

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: 09/24/02
8. DOCKET NO: Z-01182234	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: STEIN, NEIL H.

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMF/APP COUNTY: MONTGOMERY

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES PECO FAILED TO COMMUNICATE WITH HIM THAT HIS ELECTRICAL SERVICE WAS IN JEOPARDY OF BEING TERMINATED PRIOR TO THE ACTUAL INTERRUPTION OF SERVICE. PECO FAILED TO RESTORE THE SERVICE WHEN THEY KNEW THAT THE PREMISES INVOLVED WAS THE HOME OF AN INDIVIDUAL WHO HAS VARIOUS MEDICAL PROBLEMS. HE WANTS A WRITTEN APOLOGY FROM PECO, HAVE PECO RETURN TO THE CUSTOMER, WITH LEGAL INTEREST, THE SO-CALLED SECURITY DEPOSIT.

DOCUMENT  
FOLDER

**DOCKETED**  
OCT 07 2002

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

Mailed 9/24/02

9/25/02

Please Print:

Z-01182234

110550

S7 1182234

1. Your Name, Mailing Address and Telephone Number.

Name NEIL H. STEIN

ORIGINAL

Street/P.O. Box 400 CHARLES CIRCLE

City NARBERTH State PA Zip 19072

County MONTGOMERY Home Telephone-Area Code: (610) 664 7001  
Work Telephone-Area Code (215) 627 5700

2. Name of Company your complaint concerns: PECO

3. What is your complaint?

SEE ATTACHMENT

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

(-over-)

2:31 PM

SEP 25 2002

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

SEE ATTACHED

(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.

Neil H. Stein  
Original Signature of complaining person

9/24/02  
Date

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

Lawyer's Name NEIL H. STEIN, ESQ, STEIN & GLAZER, PC.  
Street ARAMARK TOWER, STE 4626, 1101 MARKET ST  
City PITCA State PA Zip 19107  
Telephone Number-Area Code (215) 627-5700

Re: Case No. 1182234

ATTACHMENT TO QUESTION NO. 3.

1. Despite all claims to the contrary, the PECO failed to communicate with the undersigned that continued electrical service was in jeopardy of being terminated prior to the actual interruption in service. The undersigned has no control over what is inputted into the computer by PECO's employees, especially when they err. The undersigned reserves the right to depose and/or question the person (s) responsible for such notification.
2. The termination of electrical service to the undersigned's home was improperly terminated at a time when the local temperature was in the mid to high nineties and the heat index was higher.
3. PECO failed to restore service even when they knew that the premises involved was the home of an individual who has various medical problems, including, but not limited to, being a stroke victim, diabetes.
4. PECO deliberately and maliciously terminated the electrical services to the residence late in the afternoon knowing that PECO will claim to stop restoring service after 8pm; thereby having terminated services too late in the day to give the customer the opportunity to have the service immediately restored even if the alleged balance owed is paid in full.
5. PECO PECO deliberately and maliciously terminated the electrical services to the residence late in the afternoon knowing that without prior warning and knowing that no one was present in the residence.
6. PECO purposely, improperly and with callous indifference, allows restoration of service to be delayed for approximate twenty hours after termination of utility service, despite the fact that payment in full is made to, received by and accepted by PECO within two hours after electrical service is terminated.
7. PECO never obtained prior permission from the customer to either record or monitor any of the various conversation held the day service was terminated.

8. PECO deliberately and maliciously terminated the electrical services to the residence knowing that the residence housed senior citizens and the area was in the very midst of a heat wave.

9. PECO, over the last 40 years, has never previously advised this customer of the punitive payments required by PECO as a pre-condition to the restoration of the electrical utility service.

10. PECO improperly charged a reconnecting fee for restoration which greatly exceeds the cost to a new customer for their initial connection.

11. Within an hour and one-half of termination, PECO was advised of the existent medical problems of one of the residents, and deliberately made no effort to have the service restored.

12. PECO acted improperly in refusing to accept a call from the customer's treating physician, and in advising the customer that such a call would be not accepted and/or ignored.

13. The so-called security deposit demanded and required by PECO in order to have service restored is punitive and confiscatory, and is determined unilaterally and without prior notice, guide lines and without concern to the then financial circumstances of the customer and to the number of years the customer has utilized electrical services.

ATTACHMENT TO QUESTION NO. 4:

1. Admonish and/or terminate the employment of the so-called PUC investigator who failed to send a requested detailed report of the investigation to the customer, and who wrongfully made a determination on an issue which was not even requested by the customer, ignoring all issues raised.

2. Obtain a written apology from PECO to the customer.

3. Have PECO return to the customer, with legal interest, the so-called security deposit that was demanded and paid to PECO as an improper pre-condition to the restoration of the customer's electrical services, or in the alternative, have the said security deposit, plus legal interest, credited on the customer's account as a payment towards actual electrical usage in the past, present or for the future.

4. Explain why the PUC failed to respond to the correspondence of the customer of July 3 and July 17, 2002.

*Mark of [unclear] 8/24/02*

**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 8/21/2002. 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.

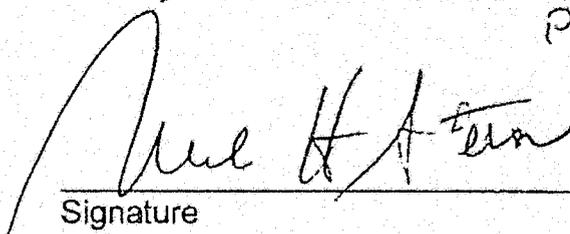
Thank You  
Pennsylvania Public Utility Commission

**Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:** H.

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

NEIL STEIN, ESQ  
~~400 GARDNER CIRCLE~~ ARAMARK TOWER STE 2626  
~~NARBERTH PA 19072~~ 1101 MARKET ST  
PHILA, PA 19107

215 627 5700 (DAY)  
(Area Code) Telephone Number

  
\_\_\_\_\_  
Signature

Mail this completed form to:

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

ST Number:	1182234	Date of mailing:	8/28/02	8/21/2002
Company:	PECO ENERGY	<b>RECEIVED</b>		

REVISED 12/97

AUG 28 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

81

*Stein & Glazer, P.C.*  
*Attorneys at Law*

NEIL H. STEIN  
WENDY GLAZER

*Franklin Tower, Suite 2020*  
*1101 Market Street*  
*Philadelphia, PA 19107-2531*

(215) 627 5700  
(215) 922 7568 FAX

August 28, 2002

Secretary, Public Utility Commission  
Commonwealth of Pennsylvania  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Re: S.T. 1182234

Dear Secretary McNaulty:

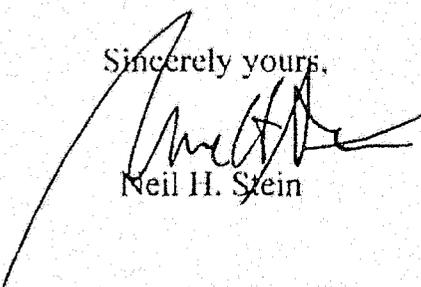
Enclosed find original of an executed and dated *Notification of Intent to Appeal* form with respect to the August 21, 2002 decision made by your employee, Investigator Lionel Gonzalez.

Kindly send to us by return post the "formal complaint forms" and all rules and regulations governing the processing of this type of administrative appeal.

In addition, we would appreciate confirmation of the receipt of the enclosed original document.

Thank you for your anticipated cooperation.

Sincerely yours,

  
Neil H. Stein

NHS\*jd  
Enc.



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

9/25/02

IN REPLY PLEASE  
REFER TO OUR FILE

September 5, 2002

ST 1182234

ARARMARK TOWERS SUITE 2626  
1101 MARKET STREET  
PHILADELPHIA PA 19027

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 September 25, 2002 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:

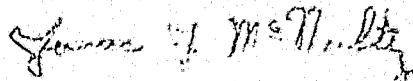
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**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

nvl

CC: PECO

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 8, 2002

NEIL H. STEIN  
Complainant

VS.

Complaint Docket  
No: Z-01182234

DOCUMENT  
FOLDER  
DOCKETED

OCT 07 2002

PECO ENERGY COMPANY  
Respondent

---

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 17120, an answer (original and two 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).

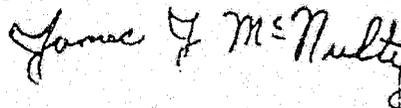
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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: OCTOBER 8, 2002

Z-01182234

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 NEIL H. STEIN. 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.

DOCUMENT  
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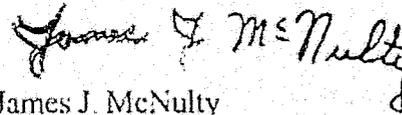
OCTOBER 8, 2002

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

JH

**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

Business Services  
Company

SRB

Direct Dial: 215-841-6841

October 31, 2002

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

**ORIGINAL RECEIVED**

OCT 31 2002

RE: Neil H. Stein v. PECO Energy Company  
Docket No. ~~C-20021107~~

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dear Mr. McNulty:

*Z-01182234*

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

- \_\_\_\_\_ Answer (original and 3 copies)
- \_\_\_\_\_ Petition (original and 3 copies)
- X   Answer and ~~Motion~~ (original and 3 copies)
- \_\_\_\_\_ Motion/Petition (original and 3 copies)
- \_\_\_\_\_ Reply to Motion/Petition (original and 3 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 document was served on the interested parties.

Very truly yours,

Priya Sankar  
Attorney  
Exelon Business Services Company

DOCUMENT  
FOLDER

Enclosures

*Per atty 11-4-02  
Verification to be filed later.*

*93*

*WZ  
7-8153*

RECEIVED

OCT 31 2002

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

NEIL STEIN

v.

DOCKET NO. ~~G-20021104~~

PECO ENERGY COMPANY

Z-01182234

ANSWER OF RESPONDENT PECO ENERGY COMPANY

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa Code §5.61, responds to the Complaint and states:

ORIGINAL

1. Admitted.
2. Admitted
3. PECO Energy's following responses correspond with the numbered paragraphs of the underlying Complaint:

(1) Denied. It is denied that PECO Energy failed to provide notice of termination to Complainant. By way of further response, Complainant's service was terminated on July 1, 2002 for non-payment of an \$ 844.93 balance. PECO Energy mailed a 10-day notice to the Complainant on June 17, 2002. PECO Energy attempted to call Complainant twice on June 20, 2002 at 4:30 p.m. and June 21, 2002 at 9:25 a.m.. No contact was made on either of these calls. PECO Energy is, after reasonable investigation, without

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NOV 05 2002

knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph and they are therefore denied.

- (2) Denied. It is denied that PECO Energy terminated service improperly. By way of further response, Complainant's service was terminated on July 2, 2002. It is denied that PECO Energy terminated service during a heat wave. By way of further response, the Pennsylvania Health Department did not issue a Heat Warning for July 1, 2002. It is PECO Energy's business practice to cease termination activity during a Heat Warning. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph 2 and they are therefore denied.
- (3) Denied. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 3 and they are therefore denied.
- (4) Admitted in part and Denied in part. To the extent that the averments of paragraph 4 are conclusions of law, no response is required. PECO Energy specifically denies that it acted deliberately and maliciously. To the extent that said paragraph contains averments of fact, it is only admitted that that PECO Energy terminated service at Complainant's residence. By way of further response, PECO Energy terminated service on July 1, 2002. PECO

Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 4 and they are therefore denied.

(5) Denied. To the extent that the averments of paragraph 5 are conclusions of law, no response is required. PECO Energy specifically denies that it acted deliberately and maliciously. It is denied that PECO Energy did not provide warnings to the Complainant. By way of further response, Complainant's service was terminated on July 1, 2002 for non-payment of an \$ 844.93 balance. PECO Energy mailed a 10-day notice to the Complainant on June 17, 2002. PECO Energy attempted to call Complainant twice on June 20, 2002 at 4:30 p m. and June 21, 2002 at 9:25 a.m.. No contact was made on either of these calls. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph and they are therefore denied.

(6) Admitted in part and denied in part. To the extent that the averments of paragraph 4 are conclusions of law, no response is required. It is admitted that Complainant paid his balance in full on July 1, 2002 at 6:47 p.m., the same day his service was terminated. It is admitted that PECO Energy restored service on July 2, 2002 on or around 2:36 pm. Under the Public Utility Code, a utility must restore service "by the end of the first full working

day" after receiving payment of the full balance plus a reasonable reconnection fee. 52 Pa. Code § 56.191. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph and they are therefore denied.

(7) Denied. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 7 and they are therefore denied.

(8) Admitted in part and denied in part. To the extent that the averments of paragraph 8 are conclusions of law, no response is required. It is admitted that PECO Energy terminated service in Complainant's residence. By way of further response, Complainant's service was terminated on July 2, 2002. It is denied that PECO Energy terminated service during a heat wave. By way of further response, the Pennsylvania Health Department did not issue a Heat Warning for July 1, 2002. It is PECO Energy's business practice to cease termination activity during a Heat Warning. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph and they are therefore denied.

- (9) Denied. PECO Energy is not required under the Public Utility Code, PECO Energy's Tariff, a Commission Order, or any other regulation or law over which the Commission has jurisdiction to affirmatively advise customers of reconnection fees.
- (10) Denied. To the extent that the averments of paragraph 10 are conclusions of law, no response is required. It is denied that PECO Energy's reconnection fee is improper. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph and they are therefore denied.
- (11) Denied. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 11 and they are therefore denied.
- (12) Denied. PECO Energy is, after reasonable investigation, without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 12 and they are therefore denied.
- (13) Denied. To the extent that the averments of paragraph 4 are conclusions of law, no response is required. It is denied that the security deposit Complainant was required to pay to reconnect service was "punitive or confiscatory" in nature. By way of further response, PECO Energy is permitted to require a security deposit from customers as a condition to the

reconnection of service. 52 Pa. Code § 56.41(2). PECO Energy required Complainant to pay a deposit of \$864. In determining this amount, PECO Energy follows the required guidelines contained in the Pennsylvania Public Utility Code and PECO Energy's Electric Service Tariff. 52 Pa. Code § 56.51.

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.

Respectfully submitted,

  
\_\_\_\_\_  
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

NEIL STEIN

v.

PECO ENERGY COMPANY

DOCKET NO. ~~C-20021104~~

Z-01182234

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:

Neil H. Stein  
400 Caranel Circle  
Narberth, PA 19072

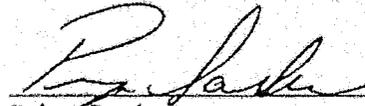
Neil H. Stein, Esq.  
Stein & Glazer, P.C.  
Aramark Tower, Ste. 2626  
1101 Market Street  
Philadelphia, PA 19107

RECEIVED

OCT 31 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dated at Philadelphia, Pennsylvania, October 31, 2002.



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

ORIGINAL

## Legal Department

Exelon Business Services Company  
2301 Market Street/ 525-1  
POB: x 8699  
Philadelphia, PA 19101-8699

Telephone (215) 841-5544  
Fax (215) 568-3389  
www.exeloncorp.com

## Business Services Company

# ORIGINAL

Direct Dial 215 841 6841

November 4, 2002

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

RE: Neil H. Stein v. PECO Energy Company  
Docket No.: Z-01182234

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)
- \_\_\_\_\_ Motion to Dismiss (original and 3 copies)
- \_\_\_\_\_ Exceptions (original and 9 copies)
- \_\_\_\_\_ Reply Exceptions (original and 9 copies)
- \_\_\_\_\_ Brief (original and 9 copies)
- \_\_\_\_\_ Reply Brief (original and 9 copies)
- \_\_\_\_\_ Reply Brief (original and 9 copies)
- X   Verification - Substitute for previous verification filed with Answer

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.

Very truly yours,

Priya Sankar  
Attorney  
Exelon Business Services Company

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

NEIL H. STEIN

v.

PECO ENERGY COMPANY

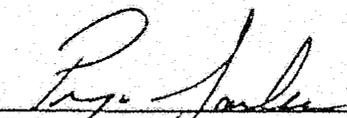
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DOCKET NO. Z-01182234

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: October 31, 2002

  
\_\_\_\_\_  
Priya Sankar

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FOLDER

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NOV 27 2002