

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY:  
DIRECTOR:  
SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: F-01338016

- 4. PUBLIC MEETING DATE:  
00/00/00
- 7. DATE FILED: 03/24/04
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: EVANS, TONNA

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: YORK

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES BILLS WERE INCORRECT AND METERS WERE NOT READ. SHE WANTS A REFUND AND THE COMPANY FINED.

DOCUMENT  
FOLDER  
DOCUMENT  
FOLDER

**DOCKETED**  
APR 02 2004

ORIGINAL

F-013380

BCS 1338016 JK

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

Please Print:

\*\*\*ONE OF TWO COMPLAINTS\*\*\*

110550

1. Your Name, Mailing Address and Telephone Number.

Name Tonna Evans

Street/P.O. Box P.O. Box 23 Apt.#

City Delta State PA Zip 17314

County York Home Telephone-Area Code ( )

Work Telephone-Area Code (410) 836-1625  
between 9am-5pm

2. Name of Company your complaint concerns: PECO Energy Company

3. What is your complaint? complaint on 323 Main Street. Apt.#B  
Delta, PA 17314

SEE ATTACHED COMPLAINT

RECEIVED  
2004 MAR 24 AM 11:02  
SECRETARY'S BUREAU

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

(-over-)

BCS1338016

March 19, 2004

Tonna Evans

P.O. Box 23

Delta, PA 17314

PECO a/c#55-02-60-037555

COMPLAINT ON: 323 Main St., Apt. B, Delta, PA 17314 (Apt. B aka Apt. #2)

In 9/02 I called and spoke to Mrs. Bachelor in regard to picking up service for the first time with PECO. She explained how everything works and my responsibility to PECO to provide adequate notice of initial turn-on date. I called approximately two weeks before the 11/16/02 turn-on date, so they could actually come out and READ the meter(s) (two apartments are involved-see Apt. C formal complaint form) on that date. Considering there was no one living in Apt. B, my first bill starting 11/16/02, took me by surprise and I knew something was not right. My second bill, I alerted PECO. I am very conservative and I know how to conserve on electricity and have been for over 30 years. Everything in apt. was unplugged and shut off except heaters. Temperature in kitchen, livingroom, and bathroom were at 35 degrees. Bedroom and closets were completely sealed off. This is a small apt. Also, having another place within a five mile radius with the exact type heat, insulation, windows and doors, my bills should not have been anymore than \$18.00 to \$25.00 per month, "at the most". I would shut everything off completely (including the heat) and go outside to check the meter and it was still moving. When I shut everything off and plugged in a small radio to check the meter outside, it was turning as if you had a major appliance running. I KNEW something was not working properly with the meter(s). PECO was notified of my concerns and finally after a few cancellations due to the weather, we had a scheduled meeting for a person from high bill investigation to come out of 3/18/03 (see attached document). PECO explained over the telephone exactly how this would work. That the investigator would go into each apartment with me and check to see if there was any reasons for such high bills. They also assured me I would receive a call ONE HOUR prior to visit, so I could take off work to meet the investigator there. I explained my concerns that the meter(s) are not working properly and I wanted investigator to see, what I was seeing, so to please don't do anything with the meter(s) until I was there. I was assured this would happen. Also, I explained that there was a worker within the apt. building and to please not distract him. I made this very clear. Here's the problem: My worker shows up at my door and states that a man from PECO was at the apt. building. My worker stated to me that the PECO man just walked through the apartments, (see apt. C complaint form) and then proceeded outside to meters. Since worker was previously informed that I would be up at apt. building with PECO, he got into his vehicle and came to get me. I immediately left to go to the apt. being quite upset that there was no consideration shown to me with respect to our previous conversation. Meaning; calling me one hour in advance and that I was to walk through with him. I was absolutely shocked when I arrived and not only had he entered my apartments without my permission or more importantly without me, he had ripped the meter(s) (all three of them) off the wall of the building and replaced them with new ones. HE KNEW and I knew that I now had no evidence or any way to prove that these meters were not working correctly. I know they were not and when I attempted to discuss this with the investigator, he was arrogant. He ARGUED that no one could have possibly lived in the apt. before 11/16/02 because of the kilowatt hours usage, etc. When in fact, the Delta Borough can confirm that there was a man (named Robert Heaps) that lived there for 8 or more years. They can also confirm that I had NO ONE in the apt. from 11/16/02 forward. Anyhow, the situation escalated and I told him I would contact the PUC. He sarcastically informed me to go ahead, that it would be a long drawn out process and in the end, he would be right! This meter was not working properly and when he removed it without me being present, that justified for me, that it was an attempt to cover-up a problem

instead of resolving it. (see apt. C complaint form). Considering I did everything in a timely manner and exactly how PECO and I discussed and he actually drew out the process of this complaint (over one year) and per my telephone recording message from the message that PUC utility complaint investigator Kathleen Gilson left on my machine which states "He finally just got back with me!", which was on 3/2/04, I do believe this high bill investigator is out to prove his point in what he quite rudely stated to me on that 3/18/03 date.

Unlike Apt. C complaint, PECO acknowledges that it estimated the reading from the start (11/16/02) and it was verified by Ms. Bachelor that it had been estimated since July 2002 (before I owned it) and they never CLAIM they actually read it until 1/31/03, which I'm not completely inconvenienced of that either. So, if it was never actually read then they had no clue as to what it read on the turn-on date of 11/16/02. If the actual was read on 11/16/02, then it could have been 4080, (just say) and when they, so called, actually read it on 1/31/03 and it read 4107, how can they say I used a definite amount when there was no reading established to go with. I did everything I was suppose to do and contacted PECO as I should have. They had plenty of notice. This is why I am also VERY unconvienced that Apt. C was ever actually read too. If they are going to go out and read a meter on two apartments with the same exact turn-on dates and they sit about 4 inches from each other, then why would they read one and not the other? I never recieved a reply back on that question.

Please note that bill with old defective meter was billing at \$2.05 per day and immediately after new meters were installed, it went to 93¢ per day. This change also included work being done after the meter change within the apt. The next cycle after that one was reading at 62¢ per day, which is without any work being done. Since then, it was 19¢ per day. That is a significate amount of difference. The Delta Borough can confirm, if you need this, that I had no tenants during any of this time frame. Please know that both my meters (apt B & C) dropped to only energy charges starting in May 2003 with no kilowatts usage at all. Again, please let me state, I don't expect ANYTHING FOR NOTHING, but I do know how to be conservative with electic and I know these bills are unjustified.

Then even after meter(s) were installed and the UTILITY COMPANY REPORT states "To prevent future estimate readings meter was replaced with meter number 9u-4303217" (copy attached), they STILL estimated my meter reading on the 6/2/03 to 7/2/03 (if you need evidence, I have it). The whole point (they claim) of putting in the new meters, was to eliminate having to come out to read the meters, that it would and could be done from their station. So, again, this was absolutely uncalled for.

Do to being handicapped/diabled, I would appreciate your consideration of a telephonic hearing, please.

Thank you in advance for your time and consideration in this matter.

*Ar*

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

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SEE ATTACHED "WHAT I WANT THE PUC TO DO"

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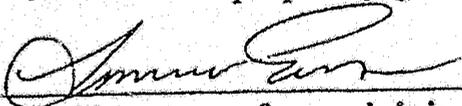


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(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

  
 Original Signature of complaining person

3/19/84  
 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 ( \_\_\_\_\_ ) \_\_\_\_\_

JK

Tonna Evans  
ECS1338016  
P.O. Box 23  
Delta, PA 17314

PECO a/c#55-02-60-037555

WHAT I WOULD LIKE THE PUC TO DO: On 323 Main St., Apt.#B, Delta, PA 17314

Considering that PECO was in the wrong from the beginning, I am still going to give them the benefit of the doubt and figure the largest amount possible for the months that the meter(s) were defective or estimated or not working properly. With that, what I did was add ALL bills from new meter readings to that and then subtracted everything I have paid to PECO. Please note that I was being billed, for example, on 1/7/03 a monthly bill of \$21.50 and I paid \$75.00, so not to get behind on anything. I believe PECO Energy owes me \$113.10 on Apt.#B.

I also feel that PECO should be greatly fined for not providing truthful advice or representation, unsatisfactory service and for not providing me with a fair service agreement. Also, please take into consideration the argumentative position that their high bill investigator put me through, when in fact, the bills had been estimated!

I thank you in advance for your cooperation and consideration in this matter.

PECO an Exelon Company  
Customer Service Center  
2301 Market Street N4 3  
PO Box 8699  
Philadelphia, PA 19101-8699

Telephone 215 841 4000  
www.exeloncorp.com

An Exelon Company

**UTILITY COMPANY REPORT**  
**Reporte De La Compania Utilidades**

Date: 3/21/2003

<b>Name:</b> Tonna Evans	
<b>Service Address:</b> 323 Main St APT B	
<b>Post Office:</b> Delta, Pa	<b>ZIP:</b> 17314
<b>Account Number:</b> 55-02-60-037555	

<b>Phone Home:</b> (410)-836-1625
<b>Mailing Address:</b> 323 Main St Delta Pa 17314

**Problem as you described it:**

Ms Evans, contacted our office on January 16, 2003 stating the bills are too high for vacant property.

**Our Response:**

Dear Ms Evans:

Thank you for your recent inquiry.

A review of your account indicates your electric bill from 1/31/03 to 3/4/03 for 32 days 20.9 daily average usage and \$87.08 was incorrect due to estimate meter reading. A revise bill has been sent to you from 1/31/03 to 3/18/03 for 46 days and 14.4 daily average usage and \$94.18.

A field representative visited your property on 3/18/03 dropped on meter load and found it ok. Passing load test was done using 3 feet of baseboard heating 750 watts, registered 34.1 seconds revolution equals 760 watts on meter in line with what meter was registering. The field representative explained no foreign wiring grounds or shorts were found at the time of visit. To prevent future estimate readings meter was replaced with meter number 9u-4303217 reading (00000). ←

The balance due on your account is \$51.25 as of 3/21/03. The amount due by 4/8/03 to avoid delinquency is \$51.25.

The investigation is being closed at this time. We are committed to giving you good service and appreciate the opportunity to serve you. If there is anything further we can do to assist you, or if you need payment arrangements, please telephone me at 1-877-868-3969 We want your business relationship with us to be completely satisfactory.

Cordially,  
Linda Nichols  
Customer Consultant



An Exelon Company

# BILLING DATA

AE

Account Number: 55-02-60-037555

Billing Details

TONNA EVANS

Energy Used This Month

Meter Reading Information and New Charges

### General Information

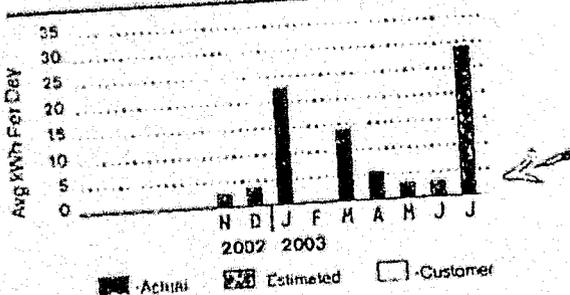
PECO ENERGY, 2301 MARKET ST. PHILADELPHIA, PA, 19101, WALK-IN BUSINESS HOURS MONDAY THROUGH FRIDAY 8 30 AM TO 5 00 PM, 1-800-494-4000, WWW.PECO.COM

Rate RH Electric Residence Heating Service	Meter# 9U 4303217
To July 2, 2003	01187 <del>Estimated Reading</del>
From June 2, 2003	00297 <del>Estimated Reading</del>
Kilowatt hours (kWh) billed for 30 days	00890
This Is An Estimated Bill	

PECO ENERGY Charges	5 18
Customer Charge	
Generation and Transmission Charges (\$ .0617 X 500 0000 kWh)	57 84
(\$ .0692 X 390 0000 kWh)	38 93
Distribution Charges	25 36
Transition Charges	127 31
Total Basic Charges for 890 0000 kWh	03
State Tax Adjustment	
<b>New Charges</b>	<b>\$127.34</b>

### Your Electric Use Pattern

Average kWh per month	416 2
Total Annual kWh	2,914 0
	Last Year This Year
kWh per day	29 6
Meter Reading	Estimated
Average Temperature	72



94

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

Please Print:

\*\*\*ONE OF TWO COMPLAINTS\*\*\*

1. Your Name, Mailing Address and Telephone Number.

Name Tonna Evans

Street/P.O. Box P.O. Box 23 Apt.# \_\_\_\_\_

City Delta State PA Zip 17314

County York Home Telephone-Area Code ( ) \_\_\_\_\_

Work Telephone-Area Code (410) 836-1625  
between 9am-5pm

2. Name of Company your complaint concerns: PECO Energy Company

3. What is your complaint? Complaint on 323 Main Street. Apt.# C  
Delta, PA 17314

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**SEE ATTACHED COMPLAINT**  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(-over-)

Tonna Evans  
BCS1338016  
P.O. Bcx 23  
Delta, PA 17361

PECO #55-02-60-037027

JA

COMPLAINT ON: 323 Main St., Apt. C, Delta, PA 17314 (Apt. #C aka Apt.#3)

In 9/02 I called and spoke to Mrs. Bachelor in regard to picking up service for the first time with PECO. She explained how everything works and my responsibility to PECO to provide adequate notice of initial turn-on date. I called approximately two weeks before the 11/16/02 turn-on date, so they could actually come out and READ the meter(s) (two apartments are involved-see Apt B formal complaint form) on that date. Considering there was no one living in Apt. C, my first bill starting 11/16/02, took me by surprise and I knew something was not right. My second bill, I alerted PECO. I am very conservative and I know how to conserve on electricity and have been for over 30 years. Everything in apt. was unplugged and shut off except heaters. Temperature in kitchen, living room, and bathroom were at 35 degrees. Bedroom and closets were completely blocked off. This is a small apt. Also, having another place within a five mile radius with the exact type heat, insulation, windows and doors, my bills should not have been anymore than \$18.00 to \$25.00 per month, "at the most". I would shut everything off completely (including the heat) and go outside to check the meter and it was still moving. When I shut everything off again and plugged in a small radio to check the meter outside, it was turning as if you had a major appliance running. I KNEW something was not working properly with the meter(s). PECO was notified of my concerns and finally after a few cancellations due to the weather, we had a scheduled meeting for a person from high bill investigation to come out on 3/18/03 (see attached document). PECO explained over the telephone exactly how this would work. That the investigator would go into each apartment with me and check to see if there was any reasons for such high bills. They also assured me I would receive a call ONE HOUR prior to visit, so I could take off work to meet the investigator there. I explained my concerns that the meter(s) are not working properly and I wanted investigator to see, what I was seeing, so to please don't do anything with the meter(s) until I was there. I was assured this would happen. Also, I explained that there was a worker within the apt. building and to please not distract him. I made this very very clear. Here's the problem: My worker shows up at my door and states that a man from PECO was at the apt. building. My worker stated to me that the PECO man just walked through apt. B, (see apt. B complaint form) and then proceeded outside to meters. Since worker was previously informed that I would be up at apt. building with PECO, he got into his vehicle and came to get me. I immediately left to go to the apt. being quite upset that there was no consideration shown to me with respect to our previous conversation. Meaning; calling me one hour in advance and that I was to walk through with him). I was absolutely shocked when I arrived and not only had he entered my apartments without my permission, he had ripped the meter(s) (all three of them) off the wall of the building and replaced them with new ones. HE KNEW and I knew that I now had no evidence or any way to prove that these meters were not working correctly. I know they were not and when I attempted to discuss this with the investigator, he was arrogant. He ARGUED that no one could have possibly lived in the apt. before 11/16/02 because of the kilowatt hours usage, etc. When in fact, the Delta Borough can confirm that there was a man (named Robert Heaps) that lived there for 8 or more years. They can also confirm that I had NO ONE in the apt. from 11/16/02 forward. Anyhow, the situation escalated and I told him I would contact the PUC. He sarcastically informed me to go ahead, that it would be a long drawn out process and in the end, he would be right!

This meter was not working properly and when he removed it without me being

STW

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

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SEE ATTACHED "WHAT I WANT THE PUC TO DO"

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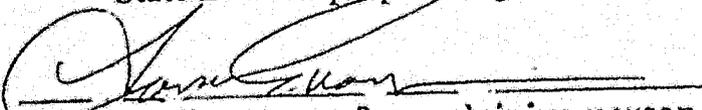


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(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

  
 Original Signature of complaining person

3/19/04  
 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 ( \_\_\_\_\_ ) \_\_\_\_\_

Tenna Evans  
BC31338016  
P.O. Box 23  
Delta, PA 17314

PECO a/c#55-02-60-037027

AE

WHAT I WOULD LIKE THE PUC TO DO: On 323 Main St., Apt.#C, Delta, PA 17314

Considering I am giving PECO Energy the benefit of the doubt, I have figured the largest amount possible for the months that the meter(s) were defective or not working properly. With that, I added ALL the bills from the new meter readings, then subtracted it against the total amount I have already paid to PECO. I believe PECO owes me \$90.84 on Apt.C. I would also hope that PECO is fined for inadequate service and being untruthful and unprofessional with their customers.

Thank you in advance, for your time, cooperation, and consideration in this matter.



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

4-1-04

IN REPLY PLEASE  
REFER TO OUR FILE

March 12, 2004

BCSI338016

TONNA EVANS  
PO BOX 23  
DELTA PA 17314

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 April 1, 2004, 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

ddi

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 twenty days of this date: March 4, 2004. 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: (REGARDING PART C & B) (2-complaints)

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

TONNA EVANS  
P.O. BOX 23  
DELTA PA 17314

9AM-5PM 410-836-1625  
(Area Code) Telephone Number

[Signature] 3/9/04  
Signature

Mail this completed form to:

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

FOR OFFICE USE ONLY

BCS Number: 1338016  
Company: PECO ENERGY COMPANY  
2301 MARKET ST S15-2  
P.O. BOX 8699  
PHILADELPHIA PA 19101-8099

Date of mailing: March 4, 2004

RECEIVED  
2004 MAR 12 AM 8:55  
SECRETARY'S BUREAU  
RECORDED 1197

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

DATE SERVED: April 5, 2004

F-01338016

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 TONNA EVANS. 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.

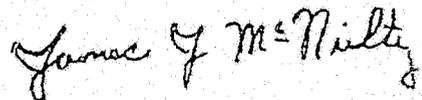
April 5, 2004

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

KSB

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: April 5, 2004

TONNA EVANS

Complainant

VS.

PECO ENERGY COMPANY

Respondent

Complaint Docket

No: F-01338016

DOCUMENT  
FOLDER

**DOCKETED**  
APR 02 2004

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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,

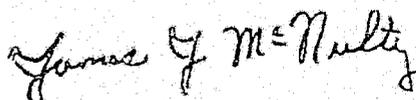
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as 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