

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: 09/11/03
8. DOCKET NO: F-01347862	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: GEE, MARIE

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT SHE WAS FIRED FROM PECO FOR BEING LATE PAYING HER BILL, AND FEELS SHE IS STILL BEING HARRASSED BY THE COMPANY. HER BILLS ARE INCONSISTENT. SHE WANTS AN INVESTIGATION AND FAIR TREATMENT.

DOCUMENT
FOLDER

DOCKETED
SEP 26 2003

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



9-11-03

IN REPLY PLEASE
REFER TO OUR FILE

AUGUST 22, 2003

BCS1347862

MARIE GEE
416 N 62ND STREET
PHILADELPHIA PA 19151

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 11, 2003 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:

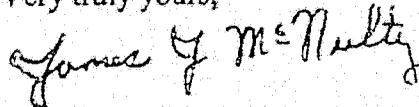
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

KSB

CC: PECO ENERGY

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 8/1/2003. 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.)

MARIE GEE
416 N 62ND STREET
PHILADELPHIA PA 19151

267 9346269
(Area Code) Telephone Number

Marie GEE
Signature

Mail this completed form to:

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

BCS Number:	1347862	Date of mailing:	8/1/2003
Company:	PECO ENERGY		

REVISED 12/97

RECEIVED

AUG 20 2003

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

117

Marie L. Gee
416 North 62nd Street
Philadelphia, PA 19151

9/11/03

James J. McNulty
Pennsylvania Public Utility Commission
P O Box 3265
Harrisburg, PA 17105-3265

Dear Mr McNulty

I called the PUC about April or May of 2003 stating that in 1998 I was fired from PECO (see memo) dated November 5, 1998 for being late paying an electric bill in the amount of 80.77 and that since that time or really even prior to that time there was and is inaccurate billing and posting to my account. I am still being harassed by PECO. If I call customer service, I either get transferred to another representative or it takes the rep that I speak with a long time to answer my questions they put me on hold while being advised on how to handle my account. I believe that my account is flagged.

If one were to look at the details of my bill they would find that they are inconsistent from month to month. I made a rather large payment in April after my electric was shut off on April 1, 2003 which according to a customer service rep from PECO, it was not received. When I told the rep that I paid the turn-on amount at a **authorized** payment center the day before, after several minutes on hold, I was told that it was received however it was never posted according to the bills that I received after the shut off.

When I was shut off I did not receive the 48 hour shut off notice until the time of the shut off and was told that I had to pay the full amount in order to be turned back on.

When I moved to 62nd street from 61st street I did bring a balance with me however the accounting from PECO is inaccurate would like PECO to show me what the **special agreement** billing is for, what the **other billing** is for, what payments amounts were made on the accounts and a balance. According to my bills all payments are not being shown as posted.

After several months of investigating the result was the letter dated 8/01/2003 from the PUC. I wonder if PECO gave you accurate information. I am confident that if they gave you what I am now showing you that some questions would have been raised by the PUC. I realize the power of supporting PACS, and that I do not have that power behind me, but must continue being treated unfairly?

When I was an employee of PECO I was treated unfairly, fired unjustly, now as a customer, must I continue to be treated unfairly?

Marie L. Gee

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

I would like the PUC to find out what the other billing and special billing is about why the inaccurate balances and lack of payments posted to my account. I would like to be treated fairly as a customer of PECO. I was treated unjustly as an employee and should not continue to be treated unjustly as a customer. I would like the PUC to look at the details of my billing from 1998 to present paying special attention to the transfer amounts, the billing amounts, and agreements for any balances.

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.

Marie Lee
Original Signature of complaining person

9/10/03
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 (_____) _____



YOUR MONTHLY BILL

Your Account Number Is: 25-04-49-101626

Your Next Scheduled Meter Reading:
September 5, 2003

Service To: MS MARIE GEE
416 N 62ND ST
PHILADELPHIA PA 19151-4101

If you have Any Questions or Concerns, Call
PECO Energy at: 1-800-494-4000 Before the
Due Date between 7 A.M. and 6 P.M. Mon. - Fri.
or Saturday 9 A.M. - 1 P.M., or write P.O.
Box 6699, Phila. PA 19101
Si tiene alguna pregunta o queja, llame al
1-800-494-4000 antes de la fecha vencida.

Billing Date: August 8, 2003

Billing For Your Energy Use:

Estimated Energy Use	\$1,645.05
Balance at Billing	\$1,645.05

Billable on 12/31/02. If you have any questions, please call us at 1-800-494-4000.
Billable July 7, 2003 to August 1, 2003

Account # 25-04-49-101626

115.13

OVERSIZED DOCUMENT(S)

New Charges \$115.13

New Balance \$1,760.18

Your Special Agreement

Special Agreement (see page 2)	\$15.00
(2 Months Free of Agreement)	

Total Amount Due
September 2, 2003

\$130.13

MESSAGE CENTER

Now, you can get the bill...
Billing \$0...
...to your home...

- I agree to be responsible for PECO Energy
- I agree to pay my bill on time

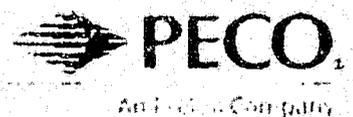
Due Date: September 2, 2003

Enclosed

Account # 25-04-49-101626

*****10**5-DIGIT 19151
2021200053005 2003 1000000000

MS MARIE GEE
416 N 62ND ST
PHILADELPHIA PA 19151-4101





A member company

YOUR MONTHLY BILL

Your Account Number Is: 25-04-49-101626

Your Next Scheduled Meter Reading:
July 7, 2003

Service To: MS MARIE GEE
416 N 62ND ST
PHILADELPHIA PA 19111-4111

If you have Any Questions or Concerns, Call PECO Energy at: 1-800-494-4000 Before the Due Date between 7 A.M. and 6 P.M. Mon - Fri, on Sat between 9 A.M. - 1 P.M.; or write P.O. Box 8699, Philadelphia, PA 19101.
Si tiene alguna pregunta o queja, llame al 1-800-494-4000 antes de la fecha vencida.

Billing Date: June 9, 2003

Billing For Your Energy Use.

Balance Forward	\$1,499.49
Payments	\$50.00
Balance at Billing	\$1,449.49

Cost of Energy Used

Summary of Charges for Billing Period
From May 6, 2003 to June 5, 2003

PECO Energy Charges 89.69

OVERSIZED DOCUMENT(S)

Power	\$89.69
New Balance	\$1,539.18
Your Payment (if any)	
Balance Forward	\$15.00
Balance at Billing	\$1,601.41

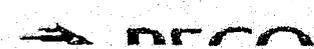
New charges for bills estimated from data from 5/2/03 including \$5.00 for late charges for payment over 15 days late. Changes include \$15.00 for single meter bill charges.

Total Amount Due	
June 30, 2003	\$1,106.10

MESSAGE CENTER

- Make checks payable to "PECO Energy"
- Please print your account number on your check
- Check here if you have included a message.

If Paying by Personal Check, Entire Bill With You
 Due Date June 30, 2003
 Please Pay \$1,106.10
 Amount Enclosed
 Account # 25-04-49-101626



**PECO Energy Company
48-HOUR SHUT-OFF NOTICE
(Aviso de Suspensión de Servicio en 48 Horas)**

**MS MARIE GEE
416 N 62ND ST
PHILADELPHIA PA 19151**

P26 - DAW 0086

**Account Number: 25 04 49 101626
Date Prepared: 03/24/2003**

Your Service Will Be Shut Off

To file a Complaint

Because you did not pay your bill on time, we will shut off your service without further notice.
 Bill No: 416 N 62ND ST
 Date Due: 03/26/2003

We will not shut off your service if you do one of the following:

If we shut off your service, you may have to pay the following fees with your bill:

Service Interruption Fee	\$100.00
Restoration Charge	\$100.00
TOTAL	\$200.00

To learn more about your bill, please call us at (800) 504-2200 or our PECO Energy Company office listed on the back of this notice.

Este aviso se envía por su importe tarde. Si usted no lo entiende, llame de inmediato al número de teléfono que aparece en la parte posterior de este documento.

**OVERSIZED
DOCUMENT(S)**

GENERAL EMERGENCY NOTICE

If we can not get to your meter to shut off your service, we must do extra work. This extra work may increase your turn-on charge to a maximum of \$1,500.00.

Payment, I know
was not posted by PECO

BILL PAYMENT RECEIPT

PLEASE PRINT OR TYPE
YOUR NAME AND ADDRESS
CORPORATE BILLING ONLY
THIS RECEIPT

ACCOUNT #123456789
BILL TO: J. SMITH
123 MAIN ST
CITY, STATE ZIP
PHONE NO.

DATE: 12/31/2000
AMOUNT: \$100.00
BY: [Signature]

OVERSIZED
DOCUMENT(S)

INFORMAL COMPLAINT DECISION
BUREAU OF CONSUMER SERVICES, INFORMAL COMPLAINT UNIT
THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARIE GEE
416 N 62ND STREET
PHILADELPHIA PA 19151

Date: 8/1/2003

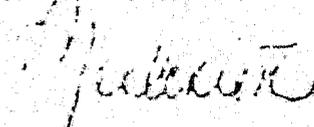
BCS No: 1347862

Account No: 25-04-49-101626

PECO ENERGY

You contacted the Public Utility Commission disputing the high balance on your bill after you paid the company \$1,163.16 to have your service restored on April 1, 2003. The Informal Complaint Unit reviewed the case with you. The remaining high balance is a result of \$1,241.36 being transferred to your current account from a prior address at 1643 N 61ST Street, Philadelphia, PA on December 13, 2001. The high balance is also a result of only three payments to the account since you established service with the company on November 5, 2001. Your bill is as follows:

- Your total account balance is \$1,045.05. This balance does not include any payments or bills due on or after 8/1/2003.
- Beginning with the first date of service about August 7, 2003, you must pay the company the arrears plus a \$15.00 per month toward the arrears.
- You must make all payments by the due date of each month's bill and continue making the payments until the arrears account is paid in full.
- The company will not charge late payment fees to your account as long as you continue to pay the arrears; however, the company may apply late payment fees if you do not pay arrears on the agreed to date of this agreement.
- The company has special programs that may help you to pay your bill. If you do qualify for these programs, the company may lower your monthly bill. If the Company needs you to pay a special program, they will tell you the new amount you need to pay each month. You should pay the amount stated in the amount in this decision.


GENE E. MCCLINTON
Investigator

OVERSIZED
DOCUMENT(S)

PECO Energy Company

Memorandum

Location: Legal, S23-1
Date: November 5, 1998
To: Marie L. Gee
From: James W. Durham, Senior Vice President and General Counsel *JWD*
Subject: Continuing Violation of Employee Delinquent Account Policy

On October 30, 1998, I received a telephone call from Customer Service informing me that your account with PECO Energy is delinquent. This is a violation of the Employee Delinquent Account Policy 8.45. Your record indicates that:

- On December 5, 1996, you received a written reprimand for a violation of the Employee Delinquent Account Policy. This occurrence was a second occurrence within a three month period. At that time you were advised that another violation would be a major infraction under the disciplinary guidelines which may result in termination from the Company.
- On September 4, 1996, you were counseled for a violation of the Employee Policy.
- On May 21, 1995, you were counseled for a violation of the Employee Delinquent Account Policy. In order to assist you, a \$2000 emergency payroll loan was approved.
- On July 5, 1991, you were counseled for a violation of the policy and a \$1600 emergency payroll loan was approved in order to assist you and have your electric service restored.

Under the Employee Delinquent Account Policy your current violation is a major infraction and, as you were advised on December 5, 1996, you could be terminated. In lieu of termination, a five-day Suspension of Record will be issued providing you agree to the following conditions:

- pay the delinquency in full within seven (7) calendar days;
- establish a monthly budget payment for your electric bill with Customer Service.

Continuing Violation of Employee Delinquent Account Policy

November 5, 1998

Page 2

- authorize automatic monthly withdrawal from your bank account for payment in full of your electric bill; and
- contact the Employee Assistance Program for counseling or referral.

You must show proof of meeting the above conditions by Tuesday, November 10, 1998. If these conditions are not agreed to and proof is not forthcoming, you will be suspended without pay with a recommendation for termination processed.

The monthly electric budget payment process and the direct payment of your electric bill should enable you to avoid becoming delinquent on your electric bill in the future.

The above conditions provides you an opportunity to continue employment with PECO Energy. As an employee of PECO Energy, you have an obligation to pay your electric bill account. However, should there be another occurrence of delinquency, you will be subject to termination.

cc: S. H. Byrne, Legal Administrator
C. A. Asselta, Mgr. Human Resources
Employee's Corp. Service Record

I understand the condition under which a suspension of record would be issued in lieu of a termination.

Marie L. Gee

Date: _____, 1998

Your Account Number Is: 25-08-61-083617

For Service To: MS MARIE GEE
 1643 N 61ST ST
 PHILADELPHIA PA
 19151-3930

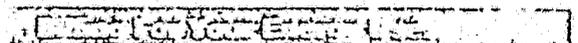
If You Have Any Questions or Complaints,
 Call: 1-800-307-9500 Before the due date
 between 7 A.M. and 8 P.M. Mon.-Fri., or Sat.
 between 9 A.M. and 1 P.M. or write
 P.O. Box 13773, Phila., PA 19101

Si tiene alguna pregunta o queja, llame a:
 1-800-307-9500 antes de la fecha vencida.

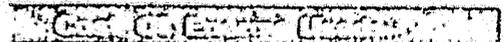
Billing Date: November 13, 1998



To November 10, 1998 - Actual Reading	24325
From October 13, 1998 - Actual Reading	23879
Kilowatt hours (kWh) billed for 28 days	00446



Balance from last bill	\$128.65
Payment Nov 02 - Thank You!	\$80.77
Payment Nov 06 - Thank You!	\$47.89
Balance at Billing	\$.00



RATE R See back of bill for further explanation

Generation Charges billed by Exelon Energy/PECO/1-888-4639144	
Transmission Charges	2.67
Distribution Charges	26.10
Transition Charges	21.14

Total Basic Charges for 446.0000 kWh	49.91
PECO Energy's Customer Participation Credit	-6.49

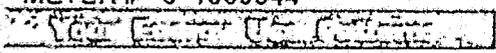
Spent 2

New Charges \$43.42

New Balance \$43.42

New charges contain estimated total state taxes of \$3.47,
 including \$1.91 for State Gross Receipts Tax.

METER # 6 1305344

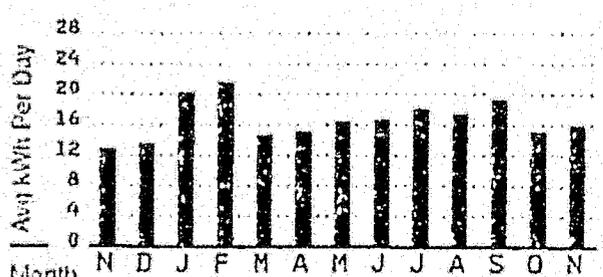


Rate R Electric Residence Service
 Last Year This Year

kWh per day	12.7	15.9
Meter Reading	Actual	Actual
Average Temp.	52°	53°

Total Amount Due
Dec 7, 1998 \$43.42

Your Next Scheduled
 Meter Reading:
 December 11, 1998



Your credit for being in the pilot's \$19.87
 including \$6.49 from PECO Energy's CPC

Put & Tear Here. Mail Bottom Part With Your Payment

Policy 8.45 3

Effective Date: 12/01/92
Last Revision: 03/11/93

TITLE: EMPLOYEE DELINQUENT ACCOUNTS**SCOPE**

This policy applies to all Company employees and its subsidiaries.

POLICY

The Company requires all employees who are customers of the Company to pay, by the date due, their bills for electric, gas, and/or appliance service provided by the Company.

PURPOSE

To ensure that employees keep their accounts for Company-provided services current, and to outline the way management will resolve the problem of delinquent employee accounts.

GUIDELINES

Applicable whenever an employee becomes delinquent in payment of Company provided services.

Definitions

Company - PECO Energy Company and its subsidiaries.

Delinquent Account - A Company electric or gas account in the name of the employee or their spouse that remains unpaid ten (10) days from the issuance of the next bill, or an unpaid appliance service account or final service bill against which the Company begins collection action.

Bank Plan - Employees will be permitted to authorize the Company to withdraw money monthly from their bank account for payment of the electric, gas, or appliance accounts.

PROCEDURE/APPLICATION

First Incident of Delinquency - The first incident of delinquency is considered to be a minor infraction under the disciplinary guidelines. Employees should be counseled and informed that further violations of this or any other policy will result in increased discipline.

Second Incident of Delinquency - The second incident of delinquency is considered to be a Serious Infraction under the Disciplinary Guidelines. In addition, the employee will be subject to the following:

- ◊ No progression or merit increases until his or her account is completely current.
- ◊ Employees will not be eligible for consideration for promotions or transfers until his or her account is completely current.
- ◊ The employee's ability to make credit purchases of merchandise via the Silo Cre Card issued by the Company will be suspended until his or her account is completely current.
- ◊ Bonus payments (i.e., CPAP, Share-the-Savings, etc.) to the employee will be applied to his or her account in order to eliminate the delinquent amount up to the value of the bonus.

Third Incident of Delinquency - The third incident of delinquency is considered to be a Major Infraction under the Disciplinary Guidelines

NOTE: Failure to pay the delinquency or make payment terms within seven (7) calendar days of being notified by the employing officer will be considered a separate violation of the policy. Repeat violations of this policy within a 24 month period will result in acceleration of the disciplinary guidelines.

Procedure

- ◊ The Customer Operations manager of the division where the account resides will notify the delinquent employee's employing officer.
- ◊ The employing officer will inform the employee of the violation of Company policy and take the appropriate disciplinary action.
- ◊ The employee will also be instructed to immediately pay the delinquency in full, or necessary, arrange to make payment terms with the Company.
- ◊ The employing officer is to advise the division's Customer Operations manager that the employee has been instructed to pay the delinquency.
- ◊ The Customer Operations manager or designee will follow-up for payment.

Employee Assistance

Employees with delinquent accounts who assert they are unable to immediately bring their account current shall be advised that the Company's Employee Assistance Program is available for counseling or referral and encouraged to enroll in the Bank Plan to be sure their bill is paid on the due date through an automatic deduction. Employees eligible for energy assistance through Company administered programs will be offered the opportunity to enroll.

Employees who have a delinquent account and cannot pay the delinquency in full or make payment terms within seven (7) calendar days will arrange to have the Company deduct weekly payments from their paycheck against the balance of the bill. Any unpaid balance will be subject to finance charges as stated in the Company's service tariffs for electric and gas accounts.

Corporate Code of Conduct

In accordance with the Corporate Code of Conduct, employees are personally responsible for the information they provide the Company regarding all aspects of their account

CROSS-REFERENCES

Disciplinary Guidelines (8.50); Corporate Code of Conduct; Corporate Procedure #06-01(40).

THIS POLICY SUPERSEDES ALL OTHER POLICIES, PROCEDURES, AND PRACTICES RELATING TO EMPLOYEE DELINQUENT ACCOUNT

PECO Energy Company

Memorandum

Location: Legal Department, S26-1
Date: November 9, 1998
To: Marie L. Gee
From: James W. Durham, Senior Vice President & General Counsel
Subject: Suspension with Recommendation for Termination

This memorandum is notification that you are being suspended without pay and a recommendation for termination from PECO Energy Company is being processed. This action is being taken due to your continued violation of the Employee Delinquent Account Policy 8.45.

When I spoke with you on Thursday I advised you that this is the fifth time, since I have become your Employing Officer, that we been notified of your violation of the Employee Delinquent Account Policy. Your record indicates that:

- On December 5, 1996, you received a written reprimand for a violation of the Employee Delinquent Account Policy. This occurrence was a second occurrence within a three month period. At that time you were advised that another violation would be a major infraction under the disciplinary guidelines which may result in termination from the Company.
- On September 4, 1996, you were counseled for a violation of the Employee Policy.
- On May 21, 1995, you were counseled for a violation of the Employee Delinquent Account Policy. In order to assist you, a \$2000 emergency payroll loan was approved.
- On July 5, 1991, you were counseled for a violation of the policy and a \$1600 emergency payroll loan was approved in order to assist you and have your electric service restored.

In addition, it has been determined that your account was recently delinquent on July 30, 1998 and September 30, 1998. As the amount of each delinquency was less than \$25.00, I was not notified.

Recommendation for Termination
November 9, 1998
Page 2

On Thursday, you were advised that your most recent violation, which is considered a major infraction of the Delinquent Account Policy, would subject you to termination. You were advised that I would be willing to consider issuing a Five-day Suspension of Record in lieu of termination if you agreed to the following conditions:

- pay the delinquency in full within seven (7) calendar days,
- establish a monthly budget payment for your electric bill with Customer Service.
- authorize automatic monthly withdrawal from your bank account for payment in full of your electric bill; and
- contact the Employee Assistance Program for counseling or referral.

The above conditions would enable you to continue employment with PECO Energy and should prevent future violations of the Delinquent Account Policy

You have advised me that you will not agree to the conditions requested, nor have you offered any alternative solutions. Moreover, you have told me that you will not commit to avoid being delinquent in the future. Accordingly, you leave me no choice but to suspend you without pay and recommend your termination.

You have the right to appeal this suspension with recommendation to terminate via the Dispute Resolution Policy (9.10). If you choose to grieve, please follow the steps as indicated in the expedited process (see copy of the attached policy).

cc S. H. Byrne, Legal Administrator
C. A. Asselta, Mgr. Human Resources
Employee's Corp. Service Record

Policy 9.10

Last Revision: 9/01/93

3/14/94

Effective Date: 5/11/98

TITLE: DISPUTE RESOLUTION

SCOPE

This policy applies to all regular full-time and part-time (at least 20 hours per week) employees who have completed 6 months of service with the Company.

POLICY

The Company recognizes the importance of providing a method to fairly, quickly and confidentially resolve work-related problems concerning the interpretation or application of employment policies, procedures, practices, disciplinary action, rules, or guidelines relating to employment.

PHILOSOPHY

To provide a fair process for resolving employment disputes within the company without fear of retaliation.

IMPLEMENTATION

Step One

- a. Employee brings dispute to immediate supervisor's attention within **calendar 30 days** of event.
- b. Employee explains the facts and identifies the applicable policy, practice or procedure at issue and suggests a remedy.
- c. Employee notifies supervisor of intent to pursue formal resolution through process
- d. Supervisor reviews the dispute and responds orally within **3 workdays**

If not satisfied, despite best efforts to resolve the dispute at this level, the employee may advance the dispute to Step Two. Employee must complete a Dispute Resolution Form and submit it to immediate supervision within **5 workdays** of receipt of Step One response

Step Two

- a. Employee meets to discuss dispute with the Employing Officer within **5 workdays** of submitting Dispute Resolution Form.

- b. Employing Officer reviews dispute and provides a written response to employee within **5 workdays** after the Step Two meeting.

If not satisfied, despite best efforts to resolve the dispute at this level, the employee may advance the complaint to Step Three (a) Vice President *or* Step Three (b) Employee Review Panel within **5 workdays** of receipt of Step Two response by submitting it to immediate supervision for appeal to the next level.

Step Three (a) Employee's Vice President

- a. Employee meets to discuss dispute with the Vice President within **5 workdays** of receipt of Step Two appeal
- b. Vice President reviews dispute and provides a written response to employee within **5 workdays** after the Step Three meeting.

If not satisfied, despite best efforts to resolve the dispute at this level, the employee may advance the complaint to Step Three (b) Employee Review Panel within **5 workdays** of receipt of Step Three response by submitting it to immediate supervision for appeal to the next level.

Step Three (b) Employee Review Panel

- a. Employee selects a panel within **5 workdays** of receipt of response.
- b. Every effort will be made to convene a Panel to investigate the dispute within **15 workdays** of panel selection.
- c. Panel will make every attempt to deliver a same day final and binding decision, but no later than **5 workdays** after the close of its investigation.

Time Limits

- ◊ To be timely and eligible for this procedure, a dispute must be brought to the attention of the employee's supervisor within **30 calendar days** from the date of the incident giving rise to the dispute, or from when the employee became aware (or should have become aware of the incident), whichever is later.
- ◊ Time limits may be waived by mutual agreement. In cases where the time line has not been met by the Company and no waiver agreed to by the employee, the employee may advance the appeal to the next step.
- ◊ Any discussions of disputes that are not timely under this policy may be discussed outside of this process. However, such discussions will not constitute a waiver of the time limits.

Preparation and Assistance

given time immediately prior to meetings for preparation. At least one work day's prior notice of absence must be provided to supervision. Assistance from Human Resources is also available, upon request.

- ◊ Employees may be excused from their jobs with pay to process or investigate their dispute, provided they have permission from their supervisor. Permission shall not be unreasonably requested nor withheld.
- ◊ Employees may elect to have a coworker assist in the preparation and presentation of the dispute at any step of the procedure. Every effort should be made to select a coworker from the same location. Both employees will be excused from work with pay to travel and attend Step meetings and will be
- ◊ An employee may serve as assistants to *5 times per calendar year*.

Disputes Covered by the Dispute Resolution Process

Employees may use this procedure to challenge the application or interpretation of any company policy, practice or procedure including all disciplinary actions up to and including termination, except:

Excluded Disputes:

- ◊ Hypothetical situations which do not immediately and personally impact the employee
- ◊ Claims which seek to modify or object to the Company's authority to operate and manage its business.
- ◊ The existence and terms of Company policy, practice or procedure.
- ◊ Claims which seek to modify or object to the Company's authority to implement policies and procedures and make business decisions affecting terms and conditions of employment.
- ◊ Claims which seek to establish company policy.
- ◊ Claims concerning Nuclear Unescorted Access Authorization since they have a separate appeals process.
- ◊ Claims relating to employment discrimination and harassment based on age, race, sex, sexual preference, religion, national origin, veteran status, citizenship, disability, Family and Medical Leave, Workers Compensation, Unemployment Compensation, ERISA.
- ◊ Any matters pertaining to the Company's group Benefit plans since they have separate appeal processes.

Jurisdiction of Employee Review Panel

The purpose of the Panel is to determine whether disputes involving the application or interpretation of company policies, practices, procedures, guidelines, rules and disciplinary action, including termination have been handled properly and consistently in accordance with Company policy and practice. Employees may use this procedure to obtain independent panel review on all such matters, except claims which seek to

- ◊ change or establish company policy, practice, procedure, rules, guidelines
- ◊ set rates of pay or benefits.
- ◊ change or modify job descriptions and performance appraisal ratings
- ◊ make promotion or staffing selections.
- ◊ review actions the company was legally obligated to undertake
- ◊ review issues excluded from the Dispute Resolution Process.

Since the Company strongly supports internal dispute resolution, issues which are outside the jurisdiction of the Panel may be reviewed through an employee's chain of command up to the Senior Vice President, Human Resources.

A panel may grant, modify or deny the relief requested by an employee. All decisions must be in accordance with company policies and practices. **The Panel's decision is Final and Binding.** *Panels do not have the authority to modify a disciplinary action by making it more severe than the original management action.*

Employee Review PANEL GUIDELINES

Selection (CTAC)

A Panel will be comprised of 5 employees (3 CTAC, 1 manager, 1 supervisor). The employee will randomly choose six trained panelists from the CTAC category, selecting three and two from each of the remaining categories, selecting one from each. The process will be repeated for purposes of selecting alternates.

An employee selects from a list of trained facilitators to handle the logistics of the hearing. A CTAC co-facilitator may also be selected to attend the hearing and assist the facilitator to ensure that a fair and complete investigation is conducted. (Neither the facilitator nor the co-facilitator vote on the decision.)

Selection (PSM)

A Peer Panel will be comprised of 5 employees (1 manager, 1 supervisor, 1 professional and 2 additional members who are classified as either professional, supervisory or management employees). The employee will randomly choose two trained panelists from each category, selecting one. The process will be repeated for purposes of selecting alternates. An employee selects from a list of trained facilitators to handle the logistics of the hearing

Panelist Training and Participation

- ◊ All panelists will be trained and certified in: the administrative procedures and jurisdiction of the Employee Review Panel; Skill Building to improve listening and problem solving; legal and ethical considerations including privacy rights and due process; and practical application of case studies and role play.
- ◊ Panelists will be selected at random and are expected to disqualify themselves for any of the following reasons: 1) if they could personally benefit from the decision they are reviewing; 2) if they are personally related to the grievant, 3) if they have any sort of

personal conflict of interest; 4) if they are in the grievant's chain of command; or 5) if they might be biased or perceived as biased about a particular matter or a particular person. Panelists must maintain a performance rating of "meets expectations" or higher to participate.

The Hearing

In conducting its investigation of the dispute, the panel will hear evidence, gather information and interview witnesses presented by the employee and management. The panel determines which witnesses and information are needed and may, independently, call witnesses and review documents in order to conduct a full investigation and render a decision. Only employees of the company are eligible to serve as witnesses. *All information obtained during the hearing is highly confidential and will not be disclosed to anyone by any member of the panel.*

The Decision

Each panelist has one secret ballot vote and the decision of the majority is the decision of the panel. The decision shall be in writing and all panelists will be required to sign it as acknowledgment that it represents a majority decision. Copies of the decision will be provided to the grievant and management. *The decision of the Panel will be final and binding. There will be no retaliation for using this procedure.*

Panel Recommendations

While changes to policy may not be the subject of a dispute under this procedure, panels are encouraged to recommend improvements where appropriate. All recommendations will be sent to the applicable Vice President and tracked for response.

CROSS-REFERENCES

This policy can be cross-referenced to all Company policies

THIS POLICY SUPERSEDES ALL OTHER POLICIES, PROCEDURES, AND PRACTICES RELATING TO DISPUTE RESOLUTION

E. Roberts

PECO Energy Company
Performance Planning and Appraisal

Section I - BACKGROUND INFORMATION

Name: Marie L. Gee Social Security No: 160-48-5269
Dept/Division: Legal/Legal Job Title: Receptionist
Period From: 1/1/97 To: 12/31/1997 Payroll Number: 040039
Job Grade: EA

Statement of Job Purpose:

Weighting Responsibilities/Goals: _____ Planning Sign Off Employee: _____
Behaviors: _____ Manager: _____

Progress Reviews:

Date: _____ Initials: _____
Date: _____ Initials: _____
Date: _____ Initials: _____
Date: _____ Initials: _____

Section II - RESPONSIBILITIES AND GOALS

Part I. Key areas of responsibility (briefly list the significant duties of the job)

1. Receive, greet and direct Legal Department visitors
2. Answer overflow calls for the legal department as well as the main number, either take message, written and send E-mail or direct to ASPEN system.
3. Sort and deliver mail (Hand delivery, UPS, Fed Ex, fax, also maintain fax machine) 22, 23 and 26 floors
4. Reconcile 2 P-Card Accounts.
5. Accept, log and route subpoenas
6. Keep schedule for Legal Department's conference rooms
7. Backup, to EERS, and payroll systems
8. Requisition Legal Department supplies
9. Liaison for the legal department with Johnson Controls, Help Desk and Facilities Management
10. Supervise, mentor and evaluate high school students, interns, intermittent and manpower employees
11. Maintain the forms drawer
12. Special projects
13. Request for Payment User
14. Plan departmental activities

List of Primary Customers:

The entire PECO network, School District of Philadelphia, as well as outside customers and clients

Part 2. Performance Goals (Identify Goal and Measurement Criteria)

Goal: Track Staples orders more efficiently. _____

Action Plan:

Keep a log of items most often ordered as well as develop a tickle file for backorders.

Results Achieved

Employee Comments:

A log has been made of the items most often ordered with the manufacturers numbers, and a tickle file has been developed for backorders.

Manager Comments:

Enter manager comments here

Goal completed. The Fed. Express software will enable invoices to use Fed. Ex. with less paperwork response.

Goal: Implement a structured program/agenda for the interns and students focusing on introducing more of a variety of tasks. Allocate time to meet with students to discuss any concerns or questions twice a month. Assign more daily duties that would reduce the workload for the entire department.

Action Plan:

Contact members of the department and ask if students can attend meetings with them to develop their social and teamwork skills, acquire access to a computer terminal for student use, schedule training for the Internet for students. Meet with students once a week and have them run meetings with an agenda and alternate facilitators.

Results Achieved

Employee Comments:

Members of the department were contacted, plans are being made to have the student take turns going to outside meetings, computer assignments and accessibility has been increased and the students meet twice a month and they type an agenda and take turns facilitating the meetings. All students have been trained on the Internet. Each student has been given a project to implement which consisted of gathering information and producing a chart of some kind for analysis.

Manager Comments:

Commendable job. Lots of energy and the students gain from this relationship. Marc goes over + above to make the School-to-Work and Allegheny West programs successful.

Section III - CORE VALUES AND GUIDING BEHAVIORS

Teamwork ¹
 Openness, Trust, and Respect ¹
 Integrity *
 Customer Focus

Accountability ¹
 Continuous Learning
 Embraces Change
 Safety *

* Core values - for all employees
¹ Additional - for Legal

Teamwork

Openness, Trust, and Respect

Integrity

Accountability

Safety

Continuous Learning : Register for a degree completion program , attend a mentoring seminar.

Action Plan/Observable Expectations:

Employee Comments:

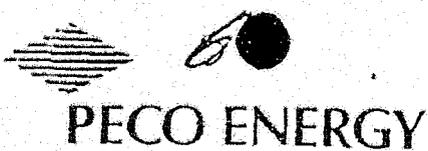
I registered for an onsite degree program with Community College, and received a letter stating that 87 people were interested in the onsite degree program and that they could not partake in the Company program, however they are offering an alternative to come to 1600 Callowhill Street once a week, I believe that I will pass on this offer, I have until March to decide. I attended mentoring programs at the School District of Philadelphia and the Women in Community Service.

Manager/Supervisor Comments: *Completed goal. In addition to the mentoring programs, Marie attended a Leadership class on project management.*

- 3 - Exceeds Expectations
- 2 - Meets expectations
- 1 - Below expectations

Section IV - PERFORMANCE SUMMARY	
Overall Statement of Performance	Overall Performance Rating: <u>3</u>
<p>Description</p> <p>Marie's work with the Florida School Districts' Career Program is commendable. The work performed by the students has saved the Dept time and money. Marie does a great job coordinating their assignments and handling the front desk. I have received compliments from the Regulatory Group saying that Marie had</p>	<p>Performance Trend (Note Appropriate Trend)</p> <p>Up []</p> <p>Level [<input checked="" type="checkbox"/>]</p> <p>Down []</p>
<p>Areas of Strength (Strong points/key actions and behaviors demonstrated during the review period)</p> <p>been helpful and attentive to their needs.</p>	
<p>Areas for development (items needing more focus)</p>	

POOR ORIGINAL



Senior Vice President
and General Counsel

PECO Energy Company
2301 Market Street
PO Box 8699
Philadelphia PA 19101-8699
215 841 4250
Fax 215 841 4282
E-mail jdurham@peco-energy.com

November 16, 1998

REGULAR FIRST CLASS FEDERAL EXPRESS AND
CERTIFIED MAIL / RETURN RECEIPT REQUESTED

Ms. Marie L. Gee
1643 N. 61st Street
Philadelphia, PA 19151

Dear Marie:

On Friday, November 9, 1998, you were informed by me and by Sandy Byrne, your supervisor, that you were suspended without pay and that a recommendation for the termination of your employment with PECO Energy Company would be processed due to your account delinquencies and refusal to agree to the conditions or offer any alternative solutions.

The Senior Vice President, Human Resources, has reviewed all of the information and documentation leading to your Suspension with Recommendation for Termination. He has approved your termination

Therefore, effective Wednesday, November 11, 1998, your employment with PECO Energy Company was terminated. Sandy Byrne telephoned you several times last week and finally reached you on Friday, November 13, 1998, to advise you.

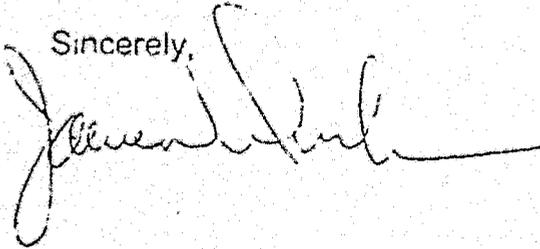
You may make arrangements to pick up your personal items by calling Sandy at 215-841-6506, who will arrange for you to come in after work hours or on the weekend. By now you should have received your paycheck for the pay period ending November 5, 1998. Your paycheck for November 6, 1998, and November 9, 1998 will be mailed to you on November 19, 1998. You will receive a separate check in a few weeks for any unused vacation days.

November 16, 1998

Page 2

If you have medical and/or dental insurance through PECO, you will be receiving information regarding medical and dental continuation from CobraServe within the next two weeks.

Sincerely,

A handwritten signature in cursive script, appearing to read "James H. Byrne", written over a horizontal line.

Attachment

cc S. H. Byrne, Legal Administrator
C. A. Asselta, Manager Human Resources
E. Stetzer, Manager Employee Relations
Employee's Corporate Service Record

Marie L. Gee
1643 North 61st Street
Philadelphia, PA 19151

December 6, 1998

Commonwealth of Pennsylvania
Department of Labor and Industry
Pennsylvania Job Center

RE: 160-48-5269

Pennsylvania Job Center
Attn: KAC

I wish to file an appeal to the determination of denial of benefits for the following reasons:

First, the employer failed to report that when I was called into the office on November 5th, 1998 that my bill was already paid to current (see exhibits 1&2) and that the delinquent amount was for \$80.77, so that according to policy (see exhibit 3) I had no reason to make a payment plan and I did not need the employee assistance program that I was told that I had to go to, please know that the employee assistance program is not for financial assistance. This company policy is not for all employees just employees who live inside of PECO Energy's service territory and have electric in their name or a spouse's name. This policy was designed for employees who live inside of Philadelphia and some of it's surrounding suburbs and did not take into consideration single parent families that may not be as fortunate as others. If I could afford to live in Jersey or Delaware I would not have lost my job for having been delinquent on my electric bill because I would not be receiving electric service from PECO. I was told that it did not matter that the bill was paid when I was called in and reprimanded about it, that the point was that it had been delinquent.

Secondly please take note to exhibit 3, this is the actual company policy. The employer states that (in exhibit 1) that I was advised of the policy in July of 1991, the policy was not in effect until December of 1992 (see top right of exhibit 3). I am in the process of obtaining my bills for 1995 and any other memos I may have received to present to reconcile the other accounts of advisement on the policy as noted on exhibit 1. The employer notes on exhibit 1 that I was given a payroll loan to assist me, I was given a payroll loan but the loan was not because the electric bills was that amount. I needed

money at those times because my grandfather came to live with me from another state due to illness and was unable to have his check transferred for a couple on months for the first loan and the other loan was primarily to assist my daughter with college expenses. Both loan were payroll deducted.

The employer states that I did not make arrangements with them to avoid being late again, I did not because there was not a balance to make arrangements on, On the 2nd of November I paid \$80.77, on the 5th of November I called into the office of the Vice President was given exhibit and told them that the \$80.77 had been paid, on the 6th of November I paid the \$47.88, there was no balance to make any arrangements I paid late charges for being late paying the \$80.77 and when asked what solution could I offer, I stated that if I am late, shut me off. (See Exhibit 4) (It states that I did not offer a solution, but I did). I would rather have no electricity until I was able to pay for it, than to have no job.

I told James W. Durham and Sandra Byrne my senior vice president and supervisor , that I was not bragging about it and that it was nothing to be proud of but that they did shut me off before because I could not pay and I stayed with my mother a few days until I could get the money to pay to have service restored. I realize that it is hard for someone who makes a couple hundred thousand dollars a year and makes and implements these rules, to even comprehend someone being unable to pay a bill on time but it is a reality to me I cannot always pay my bills on time and on occasion have to pay late charges for being late. I have more than the electric bill to pay.

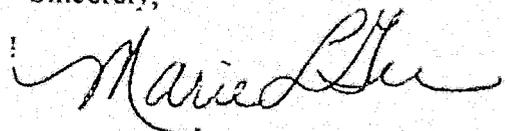
You may say to yourself she must not have been a good employee and they wanted to get rid of her, well **that is not the reason** (please see exhibit 5) I have given the company eighteen years of excellent service saving the company time and money.

Last but not least I am a single parent of two children, I have always worked, I never lived off of the state. I am trying to the best of my ability to care, feed, clothe and provide a home for myself and dependents as well as send a child through college, and provide the other one, who is just starting the first grade, with an education that means something. I was doing it on a Thirty six thousand dollar a year salary without any other type of financial support.

For paying a bill late in the amount of \$80.77, I lost my livelihood , eighteen years of employment, all benefits, medical , dental and life insurance etc. for myself and family. (see exhibit 6). With this current decision of denied benefits, I will not be able to collect from a system to which I contributed to for times such as this. Being the head of my household and sole support of my family I am in distress and am appealing this decision and asking for reconsideration.

I am thanking you in advance for your immediate attention to this matter for I have no immediate source of income

Sincerely,



Marie L. Gee
1643 North 61st Street
Philadelphia, PA 19151

December 14, 1998

PECO ENERGY COMPANY
PEER REVIEW PANEL

I believe that I was unjustly fired and wish for you to review this decision.

First, I was called into the office on November 5th, 1998 and told to listen to an aspen message that said that my electric bill was delinquent for \$80.77, my bill was already paid to current on November 2, 1998(see exhibits 1&2), so that according to policy (see exhibit 3) I had no reason to make a payment plan and I did not need the employee assistance program that I was told that I had to go to, please know that the employee assistance program is not for financial assistance. This company policy is not for all employees just employees who live inside of PECO Energy's service territory and have electric in their name or a spouse's name. This policy was designed for employees who live inside of Philadelphia and some of it's surrounding suburbs and did not take into consideration single parent families that may not be as fortunate as others. If I could afford to live in Jersey or Delaware I would not have lost my job for having been delinquent on my electric bill because I would not be receiving electric service from PECO.

I asked for the number of employees that have been terminated due to policy 8.45 the delinquent account policy and was told that PECO does not keep track of this, I wonder what is on my file as a reason for termination.

I was told that it did not matter that the bill was paid, when I was called in and reprimanded about it, that the point was that it had been delinquent and that if I could put 16% of my salary into 401K and buy company stock each week that I could afford to pay my electric bill on time. Also that I should pay my employer first because that is who pays me, I found that as an evasion of my privacy and intrusive

Secondly please take note to exhibit 3, this is the actual company policy, PECO states that (in exhibit 1) that I was advised of the policy in July of 1991, the policy was not in effect until December of 1992 (see top right of exhibit 3) I am in the process of obtaining my bills for 1995 and any other memos I may have received to present to reconcile the other accounts of advisement on the policy as noted on exhibit 1. PECO notes on exhibit 1 that I was given a payroll loan to assist me, I was given a payroll loan but the loan was not because the electric bills was that amount. I needed money at those

times partly because my grandfather came to live with me from another state due to illness and was unable to have his check transferred for a couple on months for the first loan and the other loan was primarily to assist my daughter with college expenses. Both loan were payroll deducted and paid off. Two loans in seventeen years I do not think is an abuse of the system.

PECO states that I did not make arrangements with them to avoid being late again, I did not because there was not a balance to make arrangements on, On the 2nd of November I paid \$80.77, on the 5th of November I called into the office of the Vice President was given exhibit and told them that the \$80.77 had been paid, on the 6th of November I paid the \$47.88, there was no balance to make any arrangements I paid late charges for being late paying the \$80.77 and when asked what solution could I offer, I stated that if I am late, shut me off (See Exhibit 4) (It states that I did not offer a solution, but I did). I would rather have no electricity until I was able to pay for it, than to have no job.

I told James W. Durham and Sandra Byrne my senior vice president and supervisor , that I was not bragging about it and that it was nothing to be proud of but that they did shut me off before because I could not pay and I stayed with my mother a few days until I could get the money to pay to have service restored, and that the policy should be reviewed and made suggestions. I realize that it is hard for someone who makes a couple hundred thousand dollars a year and makes and implements these rules, to even comprehend someone being unable to pay a bill on time but it is a reality to me I cannot always pay my bills on time and on occasion have to pay late charges for being late. I have more than the electric bill to pay.

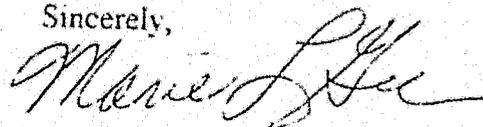
You may say to yourself she must not have been a good employee and they wanted to get rid of her, well **that is not the reason** (please see exhibit 5) I have given the company eighteen years of excellent service saving the company time and money.

Last but not least I am a single parent of two children, I have always worked, I never lived off of the state. I am trying to the best of my ability to care, feed, clothe and provide a home for myself and dependents as well as send a child through college, and provide the other one, who is just starting the first grade, with an education that means something. I was doing it on a Thirty six thousand dollar a year salary without any other type of financial support

For paying a bill late in the amount of \$80.77, I lost my livelihood , almost eighteen years of employment, all benefits, medical , dental and life insurance etc. for myself and family. (see exhibit 6). With this current decision ,being the head of my household and sole support of my family I am in distress and am appealing this decision and asking for reconsideration

I am thanking you in advance for your immediate attention to this matter for I have no immediate source of income.

Sincerely,



MARIE L. GEE (CLAIMANT)
1643 N. 61ST STREET
PHILA, PA.

19151

ER)

PECO ENERGY CO (EN
2301 MARKET STREET
PHILA, PA.

19104

FINDINGS OF FACT:

1. THE CLAIMANT LAST WORKED FOR PECO ENERGY CO ON 11-9-98
2. THE CLAIMANT WAS AWARE OF THE EMPLOYER'S POLICY REGARDING EMPLOYEE
3. THE CLAIMANT'S ACCOUNT WAS DELINQUENT ON JULY 5, 1991; MAY 21, 1998;
DECEMBER 5, 1996; JULY 30, 1998; SEPTEMBER 30, 1998; AND NOVEMBER 9, 1998.
4. ON DECEMBER 5, 1996 A WRITTEN WARNING WAS ISSUED TO THE CLAIMANT IN
INCIDENT MAY RESULT IN TERMINATION.
5. THE EMPLOYER'S POLICY STIPULATES THAT "REPEATED VIOLATIONS OF THIS
MONTH PERIOD WILL RESULT IN ACCELERATION OF THE DISCIPLINARY GUIDELINES."
6. THE EMPLOYER REQUESTED THE CLAIMANT TO: A) PAY THE BILL WITHIN 7 DAY
MONTHLY BUDGET PAYMENT FOR YOUR ELECTRIC BILL WITH CUSTOMER SERVICE C) AUTO-
WITHDRAWL FROM YOUR BANK ACCOUNT FOR PAYMENT IN FULL OF YOUR ELECTRIC BILL
ASSISTANCE PROGRAM FOR COUNSELING OR REFERRAL.
7. THE CLAIMANT WAS SUSPENDED AND SUBSEQUENTLY DISCHARGED FOR REFUSING
WITH THE EMPLOYER TO PAY HER BILL AND TO TRY TO AVOID THIS AGAIN.

REASONING: SECTION 402(E) OF THE LAW PROVIDES THAT A CLAIMANT SHALL BE
COMPENSATION FOR ANY WEEK IN WHICH HER UNEMPLOYMENT IS DUE TO HER DISCHARGE
FROM WORK FOR WILFUL MISCONDUCT CONNECTED WITH HER WORK. WILFUL MISCONDUCT IS
ACT OF WANTON OR WILFUL DISREGARD OF THE EMPLOYER'S INTERESTS. A DELIBERATE
EMPLOYER'S RULES, A DISREGARD OF THE STANDARDS OF BEHAVIOR WHICH THE EMPLOYEE
OF AN EMPLOYEE, OR NEGLIGENCE INDICATING AN INTENTIONAL DISREGARD OF THE EMPLOYEE
THE EMPLOYEE'S DUTIES AND OBLIGATIONS TO THE EMPLOYER. IN THIS CASE THE CLAIMANT
VIOLATED THE EMPLOYER'S POLICY. THE CLAIMANT REFUSED TO COMPLY WITH THE EMPLOYER'S
CLAIMANT'S ACTIONS RISE TO THE LEVEL OF WILFUL MISCONDUCT.

CONCLUSION: BENEFITS ARE DENIED UNDER SECTION 402(E) OF THE PA UC LAW

JC REPRESENTATIVE: K A C

(KAM)

CLAIMANT/EMPLOYER APPEAL INSTRUCTIONS

- Under Section 501(e) of the Law this Determination is
an appeal within 15 days from the date this Determination was mailed or delivered to you, if you
incorrect. You have the right to file an appeal on or before the deadline, which is the last day
Determination. You may file your appeal in person at the Bureau of Unemployment Compensation.

- This final unless you file
this Determination is
shown above on this

ENERGY ACCOUNTS

EMBER 4, 1996;

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR AND INDUSTRY
PENNSYLVANIA JOB CENTER

NOTICE OF
DETERMINATION
PAGE 01 OF 02

Last Day to File an Appeal from this
Determination is: DEC 21, 1998

RIGHT OF APPEAL

If you disagree with this determination, you may
appeal. If you want to file an appeal, you must
do so on or before the date shown above. See
below for appeal instructions.

┌
MARIE L. GEE (CLAIMANT)
1643 N. 61ST STREET
PHILA, PA.

PECO ENERGY CO (EMPLOYER)
2301 MARKET STREET
PHILA, PA.

19151

19104

L
FINDINGS OF FACT:

1. THE CLAIMANT LAST WORKED FOR PECO ENERGY CO ON 11-9-98.
2. THE CLAIMANT WAS AWARE OF THE EMPLOYER'S POLICY REGARDING EMPLOYEE'S PECO ENERGY ACCOUNTS.
3. THE CLAIMANT'S ACCOUNT WAS DELINQUENT ON JULY 5, 1991; MAY 21, 1995; SEPTEMBER 4, 1996; DECEMBER 5, 1996; JULY 30, 1998; SEPTEMBER 30, 1998; AND NOVEMBER 9, 1998.
4. ON DECEMBER 5, 1996 A WRITTEN WARNING WAS ISSUED TO THE CLAIMANT INDICATING THAT A THIRD INCIDENT MAY RESULT IN TERMINATION.
5. THE EMPLOYER'S POLICY STIPULATES THAT "REPEATED VIOLATIONS OF THIS POLICY WITHIN A 24 MONTH PERIOD WILL RESULT IN ACCELERATION OF THE DISCIPLINARY GUIDELINES."
6. THE EMPLOYER REQUESTED THE CLAIMANT TO: A) PAY THE BILL WITHIN 7 DAYS. B) ESTABLISH A MONTHLY BUDGET PAYMENT FOR YOUR ELECTRIC BILL WITH CUSTOMER SERVICE. C) AUTHORIZE AUTOMATIC MONTHLY WITHDRAWAL FROM YOUR BANK ACCOUNT FOR PAYMENT IN FULL OF YOUR ELECTRIC BILL. D) CONTACT EMPLOYEE ASSISTANCE PROGRAM FOR COUNSELING OR REFERRAL.
7. THE CLAIMANT WAS SUSPENDED AND SUBSEQUENTLY DISCHARGED FOR REFUSING TO MAKE ARRANGEMENTS WITH THE EMPLOYER TO PAY HER BILL AND TO TRY TO AVOID THIS AGAIN.

REASONING: SECTION 402(E) OF THE LAW PROVIDES THAT A CLAIMANT SHALL BE INELIGIBLE FOR COMPENSATION FOR ANY WEEK IN WHICH HER UNEMPLOYMENT IS DUE TO HER DISCHARGE OR TEMPORARY SUSPENSION FROM WORK FOR WILFUL MISCONDUCT CONNECTED WITH HER WORK. WILFUL MISCONDUCT HAS BEEN DEFINED AS AN ACT OF WANTON OR WILFUL DISREGARD OF THE EMPLOYER'S INTERESTS, A DELIBERATE VIOLATION OF THE EMPLOYER'S RULES, A DISREGARD OF THE STANDARDS OF BEHAVIOR WHICH THE EMPLOYER HAS A RIGHT TO EXPECT OF AN EMPLOYEE, OR NEGLIGENCE INDICATING AN INTENTIONAL DISREGARD OF THE EMPLOYER'S INTERESTS OR OF THE EMPLOYEE'S DUTIES AND OBLIGATIONS TO THE EMPLOYER. IN THIS CASE THE CLAIMANT REPEATEDLY VIOLATED THE EMPLOYER'S POLICY. THE CLAIMANT REFUSED TO COMPLY WITH THE EMPLOYER'S POLICY. THE CLAIMANT'S ACTIONS RISE TO THE LEVEL OF WILFUL MISCONDUCT.

CONCLUSION. BENEFITS ARE DENIED UNDER SECTION 402(E) OF THE PA UC LAW

JC REPRESENTATIVE: K A C

(KAM)

CLAIMANT/EMPLOYER APPEAL INSTRUCTIONS - Under Section 501(e) of the Law, this Determination becomes final unless you file an appeal within 15 days from the date this Determination was mailed or delivered to you. If you think that this Determination is incorrect, you have the right to file an appeal on or before the deadline, which is the last day to appeal shown above on this Determination. You may file your appeal in person at any Pennsylvania Job Center or by mail.
- If your appeal is filed in person, it must be hand-delivered during business hours on or before the last day to appeal shown above on this Determination.
- If your appeal is filed by mail, it must include your name, social security number, a specific statement that you want to file an appeal from this Determination and the reasons for your appeal. The appeal must be addressed to your Pennsylvania Job Center and postmarked on or before the last day to appeal shown above on this Determination.

CLAIMANT'S SSN	APPLICATION DATE	TYPE CLAIM	DATE MAILED	JC NUMBER
160-48-5269	98-11-15	UC	98-12-04	0144

PHILA. WEST JOB CENTER
5501 CHESTNUT STREET
PHILADELPHIA PA 19139-3296

NOTICE OF DETERMINATION

PAGE 02 OF 02

Last Day to File an Appeal from this Determination is: DEC 21, 1998

RIGHT OF APPEAL

If you disagree with this determination, you may appeal. If you want to file an appeal, you must do so on or before the date shown above. See below for appeal instructions

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR AND INDUSTRY
PENNSYLVANIA JOB CENTER

┌ MARIE L. GEE (CLAIMANT)
1643 N. 61ST STREET
PHILA, PA.

PECO ENERGY CO (EMPLOYER)
2301 MARKET STREET
PHILA, PA.

19151

19104

FINDINGS OF FACT:

DETERMINATION:

The following determination was made in accordance with the following sections of the Pennsylvania Unemployment Compensation Law.

DISAPPROVED 402(e)

CWE	PAY AMT	STATUS	CWE	PAY AMT	STATUS
98/11/21		DISAPPROVED	98/11/28		DISAPPROVED

JC REPRESENTATIVE: K A C

(KAM)

CLAIMANT/EMPLOYER APPEAL INSTRUCTIONS - Under Section 501(e) of the Law, this Determination becomes final unless you file an appeal within 15 days from the date this Determination was mailed or delivered to you. If you think that this Determination is incorrect, you have the right to file an appeal on or before the deadline, which is the last day to appeal shown above on this Determination. You may file your appeal in person at any Pennsylvania Job Center or by mail.

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CLAIMANT'S SSN	APPLICATION DATE	TYPE CLAIM	DATE MAILED	JC NUMBER
160-48-5269	98-11-15	UC	98-12-04	0144

PHILA. WEST JOB CENTER
5501 CHESTNUT STREET
PHILADELPHIA PA 19139-3296

Marie L. Gee
1643 North 61st Street
Philadelphia, Pa., 19151

November 10, 1997

Sandra Byrne
Legal Administrator
2301 Market Street
S23-1
Philadelphia, PA

RE MY SUSPENSION WITH A RECOMMENDATION FOR TERMINATION

Sandy,

I wish to go before the peer review panel. I called Jim Durham's office yesterday to let him know. Attached to the letter was the policy but not the form. Is there anyway that you know of for me to get the form or should I simply write a letter? Please forward a copy of this to Jim Durham and Carol Asselta, thanks.

Sincerely,

Marie Gee

*Marie -
We sent the
Federal Express
today. You should
have it tomorrow
morning. - Sandy
11/10/98 5:06 PM*

FAX

Date 12/13/98

Number of pages including cover sheet 10

TO: Marie Gize

FROM: Carolyn A. Asselta
PECO Energy Company
2301 Market St.
S14-2
Philadelphia, PA 19101

Phone 473-1767
Fax Phone 473-1767

Phone (215) 841-5350
Fax Phone (215) 561-7173

CC:

REMARKS: Urgent For your review Reply ASAP Please Comment
Per your Request

Attached is your account information back to 8/14/97 as well as other data on your account for prior years from the fiche.

As far as the # terminated under the exact policy, we do not track on a Co Basis.

Also

Sent via Fed. Express today as we couldn't get a response via telephone or FAX

PECO Energy Company

Memorandum

Location: Staffing and Development, S18-2
Date: November 10, 1998
To: Marie L. Gee
From: John Stevens, Recruiter
Subject: Requisition 100448 - Marketing Services Coordinator

Thank you for your interest in the Marketing Services Coordinator position in the Customer and Marketing Services organization.

We have identified other candidates whose skills and experience more closely match what we are seeking for this position.

Again, thank you for your interest in the position.

JS/mh

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

DATE SERVED: SEPTEMBER 29, 2003

F-01347862

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

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by MARIE GEE. 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.

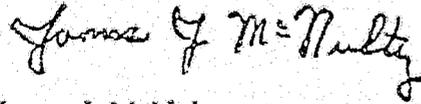
SEPTEMBER 29, 2003

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

dbs

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: SEPTEMBER 29, 2003

MARIE GEE

Complainant
VS.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: F-01347862

DOCUMENT
FOLDER

DOCKETED
SEP 26 2003

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PECO ENERGY COMPANY

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

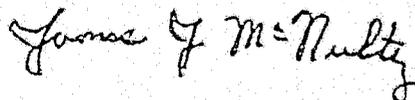
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

Legal Department

Telephone 215 841-5544

Fax 215 668-3389

Exelon Business Services Company

www.exeloncorp.com

2301 Market Street, 523-1

PO Box 8699

Harrisburg, PA 17101-8699

DOCUMENT FOLDER

Direct Dial: 215 841-6841

October 22, 2003

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

RECEIVED

OCT 22 2003

Re: Marie Gee v. PECO Energy Company
Docket No. F-01347862

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Mr. McNulty,

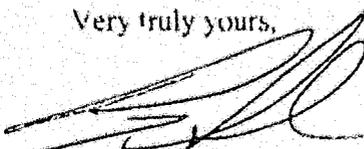
Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

<u>X</u>	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)
-----	Brief (original and 9 copies)
-----	Reply Brief (original and 9 copies)

RJP

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
Counsel for PECO Energy
Exelon Business Services Company

Enclosures

Cc: All Parties

46

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

OCT 22 2003

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

MARIE GEE

v.

PECO ENERGY COMPANY

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:
:
:
:

DOCKET NO. F-01347862

ANSWER AND NEW MATTER OF RESPONDENT PECO ENERGY COMPANY

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

1. Admitted.
2. Admitted.
3. Admitted in part and denied in part. PECO Energy admits that

DOCUMENT
FOLDER

Complainant was an employee of PECO Energy. PECO Energy denies harassing the Complainant at any time. PECO Energy denies that Complainant's account is flagged. PECO Energy denies that the billing of Complainant's account is inaccurate or inconsistent. By way of further response, Complainant's balance is a result of poor payment history. Complainant's current balance is \$1855.84.

PECO Energy admits that Complainant's service was terminated on April 1, 2003 for nonpayment. PECO Energy denies that it failed to provide proper notice. By way of further response, a ten-day notice was sent on March 10, 2003 for \$1423.10 with a termination date of March 20, 2003. PECO Energy attempted to contact Complainant via telephone on March 12, 2003 at 8:15 p.m. PECO Energy left a message on

DOCKETED

OCT 27 2003

Complainant's answering machine. PECO Energy attempted to contact Complainant again via telephone on March 13, 2003 at 11:07 a.m. PECO Energy left a message on Complainant's answering machine. PECO Energy attempted to deliver a 48-hour notice to the Complainant on March 24, 2003 at 11:03 a.m. Complainant did not answer. PECO Energy left the 48-hour notice at the property. Complainant's service was terminated on April 1, 2003. Contact was made with an African-American adult female. The post termination notice was left with this person. Complainant was required to pay the past due balance of \$1423.10 and a \$60.00 reconnection fee. Complainant paid this amount on April 1, 2003. This amount was posted to Complainant's account on April 1, 2003. Service was restored on April 2, 2003 on or around 2:45 pm.

PECO Energy admits that Complainant's former address (61st street) balance of \$1249.36 was transferred to her current account. PECO Energy denies that this amount is inaccurate.

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.

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

Philadelphia, PA 19101-8699

215-841-6841

priya.sankar@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARIE GEE

v.

PECO ENERGY COMPANY

:
:
:
:
:

DOCKET NO. F-01347862

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 22, 2003

Priya Sankar