

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Trina LaFleur

v.

PECO Energy Company

DOCUMENT
FOLDER

:
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F-01206414

DOCKETED

AUG 27 2003

PREHEARING ORDER

An initial telephonic hearing in this case is scheduled for Wednesday, January 28, 2004 at 10:00 a.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. If you intend to present any documents or exhibits for my consideration, you must send one (1) copy to the other party and three (3) copies to me one week before the hearing. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of filing. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

2. If you or any proposed witness will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one (1) week before the hearing.

3. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. Only the undersigned Administrative Law Judge or OALJ Scheduling Staff may grant a request for a

change of an initial hearing. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent hearings, if any, should also be served directly on me.

4. YOU MAY LOSE THIS CASE, IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

5. ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS STILL A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

6. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

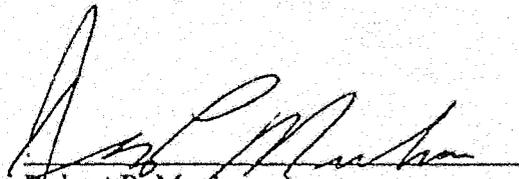
7. The Complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the Respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the Complainant is entitled to the relief requested in the complaint.

8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so the other parties will have the required ten (10) days' notice to answer or object, and so you will have enough time to receive the subpoena and serve it.

9. Any party may conduct discovery to learn the factual basis of another party's position in this case. However, 52 Pa. Code §5.331(b) provides, in relevant part, that "[a] participant shall endeavor to initiate discovery as early in the proceedings as reasonably possible." Additionally, 52 Pa. Code §5.322 provides, in relevant part, that "participants are encouraged to exchange information on an informal basis." All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa. Code §5.361) and sanctions for abuse of the discovery process (52 Pa. Code §§5.371 & 5.372).

10. Commission policy is to encourage settlements. 52 Pa. Code §5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.

Date: August 22, 2003


Robert P. Meehan
Administrative Law Judge

ORIGINAL

Exelon®

Legal Department

Exelon Business Services Company
2301 Market Street / 2301
PO Box 8699
Philadelphia, PA 19101-8699

Telephone 215 841 5544
Fax 215 568 3385
www.exeloncorp.com

Business Services
Company

Direct Dial: 215 841 6841
January 14, 2004

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

Re: Trina LaFleur v. PECO Energy Company
Docket No.: ~~F-01206410~~

Dear Secretary McNulty:

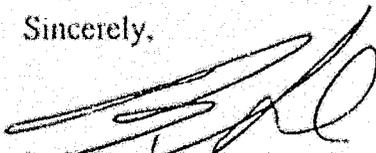
7-01206414

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that the parties in the above referenced complaint have reached an accord. A hearing in this matter is no longer necessary and the matter may be closed.

By copy of this letter, I am alerting the Complainant of his/her right to object to the closing of this matter in writing to the Public Utility Commission within ten (10) days of the date of this letter.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you for your assistance.

Sincerely,



Priya Sankar
Counsel for PECO Energy Company

DOCKETED
JAN 27 2004

Cc: Administrative Law Judge Robert P. Meehan
Susan Licon

SECRETARY'S BUREAU

04 JAN 26 AM 11:07

DOCUMENT
FOLDER

P191078
P199256

January 28, 2004

ORIGINAL

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

RECEIVED

2004 FEB -2 AM 6:30

SECRETARY'S BUREAU

DOCKETED
MAR 02 2004

RE: Trina LaFleur vs. PECO Energy Company
Docket No.: F-01206416
4

DOCUMENT

Dear Secretary McNulty,

It is my sincerest hope that you will allow me a few minutes time from your busy schedule to express my deepening concern regarding the operations of PECO Energy Company as well as the legality of some of their practices.

As a result of numerous and consecutive outrageously high power bills during the summer months of 2002, I filed a complaint with your office. After attempting to resolve the issue with PECO which included numerous meter changes, one of which PECO still refuses to recognize but will admit something did go "amuck", and another year of power bills that followed the exact pattern as the previous two years (I did not file a complaint the first year), a hearing was scheduled for today, January 28, 2004 before Administrative Law Judge Robert P. Meehan.

On the afternoon of Friday, January 16, 2004 I was contacted by Ms. Teresa A. Ferrier to see if I would be interested in reaching a settlement prior to the scheduled hearing. Promising to review my case over the weekend and call me Tuesday, January 20, 2004 with a proposed settlement, I reluctantly agreed to give Ms. Ferrier the opportunity to propose a settlement between PECO and myself. Ms. Ferrier did contact me mid morning Tuesday, January 20, 2004 with an offer, which I declined. She asked that I think about her offer and my expectation and call her back. I reviewed my paperwork and returned her call within one-half hour outlining my expectation which is as follows:

- A request was made for PECO Energy Company to clear any/all balances up to and including the January 2, 2004 billing (copy enclosed). Included was a "Balance at Billing" of \$483.93 plus "New Charges" estimated at 158.73 (the first available actual meter reading was attained on January 7, 2004) along with any/all "Special Agreement" terms. I also notified Ms. Ferrier that I was no longer on the budget plan set forth by the PUC (\$294.00/month) because PECO had raised the budget amount even though my consumption had been significantly reduced against their previous recordings, which resulted in a few late payments and discontinuance of the budget plan. After checking with a supervisor for approval an agreement was made that all balances up to and including the January 2, 2004 billing would be cleared.

Upon agreement, Ms. Ferrier notified me that I would receive a confirmation to sign and return before my account would be credited. On an information only basis, I also discussed with Ms. Ferrier that I had received a notice that the CDS Program I am currently billed on would end after the January, 2004 meter reading and I will be returned to the regular PECO residential rate. I questioned what that rate currently is and Ms. Ferrier agreed to send a current rate sheet.

RJP

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On Monday, January 26, 2004, I received the confirmation packet Ms. Ferrier spoke of. In reading the confirmation letter, Priya Sankar, PECO Counsel first states that I "specifically" agreed to withdraw my complaint once I received a copy of the rate schedule. Secondly, the confirmation also stated a dollar amount of \$642.66 as an agreed amount of credit. The confirmation also states that once I sign a very general, vague, and non-descript withdrawal of complaint sheet a copy would be made for PECO and the original submitted to the appropriate office of the PUC (copy enclosed). In that same envelope was a copy of correspondence sent to you and dated January 14, 2004, which "certifies that the parties in the above referenced complaint have reached an accord. A hearing in this matter is no longer necessary and the matter may be closed." And "By copy of this letter, I am alerting the Complainant of his/her right to object to the closing of this matter in writing to the Public Utility Commission within ten (10) days of the date of this letter." (Copy enclosed)

Secretary McNulty, while I will make no claim to be versed in areas of Pennsylvania Code or any legal matter, I am more than extremely annoyed and frustrated that PECO would legally be allowed to notify you that an accord had been reached, cancel a hearing, and give me ten days to object *before* they had even made any contact with me regarding the possibility of a settlement!

In light of a decision of accord being sent to you two days before PECO contacted me (1/16) asking if I would consider settling before the hearing and six days before PECO contacted me (1/20) with an offer, and receipt of the correspondence to you from PECO alerting me of a ten day period to object two days (1/26) after my rights to object expired I must honestly say that I have absolutely no confidence that if I sign the virtually blank withdrawal of complaint form that the agreement that was approved between Ms. Ferrier and myself on January 20, 2004 will be upheld in the manner it was agreed upon. Again, I agreed that my account be cleared to a zero balance as of the January 2, 2004 billing. I did not "specifically" or otherwise agree to withdrawal my complaint upon receipt of a rate schedule and am certainly not satisfied with or trusting of a dollar amount being listed.

In closing, I am not prepared to return the signed withdrawal of complaint to PECO until I receive further communication from your office regarding this matter as I feel that I am well within my right of the ten days compliance. I appreciate your prompt attention to this matter and look forward to hearing from you in the very near future.

Sincerely,



Trina E. LaFleur

cc: Administrative Law Judge Robert P. Meehan
Susan Licon
Priya Sankar, PECO Counsel
Teresa A. Ferrier, Regulatory Assessor

Legal Department

Exelon Business Services Company
2301 Market Street, 23rd
PO Box 8699
Philadelphia, PA 19101-8699

Telephone 215 841-5544
Fax 215 563-3389
www.exeloncorp.com

Business Services
Company

*Received
1/26*

Direct Dial 215 841-6841
January 22, 2004

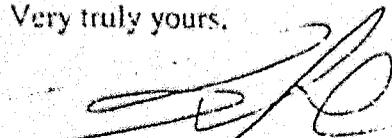
Trina LaFleur
2750 Coventryville Road
Pottstown, PA 19465

Re: Trina LaFleur v. PECO Energy Company
Docket No.: F-01206416

Dear Ms LaFleur:

Per your conversation with Teresa A. Ferrier, the Regulatory Assessor investigating your case, on or around January 21, 2004, this letter will confirm the settlement of the above-referenced Public Utility Commission (PUC) Complaint. Specifically, you agreed to withdraw your complaint once you received a copy of the R Rate Schedule. PECO Energy has agreed to credit your account in the amount of \$642.66 once it receives a signed and dated Withdrawal of Complaint. I have enclosed a copy of a Withdrawal of Complaint form; please fill out the enclosed form and return it to me in the postage-paid envelope. I will make a copy for PECO's records and forward the original to the appropriate office at the PUC. This form will be sufficient confirmation for the PUC that the above referenced complaint has been settled and the file may be closed. Should you have any further questions or concerns, please do not hesitate to contact me at 215-841-6841 or Ms. Ferrier at 215-841-6330.

Very truly yours,


Priya Sarkar
Counsel for PECO Energy Company

Cc: Teresa A. Ferrier
Enc.

WITHDRAWAL OF
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT
Trina LaFleur v. PECO Energy Company
Docket No.: F-01206416

The circumstances causing the above Pennsylvania Public Utility Commission
formal complaint have been resolved, and I wish to withdraw this complaint.

Trina LaFleur

Date



BILLING DETAIL

Account Number: 35-20-43-162028 Billing Details: TRINIA E LA FLEUR
 Energy Used This Month: Meter Reading Information and New Charges

General Information
 PECO ENERGY, 2301 MARKET ST. PHILADELPHIA, PA. 19101, WALK-IN BUSINESS HOURS MONDAY THROUGH FRIDAY 8:30 AM TO 5:00 PM, 1-800-494-4000, WWW.PECO.COM

PECO CDS: 2301 MARKET ST. PHILA, PA. 19101, 1-800-494-4000

17 16506 Oct

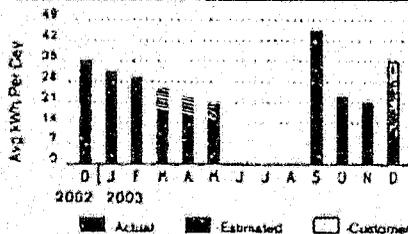
Rate R - Electric Residence Service Meter # 9J 4053165
 To December 30, 2003 16247 - Estimated Reading
 From November 26, 2003 15043 - Actual Reading
 Kilowatt hours (kWh) billed for 34 days 01204
 This is An Estimated Bill

PECO ENERGY Charges	
Customer Charge	5.18
Distribution Charges	\$1.29
Transmission Charges	32.15
Total Basic Charges for 1204.0000 kWh	88.62
State Tax Adjustment	.04

PECO CDS Charges / 800-494-4000	
Generation and Transmission Charges (\$0.582 X 1204.0000 KWH)	70.07
Total Basic Charges	70.07
New Charges	\$158.73

Your Electric Use Pattern

Average kWh per month	1,015.0	
Total Annual kWh	12,180.0	
	Last Year	This Year
kWh per day	35.4	35.4
Meter Reading	Actual	Estimated
Average Temperature	36°	38°





BILLING DETAIL

Account Number: 35-20-43-162028 Billing Details TRINIA E LA FLEUR

Energy Used This Month Meter Reading Information and New Charges

General Information

PECO ENERGY 2301 MARKET ST. PHILADELPHIA, PA, 19101, WALK-IN BUSINESS HOURS MONDAY THROUGH FRIDAY 8:30 AM TO 5:00 PM, 1-800-494-4000, WWW.PECO.COM

PECO CDS, 2301 MARKET ST. PHILA PA 19101, 1-800-494-4000

1/7 16506 Act

Rate R Electric Residence Service

Meter# 9U4053165

To December 30, 2003	16247	- Estimated Reading
From November 26, 2003	<u>15043</u>	- Actual Reading
Kilowatt hours (kWh) billed for 34 days	01204	
This is An estimated Bill		

PECO ENERGY Charges

Customer Charge	5.18
Distribution Charges	51.29
Transition Charges	32.15
Total Basic Charges for 1204.0000 kWh	88.62
State Tax Adjustment	.04

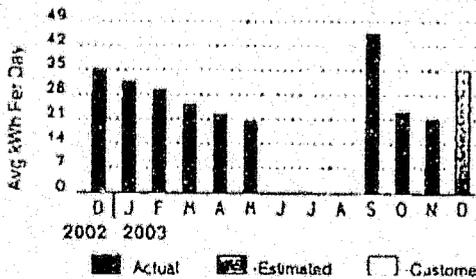
PECO CDS Charges / 800-494-4000

Generation and Transmission Charges (\$ 0582 X 1204.0000 kWh)	70.07
Total Basic Charges	<u>70.07</u>

New Charges \$158.73

Your Electric Use Pattern

Average kWh per month	1015.0	
Total Annual kWh	12180.0	
	Last Year	This Year
kWh per day	35.4	35.4
Meter Reading	Actual	Estimated
Average Temperature	36°	38°



Chapter 56 Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	F-01206414		YES	NO
Case Name:	Trina LaFleur v. PECO Energy Company	Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
		Testimony Taped:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Pittsburgh	Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
		Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	January 28, 2004			
Special Agent:	ALJ Robert P. Meehan	RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<i>Conf. of Sub. Section filed - close by Secretariat 1/28/04</i>	

Cancelled

PA FUC

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

DOCUMENT
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Name and Telephone Number	Address	Are you representing?			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table>	City	State	Zip	
City	State	Zip			
Telephone:	E-mail Address:	Fax Number:			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table>	City	State	Zip	
City	State	Zip			
Telephone:	E-mail Address:	Fax Number:			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table>	City	State	Zip	
City	State	Zip			
Telephone:	E-mail Address:	Fax Number:			

Check this box if additional parties or attendees appear on back of form.

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code 89.24 and 1.25.

RIP

COMMONWEALTH OF
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: January 29, 2004

SUBJECT: Certification of Satisfaction Filed
~~F-01200416~~ Trina LaFleur v. PECO Energy Company
7-01200414

TO: Wanda Zeiders,
Docket Management

FROM: Susan Licon, Scheduling Officer
Office of Administrative Law Judge

On January 27, 2004, a Certificate of Satisfaction was filed in the above-captioned proceeding by Priya Sankar, Esquire. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Robert P. Meehan
Elzy Ditzler
Beth Plantz
Case File

DOCKETED
FEB 13 2004

DOCUMENT
FOLDER

RECEIVED

2004 FEB -4 AM 2:25

PA F.U.C.
SECRETARY'S BUREAU



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

IN REPLY PLEASE
REFER TO OUR FILE

February 25, 2004

F-01206414

TRINA LA FLEUR
2750 CONENTRYVILLE ROAD
POTTSTOWN PA 19465

TRINA LA FLEUR
v.
PECO ENERGY COMPANY

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

nvl
cc: Ali parties of Record
Office of ALJ

DOCUMENT
FOLDER

DOCKETED
FEB 25 2004

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: March 2, 2004
SUBJECT: Request to Rescind ~~F-01206416~~ F-01206414
Trina LaFleur v. PECO Energy Company
TO: Wanda Zeiders, Supervisor
Docket Management Division
FROM: Susan Licon, Scheduling Officer
Office of Administrative Law Judge

DOCKETED
AUG 02 2004

On January 29, 2004 you received a request for satisfaction of complaint from the Office of Administrative Law Judge on the above-captioned proceeding. This request has been **rescinded** by the complainant. Therefore, the proceeding should remain in active status and not be closed by Secretarial Letter.

I apologize for any inconvenience this may have caused and ask that you take the necessary steps to update the Commission file. If you need anything further from me, please contact me at 787-5630.

pc: ALJ Robert P. Meehan
Elzy Ditzler
Beth Plantz
Case File

**DOCUMENT
FOLDER**

RJP



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
October 24, 2006

PLEASE DOCKET

IN REPLY PLEASE
REFER TO OUR FILE

In Re: F-01206414

(SEE ATTACHED REVISED LIST)

Trina LaFleur v. PECO Energy Company
Billing dispute.

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial Telephonic Hearing
Date: Monday, November 27, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge Robert P. Meehan
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

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FOLDER

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

DOCKETED
NOV 14 2006

BTL

At the above date and time, the Presiding Officer will contact the parties as follows:

Trina LaFelur 610.326.3847
Michael S. Swerling, Esquire 215.841.6841

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 5 days before the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Meehan
Dawn Reitenbach
Beth Plantz
Docket Section
Calendar File