

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

-----X  
Mary Yelverton v. PECO Energy Company.  
Requests payment arrangements. : Docket No.  
: Z-01713593  
Initial hearing. :  
-----X

Pages 1 through 13

Hearing Room 1301  
State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania

EXHIBIT

Monday, December 13, 2004

Met, pursuant to notice, at 9:30 a.m.

*Handwritten initials*

BEFORE:

FEB 01 2006

ALLISON K. TURNER, Administrative Law Judge

APPEARANCES:

MARY McFALL HOPPER, Esquire  
2301 Market Street  
Suite 15-2  
Philadelphia, Pennsylvania 19101  
(For PECO Energy Company)

*J.M.*

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WITNESS INDEX

WITNESSES

DIRECT   CROSS   REDIRECT   RECROSS

Louis Dubois  
(By Ms. Hopper)

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EXHIBIT INDEX

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NUMBER

FOR IDENTIFICATION

IN EVIDENCE

PECO

No. 1	(Account Statement)	7	10
No. 2	(Payment arrangements)	7	10
No. 3	(BCS Decision)	7	10

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PROCEEDINGS

1  
2 ADMINISTRATIVE LAW JUDGE ALLISON K. TURNER: Good morning  
3 everyone.

4 MS. HOPPER: Good morning, Your Honor.

5 JUDGE TURNER: My name is Allison Turner and I am the  
6 Administrative Law Judge assigned to hear the cases scheduled this  
7 morning. This is a procedure recently initiated by the Commission, which  
8 is the Call of the Docket.

9 I originally had four hearings scheduled for this morning and I have  
10 been informed that two cases have been settled. Patricia Camenzind  
11 versus PECO Energy Company at Docket Z-01623420 and Audrey  
12 Debernard versus PECO Energy Company at Docket C-20043627.

13 What is PECO's pleasure as to these two cases?

14 MS. HOPPER: The two cases that have been settled, we will be  
15 filing a withdrawal of the complaint with the Commission.

16 JUDGE TURNER: All right. So you are not going to put on any  
17 evidence on those two cases?

18 MS. HOPPER: No.

19 JUDGE TURNER: Are you going to make a motion to dismiss?

20 MS. HOPPER: Just settle.

21 JUDGE TURNER: Settled before the hearing?

22 MS. HOPPER: Yes, Your Honor.

23 JUDGE TURNER: And Coretta Watson versus PECO Energy  
24 Company, which is Z-01635592, that has been rescheduled until December  
25 27<sup>th</sup> at the request of the Complainant who was unable, according to her,

1 to take more time off from work. However, she has the whole week off  
2 between Christmas and New Year's and I am not entirely sure whether it  
3 will be morning or afternoon. I will check that before the end of the day  
4 when I go into our group system.

5 That being said, our remaining case this morning is Mary Yelverton  
6 versus PECO Energy Company at Docket Z-01713593. I have in the  
7 hearing room Mary McFall Hopper, Esquire, who has entered her  
8 appearance on behalf of PECO Energy and she has with her a witness, and  
9 can you tell me Ms. Hopper or Ms. McFall, what contact you have had with  
10 Ms. Yelverton?

11 MS. HOPPER: Mr. Dubois, you can answer that.

12 MR. DUBOIS: Your Honor, I sent Ms. Yelverton a letter and did not  
13 get a response. I also made a phone call and the phone was changed to a  
14 none-published number and that is both within the last two weeks.

15 JUDGE TURNER: And what address did you send the letters to?

16 MR. DUBOIS: To the customer's charge address at 1324 Peterson  
17 Street, Chester, Pennsylvania, 19013.

18 JUDGE TURNER: Okay. That is the address on the service list that  
19 was sent out. It is my normal procedure to wait at least 15 minutes for the  
20 person to appear or perhaps up to half-hour, due to the fact that it is bad  
21 weather and I also wait for the Company. On the other hand, I gather that  
22 there has been no contact with Ms. Yelverton, which would indicate that  
23 she acknowledged the hearing and she plans to come, so 15 minutes ought  
24 to be good enough I would think.

25 Off the record.

1 (Discussion off the record.)

2 JUDGE TURNER: We are back on the record.

3 Now, how does PECO wish to proceed with regard to this matter?

4 MS. HOPPER: Well, at this point, Your Honor, we would like to  
5 make a motion to dismiss because of her failure to appear and go forward  
6 with her complaint and I have Mr. Dubois here to testify.

7 JUDGE TURNER: Okay. Mr. Dubois, please stand and raise your  
8 right hand.

9 Whereupon,

10 LOUIS DUBOIS

11 having been duly sworn, testified as follows:

12 JUDGE TURNER: Please proceed, Ms. Hopper.

13 MS. HOPPER: Thank you, Your Honor.

14 DIRECT EXAMINATION

15 BY MS. HOPPER:

16 Q. Mr. Dubois, could you please state your name and the complete  
17 spelling for the record?

18 A. Yes. Louis Dubois. L-O-U-I-S, D-U-B-O-I-S.

19 Q. And please state your business address for the record.

20 A. 2301 Market Street, Philadelphia, Pennsylvania, 19103.

21 Q. And by whom are you employed?

22 A. PECO Energy Company.

23 Q. What position do you have with PECO Energy Company?

24 A. I am a Regulatory Assessor.

25 Q. How long have you been employed by PECO?

1 A. A little over 28 years.

2 Q. How long have you been a Regulatory Assessor?

3 A. A little over a year.

4 Q. And can you describe your duties as a Regulatory Assessor?

5 A. Yes. I investigate cases of PECO Energy Company with the  
6 Public Utility Commission.

7 Q. In the course of your duties as a Regulatory Assessor, have you  
8 had the opportunity to review and become familiar with the account of  
9 Ms. Yelverton?

10 A. Yes, I have.

11 MS. HOPPER: At this time, Your Honor, I have a multi-page  
12 document that we have pre-marked as PECO Exhibits 1 through 3, and I  
13 would ask that they be marked for the record and I have handed two  
14 copies to the court reporter and Mr. Dubois has a copy.

15 JUDGE TURNER: Okay. So PECO 1 is the first two pages, PECO 2  
16 is the next page and PECO 3 is the last page; Is that correct?

17 MS. HOPPER: That is correct, Your Honor.

18 JUDGE TURNER: Okay. They may be so marked.

19 (Whereupon, the documents were  
20 marked as PECO Exhibits Nos. 1  
21 through 3 for identification.)

22 BY MS. HOPPER:

23 Q. Mr. Dubois, I am referring you to what has been marked as  
24 PECO Exhibit No. 1, and ask you if you could please describe this exhibit?

25 A. PECO Exhibit 1 is the Account Statement of Ms. Yelverton's

1 account, showing any bills or any payments that might have been received  
2 against the account.

3 Q. What type of service did Ms. Yelverton receive from PECO  
4 Energy?

5 A. She has residential electric and gas.

6 Q. And is she enrolled in PECO Cap Rate Program?

7 A. Yes, she is.

8 Q. And what level or what tier is she on?

9 A. She gets a 50 percent discount for the first 500-kilowatt hours  
10 of electric and 40 percent on the gas.

11 Q. And can you please state the balance that is due on this  
12 account?

13 A. Her current balance is \$5,168.67.

14 Q. And that is as of what date?

15 A. That is as of today.

16 Q. And what was the last payment made on this account?

17 A. The last payment was made on 11/19/2004 for \$80.81.

18 Q. And can you please state the budget amount on the account?

19 A. Her current calculated budget is just \$109.00.

20 Q. Next I would ask you if you could please refer to what has been  
21 previously identified as PECO Exhibit 2, and ask you if you could please  
22 identity and explain this please?

23 A. PECO Exhibit 2 is a one-page document showing any  
24 agreements that might have been made with the customer and they are  
25 numbered one and two. The first agreement was made on 1/21/03 to pay

1 \$15.00 plus the current charges and the second agreement was a PUC  
2 agreement. That agreement was made on August 2, 2004 and that  
3 agreement was actually issued 7/21/04, to begin in August to pay a budget  
4 amount of \$114.00 plus \$15.00, for a total of \$129.00 per month.

5 Q. I would ask you if you could refer to what has been marked as  
6 PECO Exhibit No. 3, and ask if you can identify and explain this exhibit?

7 A. Yes. That is the agreement that I was just talking about. This  
8 is a copy of the PUC agreement that was issued on 7/21/04, to begin in  
9 August to pay the budget of \$114.00, plus \$15.00 towards the arrears, for  
10 a total of \$129.00 per month.

11 Q. And this is what has been commonly referred to as the BCS  
12 decision on the informal complaint?

13 A. Yes.

14 Q. Has Ms. Yelverton complied with either the BCS decision or her  
15 previous payment arrangement?

16 A. No, she has not.

17 Q. Now, can you please state for the record what is the catch-up  
18 amount that would be due on this account?

19 A. Yes. I have calculated the catch-up to be \$221.00.

20 Q. And how did you arrive at that amount?

21 A. The payment was supposed to start in September, so it is  
22 \$114.00 for September, October and November, for a total of \$342. I  
23 subtracted two payments for a total of \$120.81, and that is how I got to  
24 the \$221.00.

25 Q. And could you please state PECO's position with respect to

1 payment of the balance due on this account?

2 A. Yes. PECO's position is to have the BCS decision affirmed, and  
3 to pay the budget which is calculated at \$109.00, plus \$15.00, and also to  
4 pay the catch-up of \$221.00.

5 MS.HOPPER: Your Honor, I have no further questions for  
6 Mr. Dubois and I would ask that PECO Exhibits Nos. 1 through 3 be entered  
7 into the record.

8 JUDGE TURNER: They are admitted into the record.

9 (Whereupon, the documents marked  
10 as PECO Exhibits Nos. 1 through 3  
11 were received in evidence.)

12 JUDGE TURNER: I have one or two questions for the witness. The  
13 BCS decision shows a total balance of \$5,595.08, and you show it as being  
14 \$5,168.67?

15 THE WITNESS: That is the current balance, yes.

16 JUDGE TURNER: Is that the reflection of those payments?

17 THE WITNESS: Yes, Your Honor.

18 JUDGE TURNER: Because it looks like she only paid \$80.81.

19 THE WITNESS: That is correct. There also was a CAP Rate charge-  
20 off on the account.

21 JUDGE TURNER: And where is that shown?

22 THE WITNESS: That is shown on page 1 of PECO 3 of 3.

23 JUDGE TURNER: I am there.

24 THE WITNESS: On 7/26/04 where it shows \$813.87.

25 JUDGE TURNER: Okay. So that was not a payment but a

1 charge-off?

2 THE WITNESS: Yes, but it comes off the total balance.

3 JUDGE TURNER: And have there been LIHEAP or other grants  
4 made to the account? There is an asterisk by a \$120.00 payment on page  
5 2. Is that a LIHEAP payment?

6 THE WITNESS: No, that was not a LIHEAP payment.

7 JUDGE TURNER: It was a natural payment?

8 THE WITNESS: Yes. That was before the BCS decision.

9 JUDGE TURNER: Okay. But she made payments in that month of  
10 \$430.00, \$198.00 and \$120.00?

11 THE WITNESS: That is what I am showing, Your Honor. October  
12 6, 2003.

13 JUDGE TURNER: Then in August of 2003, it shows payment and a  
14 returned check charge and then a cash grant in December of 2002. When  
15 did she start her service with PECO?

16 THE WITNESS: Her service was turned on 8/21/2001.

17 JUDGE TURNER: My question to you is, how did she get such a  
18 high balance?

19 THE WITNESS: It was accumulated since turn-on. I don't have  
20 any records of former address monies that were transferred into this  
21 account.

22 JUDGE TURNER: And you don't have any records of any  
23 termination of her service?

24 THE WITNESS: Yes. She was terminated October of 2003, and I  
25 believe it is gas and electric, so that is why the usage is so high.

1 JUDGE TURNER: Larger than I might be use to. So when she was  
2 terminated in October of '03, that is when those three larges payments  
3 were made and that is when she paid to have her service restored?

4 THE WITNESS: That is correct, Your Honor.

5 JUDGE TURNER: And you have not made any collection activities  
6 since then?

7 THE WITNESS: Yes. We have had normal collection activities, but  
8 then the BCS decision was written.

9 JUDGE TURNER: Once she files an informal complaint, your  
10 collection activities stop?

11 THE WITNESS: Yes.

12 JUDGE TURNER: And is your catch-up amount or the amount that  
13 you are requesting calculated according to your understanding of the  
14 Commission's decision?

15 THE WITNESS: Yes, ma'am.

16 JUDGE TURNER: Thank you. I think that is all I have. Do you  
17 have any redirect?

18 MS. HOPPER: I have no further redirect, Your Honor.

19 JUDGE TURNER: In that case, thank you very much, Mr. Dubois,  
20 and you are excused until this afternoon. Thank you, Ms. Hopper.

21 MS. HOPPER: Thank you, Your Honor.

22 (Whereupon, at 10:05 a.m., the proceedings were concluded.)  
23  
24  
25

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my directions; and that this transcript is a true and accurate record to the best of my ability.

COMMONWEALTH REPORTING COMPANY, INC.

BY: Georgette McEwan  
Georgette McEwan

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Account Statement  
 Customer Name:  
 Address:

Mary Yelverton  
 1324 Peterson St  
 Chester Pa 19013-2631

Prepared by Lou Dubois  
 Investigator PUC  
 Case Number 1713593

**COLOMBIA**

Account Number: 50-17-21-072590

Rates: Electric, Residential Cap2  
 Gas, Residential Cap2

FEB 01 2005

Bill Period	D A Y S	Meter Reading -Type	U S A G E	Diy Avg Use	Peco Bill Amt /Budget + Agmt	Supp Chg	Sales Tax	Amount Reqstd	Due Date	Late Chg	Payment	Date Pymt Rec'd	Balance	Comments
12/28/02	34	12827 - A	583	17.1	47.05			2,168.85	01/21/03		*284.00	12/12/02	4,943.05	*LIHEAP Cash Grant BM 04
12/28/02	34	766 - A	97	2.8	60.20 + 15.00									
01/27/03	32	13299 - A	472	14.7	34.61			117.50	02/19/03		30.00	01/06/03	5,015.55	
01/27/03	32	879 - A	113	3.5	67.89 + 15.00									
02/24/03	28	13687 - A	388	13.8	29.33			100.40	03/19/03		117.50	02/03/03	4,983.45	BM 50
02/24/03	28	970 - A	91	3.2	56.07 + 15.00									
03/25/03	29	14160 - A	473	16.3	34.61			207.56	04/17/03				5,075.61	
03/25/03	29	1046 - A	76	2.6	57.55 + 15.00									
04/24/03	30	14609 - A	449	14.9	33.11			190.42	05/19/03		110.00	04/11/03	5,043.47	
04/24/03	30	1101 - A	55	1.8	44.75 + 15.00									
05/23/03	29	15128 - A	518	17.8	38.74			175.89	06/18/03		98.00	05/02/03	5,013.94	
05/23/03	29	1134 - A	33	1.1	29.73 + 15.00								5,097.57	BM 04
06/24/03	32	15806 - A	678	21.1	59.19			274.52	07/21/03					
06/24/03	32	1158 - A	24	0.7	24.44 /0.00 + 15.00								5,249.60	BM 04
07/25/03	31	17047 - A	1241	40.0	131.88			441.55	08/19/03					
07/25/03	31	1176 - A	18	0.5	20.35 + 15.00									
08/25/03	31	18243 - A	1196	38.5	125.88									
08/25/03	31	1194 - A	18	0.5	20.35 + 15.00									

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Account Statement

Customer Name  
 Mary Yeverton  
 1324 Peterson St  
 Chester Pa 19013-2631

Prepared by Lou Dubois  
 Investigator PJC  
 Case Number: 1713593

Account Number 50-17-21-072590

Rates: Electric, Residential Cap2  
 Gas, Residential Cap2

Bill Period	D A Y S	Meter Reading -Type	U S A G E	Dly Avg Use	Peco Bill Amt /Budget + Agmt	Supp Chg	Sales Tax	Amount Reqstd	Due Date	Late Chg	Payment	Date Pymt Rec'd	Balance	Comments
09/24/03	30	19089 - A	846	28.2	80.83			812.16	10/20/03	8.48			5,590.21	Check + BM 07
09/24/03	30	1210 - A	16	0.5	18.88 + 15.00									
10/24/03	30	19574 - A	485	16.1	35.36			388.72	11/18/03	3.80	198.00 430.00 *120.00-	10/06/03 10/06/03 10/06/03	5,149.77	*Miscellaneous BM 04
10/24/03	30	1239 - A	29	0.9	28.40 + 15.00									
11/21/03	28	19961 - A	387	13.8	29.25			475.13	12/18/03	4.79			5,223.18	
11/21/03	28	1283 - A	44	1.5	39.37 + 15.00									
12/23/03	32	20369 - A	408	12.7	30.56			605.76	01/20/04	5.83			5,338.81	
12/23/03	32	1376 - A	93	2.9	79.24 + 15.00									
01/26/04	34	20808 - A	439	12.9	32.49			785.98	02/18/04	7.39			5,484.03	
01/26/04	34	1500 - A	124	3.6	105.34 + 15.00									
02/24/04	28	21073 - A	265	9.1	21.83			892.31	03/18/04		*237.00	02/10/04	5,358.36	*LIHEAP Cash Grant BM 07
02/24/04	29	1604 - A	104	3.5	89.50 + 15.00									
03/25/04	30	21339 - A	266	8.8	21.89			1,000.30	04/19/04				5,451.35	
03/25/04	30	1677 - A	73	2.4	71.10 + 15.00									
04/26/04	32	21709 - A	370	11.5	28.42			1,095.52	05/19/04				5,531.57	
04/26/04	32	1727 - A	50	1.5	51.80 + 15.00									
05/25/04	29	22271 - A	562	19.3	44.65			1,181.10	06/17/04				5,602.15	

Peco 1  
 2 of 3

Account Statement

Customer Name  
 Mary Yelverton  
 1324 Peterson St  
 Chester Pa 19013-2631

Prepared by: Lou Dibois  
 Investigator PUC  
 Case Number 1713593

Account Number: 50-17-21-072590

Rates: Electric Residential Cap2  
 Gas, Residential Cap2

Bill Period	DAYS	Meter Reading -Type	U S A G E	Dly Avg Use	Peco Bill Amt /Budget + Agmt	Supp Chg	Sales Tax	Amount Reqstd	Due Date	Late Chg	Payment	Date Pymt Rec'd	Balance	Comments
05/25/04	29	1748 - A	21	0.7	25.93 + 15.00									
06/24/04	30	22906 - A	635	21.1	54.13		1,189.03		07/19/04		80.00	06/07/04	5,595.08	BM 04
06/24/04	30	1761 - A	13	0.4	18.80 + 15.00									
07/26/04	32	23967 - A	1061	33.1	109.44		1,300.70		08/18/04		35.13 *813.87	07/20/04 07/19/04	4,877.88	*CAP2 Charge Off
07/26/04	32	1778 - A	17	0.5	22.36 + 15.00									
08/25/04	30	25054 - A	1087	36.2	112.82		129.00		09/20/04				5,014.83	
08/25/04	30	1797 - A	19	0.6	24.13 /114.00 + 15.00									
09/24/04	30	25987 - E	933	31.1	92.81		218.00		10/19/04		40.00	09/07/04	5,091.77	BM 52
09/24/04	30	1816 - A	18	0.6	24.13 /114.00 + 15.00									
10/26/04	32	26573 - A	586	18.3	47.76		339.70		11/18/04				5,172.58	
10/26/04	32	1845 - A	29	0.9	33.05 + 15.00									
11/23/04	28	280 - A	445	15.8	33.14		350.79		12/20/04		80.81	11/18/04	5,168.67	
11/23/04	28	1888 - A	41	1.4	43.76 + 15.00									
11/05/04 - Meter Change: Removed Meter #9G-3227678, index 26738, Installed Meter #9U-4017980, index 00000														

Reading Type Codes: A - Actual E - Estimated C - Customer R - Remote

PECO 1  
 3 of 3



Date: 12/8/04

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

Case Number: 1713593  
Customer Name: MARY YELVERTON  
Address: 1324 PETERSON ST  
CHESTER PA 19013-2831

Opened On: 7/9/04  
Utility Type: Electric Distributor  
Account Number: 501721072590  
Company Name: PECO Energy

Prior Case: Total Balance: \$5,595.08 Balance Date: 7/16/04

Compliance

Violation(Alleged, Actual, No): NO

Chap 68/64/Other:

Section/Rule:

Decision Issued: Y

Oral Written: W

Investigator: KWIATKOWSKI, JOSHUA

PUC Decision Issued Dt: 7/21/04

PUC Case Closed Dt: 7/21/04

Decision Recvd Dt: 7/21/04 11:25AM

Letter Description: CAP STRAIGHT DECISION

To Restore Service Pay: \$0.00

To Continue Service Pay: \$0.00 By:

Terms: AUGUST 2004

Special Budget Amount: \$129.00

Regular Budget Amount: \$114.00 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:

*Handwritten:* PAYMENT

Resolution:

SEE CS17 FOR TERMS OF PAR

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