exelon Business Services Company
2301 Market Street
PO Box 3699
Philadelphia, PA 19101

Telephone 215 841.5544
www.exeloncorp.com

Business Services
Company

Direct Dial: 215 841.5974
Fax: 215.568.3389
October 4, 2004

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

Re: Regina M. Brown v. PECO Energy Company
Docket No. C-20043606

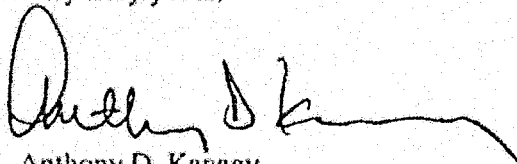
Dear Mr. McNulty,

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

Enclosures
cc: All Parties

OCT 04 2004
PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

DOCUMENT
FOLDER

119

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

REGINA M. BROWN

v.

PECO ENERGY COMPANY

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DOCKET NO. C-20043606

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 specifically denies that Complainant is unable to pay

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 \$749.40. The Complainant's average monthly bill is currently \$73.00 and Complainant's calculated budget payment is currently \$87.00. The Complainant is enrolled in the CAP Rate Program and receives a 50% discount on the first 500 kilowatts of electric service.

A decision of the Bureau of Consumer Services ("BCS") issued on or about August 13, 2004 required the Complainant to pay \$653.32 by September 2, 2004 and then to pay a \$87.00 budget payment plus \$15.00 per month toward the arrears beginning September 28, 2004. The Complainant has not complied with the BCS decision. A copy of the BCS decision is attached as Exhibit A.

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

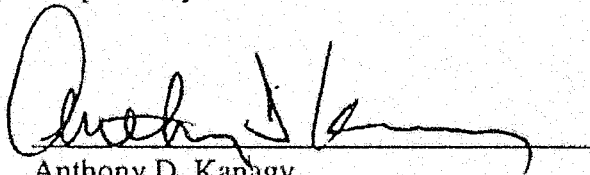
4. This paragraph is a request for relief and no answer is required.

DOCKETED
OCT 08 2004

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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

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

REGINA M. BROWN

v.

PECO ENERGY COMPANY

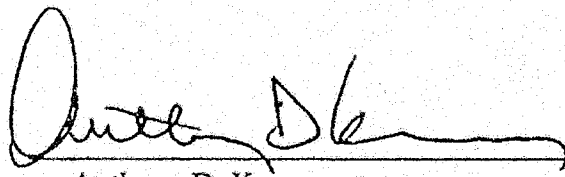
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DOCKET NO. C-20043606

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 4, 2004



Anthony D. Kanagy

Date: 9/28/04

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

Case Number: 1698885
Customer Name: REGINA M BROWN
Address: 6121 TORRESDALE AVE
PHILADELPHIA PA 19135-3717

Opened On: 6/22/04
Utility Type: Electric Distributor
Account Number: 270347006636
Company Name: PECO Energy

Prior Case: 1575978 Total Balance: \$479.22 Balance Date: 6/30/04

Compliance

Violation(Alleged, Actual, No): NO

Chap 56/64/Other:

Section/Rule:

Decision Issued: Y

Oral Written: W

Investigator: BYNDAS, JULIA

PUC Decision Issued Dt: 8/13/04

PUC Case Closed Dt: 8/12/04

Decision Recvd Dt: 8/12/04 10:25AM

Letter Description: CHANGE IN CIRCUMSTANCE/DISMISSAL/SPECIAL BDGT/NO LPCS

To Restore Service Pay: \$0.00

To Continue Service Pay: \$653.32 By: 9/2/04

Terms: 9/28/2004

Special Budget Amount: \$102.00

Regular Budget Amount: \$87.00 Plus Arrears Payment: \$15.00

Final Bill Monthly Payment: \$0.00

Current Bill Monthly Payment: \$0.00

End Of Month Payment: \$0.00

Par Description:

Resolution:

SEE CS17 SCREEN FOR PMT ARR. WAIVE LPC'S

OCT 04 7:00 PM
PA. PUBLIC UTILITY COMMISSION
BUREAU OF CONSUMER SERVICES

Exhibit "A"

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

REGINA M. BROWN

v.

PECO ENERGY COMPANY

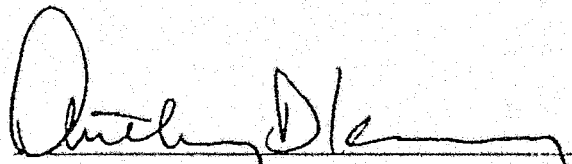
DOCKET NO. C-20043606

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:

Regina M. Brown
6121 Torresdale Ave
Philadelphia, PA 19135

Dated at Philadelphia, Pennsylvania, October 4, 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

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PAID
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