

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Al Karaam,
v.
PECO Energy Company

Docket No.:
F-01349090

Keystone Building
Conference Room A
400 North Front Street
Harrisburg, PA

DOCUMENT

Thursday, April 8, 2004
Commencing at 1:06 p.m.

BEFORE:

WAYNE L. WEISMANDEL, Administrative Law Judge

APPEARANCES:

Al Karaam, Pro Se
For the Complainant

Priya Sankar, Esquire
PECO Energy Company
2301 Market Street S23-1
P.O. Box 8699
Philadelphia, PA 19101
For PECO Energy Company

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NONE OFFERED

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P R O C E E D I N G S

JUDGE WAYNE L. WEISMANDEL:

We'll open the record. This is the date and time set for a telephonic hearing in the matter of Al Karaam, K-A-R-A-A-M, versus PECO Energy Company, Pennsylvania Public Utility Commission, Docket Number P-01319090. I am Administrative Law Judge, Wayne L. Weisman, assigned by the Commission to preside in this matter.

I would note for the record that I have contacted Attorney Priya Sankar, Esquire, who represents PECO Energy Company at area code 215-841-5841. I have also contacted a potential witness for PECO Energy Company, Mr. David Voigtsberger, at area code 484-645-7643. Finally, I have contacted the Complainant, Mr. Al Karaam, at area code 215-387-2105. Ms. Sankar, Mr. Voigtsberger and Mr. Karaam have all indicated that they are able to hear me and to hear each other satisfactorily.

I am located at a hearing room in Harrisburg, with a court reporter who will prepare a transcript of this afternoon's proceedings. Consequently I would ask that we try to make the court reporter's job possible by not speaking at the same

1 time when someone else is speaking, so that she can
2 prepare a clear and accurate transcript of the
3 proceedings.

4 Mr. Karaam, it is my custom in these
5 kinds of matters to offer the parties an opportunity
6 to discuss the situation outside of my presence so
7 that I don't hear something that's not under oath that
8 could perhaps influence a decision if I have to make
9 one, to see if they can resolve the matter amicably
10 without the necessity of a hearing. On the other
11 hand, if somebody doesn't feel that there's any
12 possibility of that happening, I don't waste the time
13 either. However, I do believe that very often the
14 parties just need to talk to each other and haven't
15 been able to do that thus far.

16 I would also note, Mr. Karaam, so that
17 you understand where I'm coming from and where the
18 Commission's precedent is in cases like this, that
19 there is an outstanding Bureau of Consumer Services'
20 decision as of May 27th of last year, regarding your
21 account with PECO Energy Company. And under current
22 Commission precedent, if you are not in compliance
23 with that BCS decision, I must order that you become
24 in compliance with it. Furthermore, unless you can
25 establish that there has been a significant change in

1 your personal financial circumstances since the BCS
2 decision was rendered, I have very little ability to
3 alter that decision. On the other hand, PECO Energy
4 Company is free to negotiate with you and arrive at
5 any agreement that the two of you can make regardless
6 of that BCS decision. So you really have a better
7 chance of getting a more favorable to you payment plan
8 from PECO than I can give you. And you ought to
9 understand that going into this proceeding. Do you
10 understand the things that I've just explained?

11 MR. KAFAY:

12 Yes. I just heard the statement that you
13 made. As far as me and PECO talking, that's not a
14 problem. The situation is in the last decision that
15 he stated that PUC had rendered, that was appealed and
16 I never got the decision on that personally. This is
17 the first time I've seen it, when I received the
18 letter, which is PECO's conclusion. And what I did, I
19 had appealed it. And there was supposed to be another
20 hearing that never transpired. So all these other
21 statements that have been made, they were never
22 rendered to me and I've never received it. And I
23 appealed these decisions on these cases and never got
24 one, but got a final decision by PUC without my
25 notification. That's why it was appealed, that last

1 decision I never even get a notice on it. And I think
2 another judge was supposed to have been handling that
3 and somebody else from FUC was supposed to have
4 handled that and get back with me. And I never got a
5 decision on that situation. But I do see it, in the
6 statement that was sent to me, of SNR recently in this
7 hearing.

8 JUDGE WEISMANDEL:

9 Yes. The last BCS decision, the Case
10 Number was 1349090. BCS, Bureau of Consumer Services
11 is what that stands for, BCS. A decision was rendered
12 May 27th of 2003. That decision called for you to
13 make a payment of \$538 by June 13th of 2003, and
14 thereafter pay a regular budget amount of \$78 a month
15 plus an arrearage payment of \$15 a month for a total
16 of a special budget amount of \$93 a month beginning
17 July of 2003.

18 MR. KARAAM:

19 I've seen it here but I've never received
20 that decision, because ---

21 JUDGE WEISMANDEL:

22 Well, Mr. Karaam, all I can tell you is
23 that I'm looking at a copy of BCS' letter to you
24 addressed to Mr. Al Karaam, 4224 Parrish Street,
25 Philadelphia, Pennsylvania, 19104. And that letter is

1 dated, as I said, May 27th of 2003. So it apparently
2 was sent out. Obviously, I'm in no position to say
3 you received it, but it was apparently sent out ---.

4 MR. KARAAM:

5 I had made numerous appeals on each
6 statement that they have given me on that decision. I
7 never received anything of such decision where you're
8 saying that there was \$500 --- and so many dollars per
9 month. I never received a conclusion on that. This
10 was the first ---. And I've been calling I think for
11 the last two years for a hearing. And every time for
12 some reason it was just sidetracked, to some degree.
13 As far as anything coming to me personally, you're
14 saying there was a decision from the BBC or ---.

15 JUDGE WEISMANDEL:

16 BCS.

17 MR. KARAAM:

18 BCS.

19 JUDGE WEISMANDEL:

20 Right.

21 MR. KARAAM:

22 I never received any such thing. And the
23 last time -- because like I said before, there was a
24 decision made they gave me a --- I think a six-month
25 time to appeal it and put a paper in the mail. So I

1 think I made about three, four or five appeals. And
2 each time that me and PECO was supposed there was, I
3 think, some mishap where they couldn't be here. They
4 were supposed to come to the house. It was a
5 continuous saga in this situation. This is the first
6 time I knew anything about a conclusion from BSC,
7 whoever they are, concerning the situation in this
8 matter.

9 JUDGE WEISMANDEL:

10 Okay. Well, you understand what I'm
11 telling you, as far as what their decision was?

12 MR. KARAAM:

13 I do understand. I'm very clear on what
14 you're saying.

15 JUDGE WEISMANDEL:

16 All right. Now ---

17 MR. KARAAM:

18 I read that in the --- it was sent to me
19 from Exxon.

20 JUDGE WEISMANDEL:

21 Yes. All right. Are you willing to talk
22 to PECO's representative to see if you can get this
23 matter solved?

24 MR. KARAAM:

25 Ms. Sankar, how about you? You, on

1 behalf of FEEO, are you willing to talk to Mr. Karaam?

2 ATTORNEY SANKAR:

3 Yes.

4 JUDGE WEISMANDEL:

5 All right. Then what we will do is, they
6 tell me because I initiated the call, if I hang up,
7 that would serve to disconnect you folks from each
8 other. So what we will do is we will take a recess.
9 I will instruct the court reporter that we are in
10 recess and she will stop transcribing what you say.
11 And I will literally leave the room that I am in, so
12 that you can speak without any concern about me
13 hearing something that I'm not supposed to hear.

14 Okay. I have approximately 1:15. I'll
15 check back with you at 1:25. That will give you about
16 ten minutes to see if you can work the thing out or at
17 least make some progress. I'll check back with you at
18 1:25 and see where you are. I will apologize right
19 now. I'm going to be rude when I come back in the
20 room. I'm going to interrupt whoever is speaking, so
21 that you know that I am back in the room and don't
22 ---. Don't say anything that I shouldn't hear, not
23 under oath. Okay?

24 MR. KARAAM:

25 Okay.

1 JUDGE WEISMANDEL:

2 All right. We'll go off the record at
3 this time, and take a ten-minute recess. Give me
4 about ten seconds to get out the door and you folks
5 agree to speak.

6 SHORT BREAK TAKEN

7 JUDGE WEISMANDEL:

8 All right. We'll go back on the record.
9 The parties inform me that despite a good faith
10 effort, they have been not able to resolve the matter
11 and that a hearing will, in fact, be necessary in this
12 case. Mr. Karaam, ---

13 MR. KARAAM:

14 Yes.

15 JUDGE WEISMANDEL:

16 --- Judge Paist sent you a pre-hearing
17 order dated January 16th, 2004. In order paragraph
18 seven of that pre-hearing order, she explained to you
19 that as the Complainant you have the burden of proof
20 in this proceeding, and you must show, by a
21 preponderance of evidence that PECO Energy Company has
22 violated the Public Utility Code or a regulation or
23 order of the Commission. A preponderance of the
24 evidence means that you have convinced the finder of
25 fact, in the first instance, me, and then ultimately

1 perhaps the Commission, that PECC has, in fact,
2 violated the Public Utility Code or a Commission order
3 or regulation.

4 The example or the analogy is often used
5 of a scale to explain the preponderance of evidence
6 standard. If the scale ends up in perfect balance,
7 then you have not carried your burden of proof and
8 PECO would be entitled to a decision in its favor. On
9 the other hand, if by however slight an amount the
10 scale would tip in your favor, then you have carried
11 your burden of proof and you are entitled to a
12 decision in your favor. Just to complete the analogy,
13 again, if the scale tips ever so slightly in PECO's
14 favor, you obviously will not have carried your burden
15 of proof and PECO would be entitled to a decision in
16 its favor.

17 So that's the standard that you must
18 meet. I did not receive, and apparently Judge Paist
19 did not receive, because she turned her file over to
20 me, any proposed exhibits on your behalf, so I presume
21 that your case is going to be made up of your
22 testimony today; is that correct?

23 MR. KARAAM:

24 Yes.

25 JUDGE WEISMANDEL:

1 All right. At this time, I will
2 administer the oath.

3 -----
4 AL KARAAM, HAVING BEEN FIRST DULY SWORN, TESTIFIED AS
5 FOLLOWS.

6 -----
7 JUDGE WEISMANDEL:

8 Please state your full name and spell
9 your last name for the record and state your address.
10 A. Al Karaam, 4224 Parrish Street, Philadelphia, PA,
11 19104.

12 JUDGE WEISMANDEL:

13 All right, sir.

14 A. And my last name is K-A-R-A-A-M.

15 JUDGE WEISMANDEL:

16 Thank you. All right. What do you have
17 to tell us?

18 MR. KARAAM:

19 Okay. As I was saying before, my bill,
20 estimated, even --- no matter ---. I'm using ---
21 there are barely lights in here, because they came
22 over a year or so and put these energy lights in. And
23 they're, oh, yeah, you're using more lights, you know,
24 and your appliances --- whether you realize. Back in,
25 I think last year and the year before last. So

1 basically the energy or anything I was using was below
2 average. Now, I took one summer, which was a peak
3 summer, when it was hot, I think last year or so, the
4 year before last, and stopped using any utilities,
5 only bare lights for a whole month, just to see what
6 my bill --- was there any fluctuation in the bill.
7 The fluctuation of bill didn't even move, matter of
8 fact, I got an increase for that month -- for that
9 month, something I wasn't even using. And that's
10 scary.

11 And then they tell me, oh, no, no, the
12 meter's accurate and everything is correct. So I'm
13 really concerned that then, as I said before, I see
14 other people's bills in other neighborhoods, as I
15 explained to Mr. --- I can't think of his name right
16 now, that's much, much cheaper and have more --- a
17 whole family in there and they paying tremendously low
18 and I'm looking at their bill and I say, well, how can
19 your bill be possibly that low when mine's about
20 running about \$70 to \$80 a month on average. You
21 know, I'm looking stupid here.

22 Now, I'm concerned about that, if I don't
23 use any electric, it doesn't reflect on the bill.
24 When I call and I talk about my bills, they told me,
25 well, it's an average reading. Another person told me

1 it goes by the neighborhood. So I'm trying to figure
2 out, how are they accurately reading different
3 people's meters or making an assessment or what they
4 were actually doing, as far as the meter reading
5 Because it seems like it fluctuates from community to
6 community. They're saying it's not. Okay. I mean
7 like I said before, I don't have a --- I'm at the ---
8 I can't prove that ---. I can't prove that my
9 electric bill ---. Who can testify for a whole month
10 and say, well, you never used anything for a whole
11 month but yet my bill still went up for that month?
12 And that was my main argument with them, because that
13 was something I wanted to see myself. If I stopped
14 using my electric for a whole month, will I get a
15 change in my rating, and it never changed, everything
16 stayed the same --- and it went up.

17 And I'm confused with that. That's what
18 my argument was. I am confused with that. I was
19 spending over two years trying to figure out, how come
20 if I stop using my electric and turning everything
21 off, why I'm still being billed regularly on the same
22 amount, on the same charges. And at the same time,
23 the charge is increased because it's a July month.
24 And that's confusing. And I'm not ---. You know, as
25 far as the bill, I understand that. I have no problem

1 with that, but I'm confused that if I stop using my
2 electric ---. My main argument is, if I stop using my
3 electric for a month, shouldn't that reflect a
4 lowerage or I should see some decrease in my bill,
5 especially on a peak month? I should have, but I
6 didn't. That's what my biggest argument then ---.
7 And there's something wrong with that, because that
8 means if they're doing that on these months, for the
9 sake of doing it, then overall what they're saying to
10 me is, they're not basing this on the actual meter
11 reading, they're either making that on the average of
12 the community or whatever the case may be, because
13 there's something wrong with that.

14 Otherwise, I wouldn't even be sitting up
15 here talking to the Judge and PECO right now, because
16 I would say, well, yeah, my bill is that because I
17 must be using that amount. But when I deliberately
18 said, I'm not using that --- and sweat it out for the
19 whole month, and then there was no reflection in my
20 bill, there's something wrong. And I can't --- I know
21 I can't prove that. No, I can't substantiate that
22 this is the case, no, I can't do that, but I know what
23 I'm using. And when I did that that whole month, I
24 know something's wrong with my bill. And I was
25 stating this over and over and over and over. With

1 that --- and every time I call PECO up, everybody
2 gives me a different reason on how the bill got
3 calculated and no one comes up with the same answer.

4 JUDGE WEISMANDEL:

5 Do you have anything further?

6 MR. KARAAM:

7 No, sir.

8 JUDGE WEISMANDEL:

9 Okay. Ms. Sankar, on Cross examination?

10 ATTORNEY SANKAR:

11 Yes. Just some questions for
12 clarification.

13 CROSS EXAMINATION

14 BY ATTORNEY SANKAR:

15 Q. Mr. Karaam, what month did you stop using your
16 electric, except ---?

17 A. That was in July.

18 Q. July of what year?

19 A. I think it was --- not of --- July of last year,
20 the previous year.

21 Q. July 2002?

22 A. 2000, what's this, '04? 2002, yes.

23 Q. Okay.

24 A. And there was no reflection.

25 Q. What electric did you use in that month?

1 A. I didn't use anything. The only thing I used the
2 60 --- these energy-saving bulbs that was put in my
3 home. They still there. And I'm sure he could still
4 testify they were still in my lamps, the life-long
5 energy lamps. And I think these are about 50 or 60-
6 watt bulbs, but they're supposed to be brighter.

7 Q. Okay. So you didn't cook or anything like that?

8 A. No. I don't have to cook, no. Because I wanted
9 to see what I see ---. The only thing that I wanted
10 to prove --- because this was going on for a while, I
11 wanted to see, if I stopped using my electric, would I
12 see a reflection in my bill. And that's what I wanted
13 to see and I didn't see a reflection in the bill. And
14 then I know something's wrong.

15 Q. How did you wash your clothes?

16 A. Pardon me?

17 Q. How did you wash your clothes?

18 A. I got a new washer and dryer. I never had one,
19 okay, so I got one I think about two years ago. And
20 so basically ---. And the reason I haven't been
21 washing my clothes, I'm going to a laundry, because my
22 washer's broke.

23 Q. Because what?

24 A. My washer is broke. And I just bought a new one
25 two years ago in August. And I bought a brand new

1 refrigerator last year in August from Sears.

2 Q. August. When did you buy the washer?

3 A. I think I bought it in 2002, August, from Sears,
4 because I never had one.

5 Q. Now, that was the month after you stopped using
6 your electric?

7 A. Yes.

8 Q. How is your water heated?

9 A. My water heater --- it's heated by, I think,
10 electric. I think it's a gas ---. No, no, it's a gas
11 water heater. I think it's a combination gas and
12 electric.

13 Q. And do you shower or use water on your property?

14 A. Say it again?

15 Q. Did you use the water on your property in July
16 2002?

17 A. Well, to some degree, yes, I did. I had to take a
18 shower and wash up, you know, wash my face, ---

19 Q. Yes.

20 A. --- and drink water to take medication, yeah. I
21 did use the water.

22 Q. Were there any other appliances that you used in
23 July 2002?

24 A. No. The only thing I used in 2002, I used the TV.

25 Q. Do you have an alarm clock or anything like that?

1 A. Yes, I do have an alarm, it's one of the small
2 ones, yes.

3 Q. Okay. You used that as well?

4 A. Yes.

5 Q. What about a coffeepot?

6 A. No. I don't drink coffee, I'm a tea person, but I
7 do have a coffeepot.

8 Q. Was your refrigerator on or off at the time?

9 A. My refrigerator was on.

10 ATTORNEY SANKAR:

11 Your Honor, I have no other questions.

12 JUDGE WEISMANDEL:

13 Thank you. Mr. Karaam, do you have any
14 other witnesses that you want to present today?

15 MR. KARAAM:

16 No, I don't.

17 JUDGE WEISMANDEL:

18 Does that conclude your case then?

19 MR. KARAAM:

20 Yes, sir.

21 JUDGE WEISMANDEL:

22 Thank you. Ms. Sankar?

23 ATTORNEY SANKAR:

24 Yes. I'd like to call David Voigtsberger
25 first.

1 JUDGE WEISMANDEL:

2 Okay. Mr. Voigtsberger, can you hear me
3 all right?

4 MR. VOIGTSBERGER:

5 Yes, I can.

6 JUDGE WEISMANDEL:

7 All right.

8 -----

9 DAVID VOIGTSBERGER, HAVING BEEN FIRST DULY SWORN,
10 TESTIFIED AS FOLLOWS:

11 -----

12 JUDGE WEISMANDEL:

13 Thank you. Please proceed, Ms. Sankar.

14 DIRECT EXAMINATION

15 BY ATTORNEY SANKAR:

16 Q. Mr. Voigtsberger, can you state and spell your
17 name for the record?

18 A. Yes. David Voigtsberger.

19 D-A-V-I-D, Voigtsberger is V, as in Victor,

20 O-I-G-T-S-B-E-R-G-E-R.

21 Q. What is your business address?

22 A. 2301 Market Street in Philadelphia.

23 Q. What is your position? I'm sorry, who is your
24 employer?

25 A. PECC Energy Company.

1 Q. What is your position with PECO Energy?

2 A. I'm a high bill investigator.

3 Q. How long have you been a high bill investigator?

4 A. For nine years now.

5 Q. Can you briefly describe your duties as a high
6 bill investigator?

7 A. Yes. We're there to make sure that people are
8 being billed correctly. And there are four things
9 that can make a bill wrong and we investigate those
10 four things. Number one, we check to make sure that
11 readings are correct. Two, we verify that a customer
12 is being billed on the correct meter. Three, we
13 verify ---.

14 JUDGE WEISMANDEL:

15 Hello?

16 ATTORNEY SANKAR:

17 Mr. Voigtsberger?

18 JUDGE WEISMANDEL:

19 It sounds like we lost him.

20 ATTORNEY SANKAR:

21 Yes.

22 JUDGE WEISMANDEL:

23 If you guys will hang on, I'll try to
24 call him back. Hold on, please.

25 ATTORNEY SANKAR:

1 Thank you.

2 JUDGE WEISMANDEL:

3 Ms. Sankar?

4 ATTORNEY SANKAR:

5 Yes.

6 JUDGE WEISMANDEL:

7 Mr. Karaam?

8 MR. KARAAM:

9 Yeah.

10 JUDGE WEISMANDEL:

11 Mr. Voigtsberger?

12 MR. VOIGTSBERGER:

13 Yes.

14 JUDGE WEISMANDEL:

15 Okay. We got Mr. Voigtsberger back on
16 the line. All right. Mr. Voigtsberger, you were
17 saying that there are four factors that could make a
18 bill incorrect. The first one you said was correct
19 readings. The second, I believe you said, was that it
20 was for the correct meter. And I think that's as far
21 as you had gotten.

22 A. Okay. The third thing is what is called foreign
23 wiring, meaning another person using their
24 electricity. But in order for that to happen somebody
25 would have to run wires from their house and the

1 customer's breaker panel or outlet. And I show no
2 evidence of that. The fourth and final thing that can
3 make a person's bill wrong is whether or not the meter
4 is measuring accurately.

5 Q. Mr. Voigtsberger?

6 A. Yes.

7 Q. Mr. Voigtsberger?

8 A. Yes, I'm here.

9 Q. All right. You just cut out for a minute that's
10 why.

11 A. Okay. I'm sorry.

12 Q. Do you want to continue from right after the
13 foreign wiring?

14 A. The fourth and final thing, whether or not the
15 meter is measuring accurately.

16 Q. Okay. And can you turn to ---. I'm sorry. Now,
17 when you conduct a field visit, are those the four
18 factors that you check?

19 A. That's correct.

20 Q. And in the course of your employment with PECO,
21 have you had the opportunity to become familiar with
22 Mr. Karaam's account?

23 A. Yes, I have.

24 (PECO exhibits One through Four marked
25 for identification.)

1 BY ATTORNEY SANKAR:

2 Q. Okay. Can you turn to PECO Exhibit Three

3 JUDGE WEISMANDEL:

4 Excuse me. Mr. Karaam, did you receive
5 what were marked for identification as PECO Exhibits
6 One, Two, Three and Four?

7 MR. KARAAM:

8 Actually, I believe there's one -- hold
9 on. You're talking about the letter from BBC (sic)?

10 JUDGE WEISMANDEL:

11 No. Ms. Sankar sent you ---

12 MR. KARAAM:

13 It must be Exhibit Two, I think it is.

14 JUDGE WEISMANDEL:

15 Let's go through this. She sent you four
16 proposed exhibits.

17 MR. KARAAM:

18 All right.

19 JUDGE WEISMANDEL:

20 And they are marked Exhibits One, Two,
21 Three and Four. Exhibit One is an account statement.
22 It's a four-page document.

23 MR. KARAAM:

24 I know what she's talking about. It's
25 not marked, but I know which one she's talking about.

1 JUDGE WEISMANDEL:

2 Do you have that with you?

3 MR. KARAAM:

4 Yeah. It wasn't marked, but I have it.

5 Are you talking about the one he made the field
6 investigation with?

7 JUDGE WEISMANDEL:

8 Please listen to me and answer my
9 question.

10 MR. KARAAM:

11 Right. It's not marked.

12 JUDGE WEISMANDEL:

13 Yes, it is. The one I have is. It's
14 marked down at the bottom right. Exhibit Number One
15 we're talking about.

16 MR. KARAAM:

17 Exhibit One, I have that.

18 JUDGE WEISMANDEL:

19 That's an account statement.

20 MR. KARAAM:

21 That's correct.

22 JUDGE WEISMANDEL:

23 It's a four-page document. The first
24 three pages ---.

25 MR. KARAAM:

1 I got it.

2 JUDGE WEISMANDEL:

3 The first three pages are a chart, and
4 the fourth page is definitions.

5 MR. KARAAM:

6 That's correct.

7 JUDGE WEISMANDEL:

8 Okay. Next, we have a one page document.
9 That's Exhibit Number Two.

10 MR. KARAAM:

11 That's correct.

12 JUDGE WEISMANDEL:

13 And you have a copy of that?

14 MR. KARAAM:

15 Yes.

16 JUDGE WEISMANDEL:

17 All right. Then the next one, which is
18 Exhibit Number Three. And I admit --- I agree with
19 you that the words, when this was photocopied, were
20 pretty much cut off, but it's a three page document
21 ---.

22 MR. KARAAM:

23 That's what I said. I see it, but it
24 isn't marked.

25 JUDGE WEISMANDEL:

1 Right. And you have that before you?

2 MR. KARAAM:

3 Yes.

4 JUDGE WEISMANDEL:

5 Okay. And then the fourth one, Exhibit
6 Four, which is also --- the writing is partially cut
7 off, is a five-page document.

8 MR. KARAAM:

9 Yeah, I see that one.

10 JUDGE WEISMANDEL:

11 You have all of those?

12 MR. KARAAM:

13 Yeah.

14 JUDGE WEISMANDEL:

15 Okay. Very good. Ms. Sankar, go ahead.

16 ATTORNEY SANKAR:

17 Thank you.

18 BY ATTORNEY SANKAR:

19 Q. Mr. Voigtsberger, can you turn to PECO Exhibit
20 Three? Did you prepare PECO Exhibit Three?

21 A. Yes, I did.

22 Q. Is it kept on PECO Energy's ordinary course of
23 business?

24 A. Yes.

25 Q. Does it relate to Mr. Karaam's account?

1 A. Yes, it does.

2 Q. Can you explain what PECO Exhibit Three is?

3 A. It's a copy of my field investigation that I
4 performed on February 5th.

5 Q. Okay. And why don't you describe what page one of
6 PECO Exhibit Three is. What is it showing?

7 A. My pages aren't marked either.

8 Q. The first page is like a listing of appliances,
9 but it also has some writing on the bottom regarding
10 readings.

11 JUDGE WEISMANDEL:

12 Up in the upper left-hand corner, Mr.
13 Voigtsberger. The first page says PECO Energy,
14 customer's bill information.

15 ATTORNEY SANKAR:

16 Thank you, Your Honor.

17 JUDGE WEISMANDEL:

18 Do you see that?

19 A. No.

20 BY ATTORNEY SANKAR:

21 Q. Do you have a three-page document, your report?

22 A. I have my report.

23 Q. Why don't you describe what you have.

24 A. Okay. I have a copy of the remarks' screen, which
25 states what ---

1 Q. Okay.

2 A. --- all was as the property. I have a copy of the
3 customer --- of the history of the customer's usage.
4 And I have a copy of the payment history. I have a
5 copy of his credit information.

6 ATTORNEY SANKAR:

7 Your Honor, at this time, I can't use
8 PECC Exhibit Three, so I'm just going to rely on Mr.
9 Voigtsberger's testimony.

10 JUDGE WEISMANDEL:

11 Okay.

12 ATTORNEY SANKAR:

13 Thank you.

14 BY ATTORNEY SANKAR:

15 Q. Mr. Voigtsberger, did you ever visit Mr. Karaam's
16 property?

17 A. Yes, I did, on February 5th of this year.

18 Q. Can you explain what type of tests you completed?

19 A. Yes. First I verified that the reading is
20 correct, his daily average usage is in line with the
21 previous bills. I then shut off some appliances,
22 what's called dropping a load. And I measured the
23 wattage on the meter. Then what I did was added an
24 additional known amount of wattage. I added 50 watts
25 of light to the meter and did a second test. The

1 second test --- the difference between the two tests
2 was 49 watts, to verify the accuracy of the meter.

3 Q. Did you do a drop-load test?

4 A. Yes No. Yes and no. I dropped the load, but
5 not everything.

6 Q. Okay.

7 A. I turned off some things. I dropped the load down
8 to 273 watts.

9 Q. Why didn't you drop the load completely?

10 A. Mr. Karaam didn't want to unplug everything so we
11 could.

12 MR. KARAAM:

13 Can I make a statement yet?

14 JUDGE WEISMANDEL:

15 No.

16 MR. KARAAM:

17 Okay.

18 JUDGE WEISMANDEL:

19 You'll have an opportunity to ask
20 questions then, Mr. Karaam, okay?

21 MR. KARAAM:

22 Okay

23 BY ATTORNEY SANKAR:

24 Q. So Mr. Voigtsberger, you did a drop-load test and
25 you did a passing-load test?

1 A. That is correct. I did two passing load tests.

2 Q. Okay. And ---.

3 A. One after I shut --- we shut off the refrigerator,
4 the heater and the lights. I measured the load on the
5 meter, the wattage on the meter, which came to 273
6 watts.

7 Q. Okay.

8 A. We added an additional 50 watts. And the
9 difference of the two tests was 49 watts.

10 Q. Now, what other kinds of tests did you conduct?

11 A. I verified that the customer, Mr. Karaam, was
12 being billed on the correct meter. And I took an
13 appliance analysis, which justified his billed usage,
14 that Mr. Karaam has the appliances to use what is
15 being billed.

16 Q. Did you take a reading of the meter?

17 A. Yes, I did.

18 Q. Was that in line with previous readings?

19 A. Yes, it was.

20 ATTORNEY SANKAR:

21 Your Honor, I have no other questions.

22 JUDGE WEISMANDEL:

23 Okay. Mr. Karaam, do you have any
24 questions for Mr. Voigtsberger?

25 MR. KARAAM:

1 Yes.

2 JUDGE WEISMANDEL:

3 Please proceed.

4 CROSS EXAMINATION

5 BY MR. KARAAM:

6 Q. First I want to find out, what is a passing-load
7 test?

8 A. You measure how many watts are on the meter.

9 Q. Okay. Now, when you ---?

10 A. You do that by timing the rotation of the disc.

11 Q. The disc setting. Okay. How many cycles are
12 going around?

13 A. I'm sorry?

14 Q. You're saying how many cycles are going around, by
15 the rotation of the meter?

16 A. No, you time one rotation of the disc.

17 Q. And that's a cycle; right?

18 A. That's correct.

19 Q. You said --. My question is, can a meter be
20 incorrect?

21 A. Yes.

22 Q. So whether you dropped a load or not dropped a
23 load, if the meter is still incorrect, you would only
24 get the meter reading that the meter has at the time,
25 even though the meter can be incorrect; correct?

1 A. I didn't understand that question.

2 Q. If the meter is incorrect, right, and if you drop
3 a load, as you said, and you dropped the load and
4 whatever the meter said at that time, if there's any
5 fluctuation it still would print that out, what it is.
6 But the meter still can be wrong if the meter is
7 incorrect.

8 A. Right.

9 Q. Okay.

10 A. And that's why I added a measurable amount of
11 wattage to the meter. That's where the real test
12 comes in.

13 Q. Okay. When you came here, you made a mistake of
14 saying that I didn't let you do anything, I didn't let
15 you turn off the electric or some appliances.

16 A. No. What I stated was, that you didn't want to
17 unplug everything to idle the disc.

18 Q. No. What you asked me --- I didn't know what test
19 you was making, so I couldn't make that determination.
20 You could have done anything, as far as the service
21 was concerned. So the only thing you wanted ---. You
22 turned the ---

23 JUDGE WEISMANDEL:

24 Mr. Karaam?

25 MR. KARAAM:

1 Yes.

2 JUDGE WEISMANDEL:

3 You're supposed to be asking question,
4 not testifying.

5 MR. KARAAM:

6 No, no. I'm asking him. I'm explaining
7 to him actually he actually done, compared to what
8 he's testifying.

9 JUDGE WEISMANDEL:

10 Well, you ask questions, you don't
11 testify. You had your opportunity to testify.

12 MR. KARAAM:

13 Okay. What I'm trying to do is clarify
14 --- and I don't know, maybe I'm saying it wrong. I
15 just wanted to clarify what he actually did as
16 compared to what he's saying, because it's somewhat
17 different. Okay?

18 BY MR. KARAAM:

19 Q. So I'm trying to find out, when he turned the
20 electric off, that gave him a zero reading?

21 A. No.

22 Q. But you turned the electric off to the house

23 A. No.

24 Q. Yeah. You went to my main --- you went to the
25 main and shut the main off. And then you turned it

1 back on and left certain things on. And then you

2 ---.

3 A Okay. That's why. That's just to verify that the
4 meter stopped when you shut the breaker off.

5 Q. That's what my question was to you. When you said

6 ---. You said when you turned the meter off, when you

7 turned the main off, which is the total electric to

8 the house, the meter stopped ---.

9 A. Hello?

10 Q. Yeah, I'm still here.

11 A. Hello?

12 JUDGE WEISMANDEL:

13 Yes. Mr. Voigtsberger?

14 A. Yes.

15 JUDGE WEISMANDEL:

16 Did you hear the question?

17 A. No.

18 JUDGE WEISMANDEL:

19 Mr. .

20 BY MR. KARAAM:

21 Q. When you turned the main off, did the meter stop?

22 A. Yes.

23 Q. So we turned back on, just a few lights. And

24 you're saying you put a 50-watt bulb in? Because I

25 didn't see that, that's why I'm asking you, because I

1 was with you all the time.

2 A. Can I get the question again?

3 Q. Okay. You said you did a 50-watt test. I believe
4 that's what she asked you.

5 A. Right.

6 Q. You say, yes.

7 A. Correct.

8 Q. And I don't I'm confused because I didn't see
9 that particular test. And if you can describe it to
10 me again, because I don't remember that. Because I
11 think when you turned everything back on, you had most
12 everything back on and then did one or two lights.

13 A. Okay. What I did was shut off the refrigerator
14 and the heater, because they cycle on and off.

15 Q. Okay.

16 A. All right? I went outside, I measured the load on
17 the meter. I came back in, turned on one light, the
18 50-watt bulb. Went back outside and measured the load
19 on the meter again. The difference in the two tests
20 was 49 watts.

21 Q. I'm trying to figure out where the 50 light came
22 in at --- 50-watt bulb came in at. I didn't see that.

23 JUDGE WEISMANDEL.

24 Mr. Voigtsberger, was that one of Mr
25 Karaam's lights?

1 A. That is correct.

2 JUDGE WEISMANDEL:

3 Do you happen to recall in what room of
4 the house that light was located?

5 A. No.

6 BY MR. KARAAM:

7 Q. Well, you stayed downstairs, because I asked you
8 whether you was going to go upstairs and you said you
9 don't need to.

10 JUDGE WEISMANDEL:

11 Do you understand what he's saying, Mr.
12 Karaam?

13 MR. KARAAM:

14 Yes.

15 JUDGE WEISMANDEL:

16 That the 50-watt bulb was in one of your
17 lights?

18 MR. KARAAM:

19 No, because my .

20 JUDGE WEISMANDEL:

21 I'm not arguing with you ---.

22 MR. KARAAM:

23 Okay.

24 JUDGE WEISMANDEL:

25 What I'm saying is, that's what he's

1 saying.

2 MR. KARAAM:

3 Okay. All right.

4 JUDGE WEISMANDEL:

5 Do you have any other questions?

6 MR. KARAAM:

7 No, I guess not, no.

8 JUDGE WEISMANDEL:

9 Ms. Sankar?

10 ATTORNEY SANKAR:

11 Yes, thank you.

12 REDIRECT EXAMINATION

13 BY ATTORNEY SANKAR:

14 Q. Mr. Voigtsberger, what's the purpose of the
15 passing-load test?

16 A. To verify the accuracy of the meter.

17 ATTORNEY SANKAR:

18 Your Honor, I have no other questions.

19 JUDGE WEISMANDEL:

20 All right. Thank you. Mr. Voigtsberger,
21 you're excused. Would you spell your name again for
22 us. I think we've got two different spellings. Your
23 last name.

24 A. V, as in Victor. O-I-G-T-S, as in Sam.

25 B-E-R-G-E-R.

1 JUDGE WEISMANDEL:

2 Okay. There's no H in it?

3 A. No.

4 JUDGE WEISMANDEL:

5 Thank you. Thank you, Mr. Voigtsberger.

6 A. Thank you, Your Honor.

7 JUDGE WEISMANDEL:

8 Ms. Sankar, anything else?

9 ATTORNEY SANKAR:

10 Yes. I have an additional witness.

11 JUDGE WEISMANDEL:

12 Okay.

13 ATTORNEY SANKAR:

14 Reree Tarpley.

15 JUDGE WEISMANDEL:

16 Okay. Ms. Tarpley, can you hear me?

17 MS. TARPLEY:

18 Yes, Your Honor.

19 JUDGE WEISMANDEL:

20 Mr. Karaam, can you hear Ms. Tarpley all
21 right?

22 MR. KARAAM:

23 Yes, sir.

24 JUDGE WEISMANDEL:

25 Good.

1
2 RENEZ TARPLEY, HAVING BEEN FIRST DULY SWORN, TESTIFIED
3 AS FOLLOWS:

4 -----
5 JUDGE WEISMANDEL:

6 Thank you. Ms. Sankar, please proceed.

7 ATTORNEY SANKAR:

8 Thank you.

9 DIRECT EXAMINATION

10 BY ATTORNEY SANKAR:

11 Q. Ms. Tarpley, can you state and spell your name for
12 the record?

13 A. Renee Tarpley, R-E-N-E-E, T-A-R-P-L-E-Y.

14 Q. What is your business address?

15 A. 2301 Market Street, Philadelphia, Pennsylvania,
16 19101.

17 Q. Who's your employer?

18 A. PECO Energy.

19 Q. What is your position with PECO?

20 A. i'm a regulatory assessor.

21 Q. How long have you been an assessor?

22 A. Approximately six years.

23 Q. Can you briefly describe your duties as an
24 assessor?

25 A. i'm responsible for reviewing informal and formal

1 complaints filed with the Bureau of Consumer Services.

2 Q. In the course of your employment at PECO, have you
3 had the opportunity to become familiar with Mr.
4 Karaam's account?

5 A. Yes.

6 Q. Can you turn to PECO Exhibit One, please?

7 A. Yes.

8 Q. Did you prepare PECO Exhibit One?

9 A. Yes.

10 Q. Was it prepared in PECO Energy's ordinary course
11 of business?

12 A. Yes.

13 Q. Does it relate to Mr. Karaam's account?

14 A. Yes, it does.

15 Q. Can you explain what PECO Exhibit One is?

16 A. PECO Exhibit One is an account statement for Mr.
17 Al Karaam of 4224 Parrish Street, Philadelphia,
18 Pennsylvania. It covers the billing period April 26,
19 2001 to February 25, 2004.

20 Q. What is Mr. Karaam's current balance?

21 A. The current balance is \$1,856.99.

22 Q. Can you review Mr. Karaam's payment history, in
23 the years 2002 and 2003?

24 A. In 2002 and 2003 --- The first page, page one of
25 Exhibit One, the first payment received and posted in

1 2002, was January the 7th, 2002, for \$240. The next
2 payment was February the 1st, 2002 for \$200. We
3 received a payment April the 5th, 2002 for \$100; June
4 13th, 2002 for \$125; September the 12th, 2002 for \$75;
5 October the 7th, 2002 for \$75.

6 The next payment received was August 11th, 2003,
7 for \$350. And the most recent payment received was
8 received March 15th, 2004, for \$170.

9 Q. What was Mr. Karaam's usage in July 2002?

10 A. Based on a reading that we obtained July 26th,
11 2002, it was 630 kilowatts.

12 Q. What was his usage ---?

13 MR. KARAAM:

14 I didn't hear you. Could you repeat that
15 again? I didn't hear that.

16 ATTORNEY SANKAR:

17 Let me repeat it.

18 BY ATTORNEY SANKAR:

19 Q. What was Mr. Karaam's usage in July 2002?

20 A. 630 kilowatts.

21 Q. What was his usage in July 2001?

22 A. July 26th, 2001, the reading was 950 kilowatts.

23 Q. What was his usage in July 2003?

24 A. July 28th, 2003 reading yielded 886 kilowatts.

25 Q. Can you turn to PECO Exhibit Two.

1 A. Yes.

2 Q. Did you prepare PECO Exhibit Two?

3 A. Yes.

4 Q. Was it prepared in PECO Energy's ordinary course
5 of business?

6 A. Yes.

7 Q. Does it relate to Mr. Karaan's account?

8 A. Yes, it does.

9 Q. Can you explain what PECO Exhibit Two is?

10 A. PECO Exhibit Two is the summarization of contacts
11 and possible arrangements that were granted on the
12 account for 4224 Parrish Street. The asterisk
13 highlight on this particular document indicates actual
14 monthly payment terms that were granted on the
15 account. The other information is contacts that were
16 made on the account. And it appeared that the
17 customer, at that time, was not granted payment
18 arrangements or extensions on the account.

19 Q. Can you turn to PECO Exhibit Four?

20 A. Yes.

21 Q. Was there an informal decision rendered on this
22 account?

23 A. Yes.

24 Q. Is PECO Exhibit Four an accurate copy of that
25 decision?

1 A. Yes, it is.

2 Q. Can you explain the terms of this decision?

3 A. Based on the information, the informal complaint
4 was dismissed for BCS Number 1349090. The customer
5 was to pay \$460 on the account balance at that time,
6 plus a budget amount of \$78, for a total of \$538.
7 This amount was required by June 13. And then
8 beginning with the bill for the July due date, to pay
9 \$93 a month, which is \$15 towards the back bill, in
10 addition to the budget of \$78.

11 Q. What is Mr. Karaam's average bill?

12 A. \$71.

13 Q. What is his current calculated budget?

14 A. \$81.

15 Q. Is Mr. Karaam a CAP rate customer?

16 A. No.

17 Q. What is the amount of unpaid undisputed charges
18 since the informal decision?

19 A. The amount of unpaid undisputed charges is \$241.

20 Q. What is PECO's position as to Mr. Karaam's
21 account?

22 A. The company has requested that the customer pay
23 the unpaid undisputed charges of \$241, in addition to
24 the required up-front payment of \$538, for a total of
25 \$779, and then continue on the \$15 plus the budget,

1 and hopefully to also apply for the CAP rate program,
2 which would be a benefit to him.

3 ATTORNEY SANKAR:

4 Your Honor, I have no other questions

5 JUDGE WEISMANDEL:

6 Thank you Mr. Karaam, do you have any
7 questions for Ms. Tarpley?

8 MR. KARAAM:

9 Yes.

10 JUDGE WEISMANDEL:

11 Okay Go ahead, sir.

12 CROSS EXAMINATION

13 BY MR. KARAAM:

14 Q. You said that I received these summaries of the
15 complaint --- I think it's Exhibit Four. I don't
16 know. I can't see what exhibit it is. It's say before
17 the Pennsylvania Public Utilities Commission. It was
18 PFCO's decision --- from the complaint of customer
19 service. There's no exhibit number on here, but I
20 assume it's Four.

21 A. The decision was sent, according to our records.
22 We don't send it. It comes from the Bureau of
23 Consumer Services. And we get a copy so we can place
24 the terms on your account.

25 Q. That's what I'm saying. Was I informed of this

1 decision, because I never ---. This is the first time
2 I've seen it, when I got this, which is the letter.

3 A. You've been informed ---. I'm assuming you were
4 informed of it, that's why we're here, because you
5 appealed it.

6 Q. And this is the decision now, too? Okay. That's
7 what I'm saying, I know I couldn't get a decision
8 because you all kept dodging me. That's what I'm
9 saying, because every time I called no one ever gave
10 me a decision. So when I told ---. Because I never
11 got a copy. This is the first time I'm actually
12 receiving a copy of this, okay?

13 A. Well, I don't know what to tell you about that.
14 Mr. Karaam, because we can't issue the decision, it
15 comes from the Bureau of Consumer Services.

16 JUDGE WEISMANDEL:

17 Let me interrupt here a second. I'm
18 looking at Mr. Karaam's complaint that we are hearing
19 here today. And this is not --- by its terms, this is
20 not an appeal of the BCS decision. What it says is,
21 that it's a high bill complaint. It is not an
22 inability to pay complaint. And it's not a chance

23 ---.

24 MR. KARAAM:

25 I'm ---.

1 JUDGE WEISMANDEL:

2 Just let me finish please.

3 MR. KARAAM:

4 Sure.

5 JUDGE WEISMANDEL:

6 Because I want the PECO people to
7 understand what was going on here. If you look at Mr.
8 Karaam's complaint, that BCS decision was rendered May
9 27th of '03. Mr. Karaam's complaint was filed with
10 the Commission on July --- it looks like 28th of '03.
11 So it would not be a timely appeal, if it were an
12 appeal, of the BCS decision. It would not be a timely
13 appeal. And if you read the complaint's language, it
14 doesn't refer to that BCS decision, it doesn't refer
15 to not being able to pay in accordance with the BCS
16 decision. It doesn't even refer to an inability to
17 pay at all.

18 What it does say is, I'm being charged
19 too much, especially when I'm living here by myself.
20 And he says that he recognizes and acknowledges the
21 fact that he has not made full payments, but he is
22 contending that the bill is improperly high. So let's
23 be clear about what we're doing here.

24 MR. KARAAM:

25 That's correct.

1 JUDGE WEISMANDEL:

2 This is not an appeal of the BCS
3 decision. This is not an inability to pay case. This
4 is not a special agent case, the kind that special
5 agent Rumsey normally handles. Just so everybody's
6 clear.

7 If I find in favor of PECO Energy Company
8 and against Mr. Karaam in this case . . . And Mr.
9 Karaam, what I'm saying right now doesn't mean I'm
10 going to find against you, I just want to explain that
11 if I find against Mr. Karaam, I am not going to be
12 setting a payment arrangement. If I dismiss his
13 complaint, that's all I'm going to do is dismiss his
14 complaint. Are we clear?

15 MR. KARAAM:

16 Yes.

17 JUDGE WEISMANDEL:

18 Ms. Sankar?

19 ATTORNEY SANKAR:

20 Yes, we are clear.

21 JUDGE WEISMANDEL:

22 Okay. I didn't want anybody to be
23 laboring under a misapprehension here.

24 ATTORNEY SANKAR:

25 So PECO's position has probably changed.

1 JUDGE WEISMANDEL:

2 Well, I don't know if that changes PECO's
3 position or not, I guess that's up to PECO.

4 MR. KARAAM:

5 And I think, as I said before, the whole
6 thing about this is, if they can tell me --- nobody
7 ever was able to explain to me why my bill is high,
8 even after I stopped using my service with no
9 reflection in the bill. That was my main concern on
10 this whole matter. I will --- Like I told them
11 before, if I have to make an arrangement for the
12 money, that's not a problem, I'll do that. My concern
13 is, even when I do stop using my electric, I'm still
14 getting a high bill. And there is something wrong in
15 that.

16 JUDGE WEISMANDEL:

17 I understand your complaint sir. Ms.
18 Sankar, anything further?

19 ATTORNEY SANKAR:

20 Your Honor, we just wanted ---. I just
21 want to make it clear that the reason why we had given
22 the information regarding Mr. Karaam's account and his
23 billing is because we realize that Mr. Karaam has
24 never applied for the CAP rate program.

25 JUDGE WEISMANDEL:

1 Understood. I mean, you know, that's
2 fine, but I didn't want everybody going off here
3 thinking that we were doing something we weren't.

4 ATTORNEY SANKAR:

5 Okay.

6 JUDGE WEISMANDEL:

7 Okay?

8 ATTORNEY SANKAR:

9 Yes. And we were giving that information
10 solely for that reason. We talked to Mr. Karaam
11 earlier and asked him to apply.

12 JUDGE WEISMANDEL:

13 Okay. Fair enough. Do you have any
14 ---?

15 MR. KARAAM:

16 I have applied, but apparently it seems
17 like the gas company takes it off, because they ask
18 you, you know, what's your main source of heat and so
19 forth. But I'm thinking I was a part of your CAP
20 program, I believe.

21 ATTORNEY SANKAR:

22 No.

23 MR. KARAAM:

24 Isn't the CAP program where you pay so
25 much and they take --- clear off the back balance?

1 I'm not familiar with the CAP program. I think I was
2 on your program several times, with the CAP program.
3 That's a program where you all pay so much ---.

4 JUDGE WEISMANDEL:

5 Excuse me, I'm going to interrupt this
6 ---.

7 MR. KARAAM:

8 I know, that's not what we're talking
9 about.

10 JUDGE WEISMANDEL:

11 And I want you to speak to PECO about
12 that.

13 MR. KARAAM:

14 Right.

15 JUDGE WEISMANDEL:

16 And Ms. Tarpley, are you the right person
17 that he should speak to?

18 A. No. But I'll most definitely direct him to the
19 appropriate area so they can take the information.

20 JUDGE WEISMANDEL:

21 All right. Would you do that when we're
22 done?

23 A. Yes.

24 JUDGE WEISMANDEL:

25 Do you have any further evidence to

1 present, Ms. Sankar?

2 ATTORNEY SANKAR:

3 No, Your Honor.

4 JUDGE WEISMANDEL:

5 Okay. What, if any, of your exhibits did
6 you want to move?

7 ATTORNEY SANKAR:

8 I'd like to move to admit PECO Exhibits
9 -- hold on a second, Your Honor, PECO Exhibits One,
10 Two, Four. Yes, One, Two and Four.

11 JUDGE WEISMANDEL:

12 Mr. Karaam, Ms. Sankar has moved the
13 admission into evidence of their exhibits marked PECO
14 Exhibits One, Two and Four. Exhibit One is the
15 account statement. Do you have any objection to my
16 receiving that into evidence?

17 MR. KARAAM:

18 No. You mean she's removing the Exhibit
19 One?

20 JUDGE WEISMANDEL:

21 No. She's moving it into evidence. That
22 means if I accept it into evidence, then I can use it
23 in writing my decision.

24 MR. KARAAM:

25 Okay. I'm not following what you're

1 saying.

2 JUDGE WEISMANDEL:

3 The account statement, the four-page
4 document that shows the history of your account from
5 April 26, 2001 to February 25th, 2004.

6 MR. KARAAM:

7 That's not part of the complaint.

8 JUDGE WEISMANDEL:

9 No. That's part of their evidence in
10 response to your complaint. And they have moved that
11 into evidence. Do you have any objection to my
12 receiving that into evidence?

13 MR. KARAAM:

14 The only objection I have, they can keep
15 it into evidence, but the problem is I'm just
16 wondering why my bill's not changing.

17 JUDGE WEISMANDEL:

18 Understood. What's been marked for
19 identification as PECO Exhibit One is admitted. PECO
20 Exhibit Number Two, Mr. Karaam, is the one-page
21 statement regarding various payment arrangements that
22 were either offered or inquired about. Do you have a
23 copy of that?

24 MR. KARAAM:

25 Yes. Number Two, yes.

1 JUDGE WEISMANDEL:

2 Ms. Sankar, I'm going to make allowances
3 here for the fact that Mr. Karaam is not an attorney.
4 You are not an attorney are you, Mr. Karaam?

5 MR. KARAAM:

6 No.

7 JUDGE WEISMANDEL:

8 And indicate to you, quite frankly, that
9 given as what I've described as the nature of this
10 proceeding, I don't believe that PECO Exhibit Two is
11 relevant and I would say the same as to PECO Exhibit
12 Four. I'd certainly be willing to listen to any
13 argument you might have, but I don't see how either of
14 those are germane to a high-bill complaint for the
15 month of July 2002.

16 ATTORNEY SANKAR:

17 Your Honor, the decision actually shows
18 the test PECO has made to conduct a field visit.

19 JUDGE WEISMANDEL:

20 But Mr. Voigtsberger obviously did make a
21 field visit and testified thereto. So it would only
22 be cumulative as to that, would it not?

23 ATTORNEY SANKAR:

24 Your Honor, given Mr. Karaam's payment
25 history and the number of attempts PECO has made, it

1 took us a while to even get a field visit conducted.

2 JUDGE WEISMANDEL:

3 But it did in fact happen?

4 ATTORNEY SANKAR:

5 Yes.

6 JUDGE WEISMANDEL:

7 And Mr. Voigtsberger testified at some
8 length today as to what he did and what he found.

9 ATTORNEY SANKAR:

10 Yes, Your Honor.

11 JUDGE WEISMANDEL:

12 I mean, so the fact that it may have
13 taken a while, I understand, but what's the relevance
14 of that to his high-bill complaint for the month of
15 July 2002? Any comment?

16 ATTORNEY SANKAR:

17 No, Your Honor.

18 JUDGE WEISMANDEL:

19 All right. Then I am not going to admit
20 PECO Exhibits Two and Four, finding that both of those
21 are irrelevant. Ms. Sankar had previously withdrawn
22 what had been marked for identification as PECO
23 Exhibit Three. So the only exhibit admitted into
24 evidence is PECO Exhibit Number One. Ms. Sankar,
25 you've completed your case at this point?

1 ATTORNEY SANKAR:

2 Yes, Your Honor.

3 JUDGE WEISMANDEL:

4 Okay. Mr. Karaam, Ms. Sankar, I will get
5 a written decision out in this case. You will receive
6 that in the mail. I guess I should ask if you want to
7 submit briefs in this matter. Mr. Karaam, a brief is
8 a legal document. It's a writing that explains the
9 facts that should be found in a particular case and
10 the law that should be applied to those facts, and
11 argues why --- in writing, argues why that law on
12 those facts should justify a decision in your favor.
13 That's essentially what a brief is. Do either one of
14 you want to insist upon your right to file a brief?
15 Mr. Karaam, are you interested in doing that?

16 MR. KARAAM:

17 Yes. I'll be glad to write something.

18 JUDGE WEISMANDEL:

19 Now you understand what a brief is?

20 MR. KARAAM:

21 Making a statement concerning why I think
22 that the issue should be, I guess, in favor of what
23 I'm stating concerning this issue?

24 JUDGE WEISMANDEL:

25 Well, it's what facts should be found and

1 what laws should be applied to those facts, and why
2 that application of law to facts justifies the
3 decision in your favor.

4 MR. KARAAM:

5 Okay. I don't have nothing concerning
6 ---. I don't know the law in this particular issue,
7 so as far as legal law is concerned, I wouldn't know
8 anything about that.

9 JUDGE WEISMANDEL:

10 Okay. Ms. Sankar?

11 ATTORNEY SANKAR:

12 No, Your Honor.

13 JUDGE WEISMANDEL:

14 All right. The parties have waived the
15 submission of briefs. I will get a written decision
16 out to you. It probably will take me ---. Well, I
17 won't get a transcript for 21 days, so we're probably
18 looking at three months or so, maybe less. You will
19 get that decision in the mail. If either one of you
20 want to appeal my decision to the Commission, you must
21 file what are called exceptions. There will be a
22 cover letter with the decision that explains how to
23 file exceptions, and more importantly tells you how
24 much time you have to do that.

25 I want to urge you, if you are going to

1 appeal my decision, I want to urge you to comply with
2 that time requirement. The Commission has gotten much
3 more strict about requiring that exceptions be filed
4 timely if they are to be considered. So if you want
5 to appeal, read the cover letter and comply with the
6 time limit that's set forth there, understood?

7 MR. KARAAM:

8 Yes.

9 JUDGE WEISMANDEL:

10 Ms. Sankar, understood?

11 ATTORNEY SANKAR:

12 Yes, Your Honor. In addition, I'm
13 concerned with Mr. Karaam's balance. It's been
14 accruing ---.

15 MR. KARAAM:

16 We can make some arrangements on that and
17 see what's going on. I just want to get this --- you
18 know, why is this bill --- it doesn't change. You
19 know, basically my concern is why this doesn't change
20 even when I'm not using this usage.

21 ATTORNEY SANKAR:

22 Yes. And I just want ---. You have been
23 using some usage. And it would be to your benefit to
24 start making some type of payment.

25 MR. KARAAM:

1 That's not a problem. I have no problem
2 doing that. My only thing I say --. My only
3 argument has been, you know, I'm not here, okay, most
4 of the time, but I'm still getting large bills,
5 whether I'm using anything or not. And that's my
6 biggest concern here. And basically, so what you're
7 telling me, my bill is just escalating, even though
8 I'm not even here using it, but I'm still paying more
9 than a family of five or six. And I'm concerned with
10 that.

11 JUDGE WEISMANDEL:

12 All right. We're plowing old ground. I
13 am going to close the record at this time. Ms.
14 Tarpley, are you still there?

15 A. Yes.

16 JUDGE WEISMANDEL:

17 Do you want to provide Mr. Karaam with a
18 name and phone number, et cetera, that he can contact
19 about the CAP program?

20 ATTORNEY SANKAR:

21 We're done.

22 * * * * *

23 HEARING CONCLUDED AT 2:18 P.M.

24 * * * * *

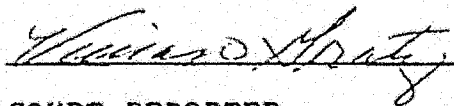
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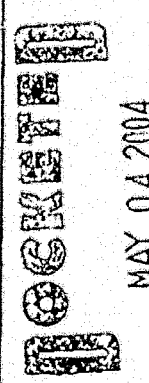
I HEREBY CERTIFY THAT THE FOREGOING PROCEEDINGS
WERE REPORTED STENOGRAPHICALLY BY ME AND THEREAFTER
REDUCED TO TYPEWRITING AND THAT THIS TRANSCRIPT
IS A TRUE AND ACCURATE RECORD THEREOF.

SARGENT'S COURT REPORTING SERVICE, INC.



COURT REPORTER

Account Statement
 Customer Name: Al Karaam
 Address: 4224 Parrish St Philadelphia Pa 19104-1440
 Account Number: 25-18-35-388753
 Form: PUC
 Docket #F-01349090
 Rates: Residential Electric
 MAY 04 2004



Bill Period	DAYS	Meter Reading -Type	U S A G E	Dly Avg Use	Peco Bill Amt /Budget + Agmt	Supp Chg	Sales Tax	Amount Reqst'd	Due Date	Late Chg.	Payment	Date Pymt Rec'd	Balance	Comments
05/01/01	29	3129 - R	444	15.3	62.15 +15.00			77.15	05/21/01				846.90	PA \$15.00 + CB
05/25/01	29	3532 - R	403	13.8	56.89 +15.00			149.04	06/20/01				903.79	
06/26/01	32	4425 - R	893	27.9	127.01 +15.00			292.62	07/19/01	1.57			1,032.37	BM 04,
07/26/01	30	5375 - R	950	31.6	135.38 +15.00			446.35	08/20/01	3.35			1,171.10	BM 04
08/27/01	32	6296 - R	921	28.7	131.12 +15.00			597.70	09/19/01	5.23			1,307.45	BM 04
09/26/01	30	6864 - R	568	18.9	79.32 +15.00			699.07	10/22/01	7.05			1,393.82	BM 07
10/25/01	29	7189 - R	325	11.2	46.87 +15.00			769.17	11/19/01	8.23			1,448.92	BM 07
11/27/01		7613 - R	0	0.0				1,348.92	12/20/01		100.00	10/31/01	1,348.92	Bill delayed SONP on 11/29/01
12/27/01	33	7613 - R	424	12.8	59.58			728.75	12/24/01				1,408.50	Delayed bill issued BM B1
12/27/01	30	7985 - R	372	12.4	52.90 +15.00			596.65	01/22/02		200.00	12/28/01	1,261.40	
01/28/02	32	8398 - R	413	12.9	58.18 +15.00			7429.83	02/20/02		240.00	01/07/02	1,079.58	
02/25/02	28	8752 - R	354	12.6	50.77 +15.00			295.60	03/20/02		200.00	02/01/02	930.35	
03/27/02	30	9073 - R	321	10.7	46.52 /86.00 +15.00			101.00	04/22/02				976.87	BCS decision \$15 + BDGT
04/26/02	30	9401 - R	328	10.9	47.41 /86.00			102.00	05/21/02		100.00	04/05/02	924.28	

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU
 APR 28 2004

Account Statement

Customer Name: Al Karaam
 Address: 4224 Parrish St
 Philadelphia Pa 19104-1440

Formal PUC
 Docket #F-01349090

Account Number: 25-18-35-388753

Rates: Residential Electric

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
08/03	30	16598 - R	530	17.6	73.97 /78.00 +15.00			724.00	07/21/03				1,668.73	
07/28/03	32	17484 - R	886	27.6	126.31 +15.00			851.21	08/20/03	8.69			1,803.73	BM 04/ Budget cancelled
08/26/03	29	18274 - R	790	27.2	112.20 + 15.00			628.41	09/18/03		350.00	08/11/03	1,565.93	
09/25/03	30	18800 - R	526	17.5	73.38 + 15.00			716.79	10/20/03				1,639.31	
10/27/03	32	19253 - R	453	14.1	63.51 + 15.00			795.30	11/19/03				1,702.82	
11/24/03	28	19642 - R	389	13.8	55.26 + 15.00			865.56	12/22/03				1,758.08	
12/26/03	32	20146 - R	504	15.7	70.07 + 15.00			950.63	01/20/04				1,828.15	
01/27/04	32	20661 - R	515	16.0	40.89 + 15.00	30.13		1,036.65	02/23/04				1,899.17	
02/25/04	29	21121 - R	460	15.8	37.21 + 15.00	27.42		1,116.28	03/22/04		170.00	03/15/04	1,793.80	

RECEIVED
 APR 28 2004

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

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

DEFINITIONS

The attached Account Statement gives the details of each bill you received. Below are brief explanations of the information provided on the Account Statement.

Bill Period: The period of time the bill covers from the date of last month's meter reading to the date of the current month's metering reading.

Days: The total number of days in the billing period.

Meter Reading-Type:

A meter reading is normally taken from the meter each month. The Company may also estimate the meter reading, use the reading you provide, or use a remote reading if you have an Automatic Meter Reading device. This section of the Account Statement will indicate what the reading was and how it was obtained.

Usage: The amount of kilowatt-hours of electricity or 100 cubic feet of gas used during the billing period.

Daily Avg Use:

Daily Average Use - This indicates the average amount of kilowatt-hours of electricity or 100 cubic feet of gas used on a daily basis during the billing period.

PECO Bill Amt/Budget/Agmt:

The amount of the PECO charges for the billing period or the budget amount if the account is on the Budget Plan. This section may also reflect a payment agreement installment amount. The installment amount will only appear if the account is on a monthly payment agreement.

Supp Chg.: The charges that the generation supplier has asked PECO to include on the bill. The charges will be for the current month (if the generation supplier sent them) and/or past charges if any charges were previously delayed. The statement will not reflect any generation supplier charges if the account is not signed up with a generation supplier.

Sales Tax: The amount of Pennsylvania sales tax applied to the bill. This will not appear if you are a residential customer or a commercial customer who is exempt from sales tax.

Amount Reqstd:

Amount Requested - The amount you were requested to pay, which may include a total of current charges, past due charges, and monthly payment arrangement installment amounts. Past due charges are already considered delinquent and due immediately.

Due Date: The date by which you must pay your current charges to avoid being considered past due.

Late Chg.: The amount of any late payment charges applied when a previous unpaid balance is carried over to the next billing period.

Payment: This section lists all payments made since the last bill was issued.

Date Pymt Rec'd:

The date that each payment was credited to your account.

Balance: The total amount of money owed PECO as of the day the bill was mailed.

Comments: The specific messages that were on the bill. It will also provide an explanation of anything that is out of the ordinary from a regular monthly bill.

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APR 28 2004

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