

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

David Sandy

v.

PECO Energy Company

DOCUMENT

Z-01689075

PREHEARING ORDER

**DOCKETED**  
DEC 28 2004

An Initial Hearing in this case is scheduled for Wednesday, January 5, 2005 at 1:30 p.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa.Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is:

1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215.560.2105  
Fax: 215.560.3133

Changes are granted only in rare situations where good cause exists.

2. **Commission policy promotes settlements. 52 Pa.Code §5.231(a).** The utility will contact you at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. The customer is required to make regular monthly payments towards their utility bill while their complaint is pending. **FAILURE TO MAKE REGULAR MONTHLY PAYMENTS MAY RESULT IN AN ORDER REQUIRING A CATCH UP PAYMENT EQUAL TO THE AMOUNT OF THE PAYMENTS THAT SHOULD HAVE BEEN MADE OR MAY RESULT IN THE UTILITY TERMINATING YOUR SERVICE.**

4. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

5. If the Commission's Bureau of Consumer Services (BCS) has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made. The customer has the burden of proving that the utility violated Pennsylvania public utility law.

6. At the hearing, the customer must be prepared to testify about the total net monthly income of all people living in your home. This included the following:

- (a) the "after taxes take-home pay" from salaries, wages, tips or other compensation;
- (b) pension, retirement or social security benefits;
- (c) Supplemental Security Income (SSI)
- (d) unemployment compensation benefits;
- (e) workers' compensation benefits;
- (f) alimony;

- (g) support;
- (h) public assistance, and
- (i) any other source(s) of income.

7. If the customer or any member of the customer's household is receiving food stamps and/or medical assistance, the customer must be prepared to testify or document the amount of food stamps or the nature of the medical assistance received.

8. At the hearing, the customer must be prepared to testify about the total monthly expenses of your home, which includes:

- (a) rent or mortgage payments;
- (b) utility bills (including electric, gas, telephone, water, sewer, cable television, etc.);
- (c) food, in addition to any food stamp benefits;
- (d) clothing;
- (e) automobile (loan payments, gasoline, maintenance, etc.);
- (f) transportation (bus, taxicabs, jitneys, etc.);
- (g) insurance premiums (homeowners' or renters' insurance, automobile insurance, life insurance, medical insurance, etc.);
- (h) medical bills, (doctors, dentists, hospitals, prescriptions, etc.);
- (i) credit card and charge account payments;
- (j) loan payments; and
- (k) miscellaneous expenses.

When testifying to these expenses, the customer should be prepared to give balances due and missed payments for each item.

9. TO ASSIST THE CUSTOMER IN PROVIDING THE INCOME AND EXPENSE INFORMATION REQUIRED BY THIS ORDER, FOUR (4) COPIES OF A BUDGET INFORMATION FORM ARE ENCLOSED. THE CUSTOMER MUST FILL OUT ALL THE COPIES AND BRING THEM TO THE HEARING. IF YOU INTEND TO PRESENT ANY OTHER DOCUMENTS AT THE HEARING, YOU SHOULD BRING FOUR (4) COPIES TO THE HEARING.

10. The utility must bring the following documents to the hearing:

- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a service usage comparison report for the same period as the account statement;
- (c) a copy of the most recent BCS decision, if any; and,
- (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

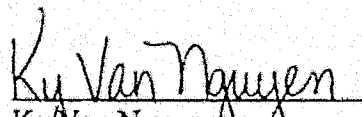
A copy should be served on the Complainant.

11. Pursuant to 52 Pa.Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code §1.24(b).

12. 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 that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

13. This is a formal hearing and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

Date: December 14, 2004

  
Ky Van Nguyen  
Administrative Law Judge sitting as  
Special Agent

MONTHLY BUDGET INFORMATION

Customer's Name: David Sandy Date: December 14, 2004

Name of Utility: PECO Energy Company

P.U.C. Docket No.: Z-01689075

Hearing Date: Wednesday, January 5, 2005 at 1:30 p.m.

Special Agent: Ky Van Nguyen

| <u>Monthly Household Income</u><br>(Include net income from all persons<br>living in your home.) | <u>Amount</u> |
|--|---------------|
| Salaries, wages & tips   | \$ _____      |
| Public assistance  | _____         |
| Social security or SSI   | _____         |
| Alimony  | _____         |
| Child support  | _____         |
| Pension  | _____         |
| Retirement benefits  | _____         |
| Unemployment compensation  | _____         |
| Workers' compensation  | _____         |
| Food stamps  | _____         |
| Other income (List source & amount):   | _____         |
| _____  | _____         |
| _____  | _____         |
| _____  | _____         |
| <b>Total:</b>  | \$ _____      |

(IMPORTANT: COMPLETE EXPENSE INFORMATION ON NEXT PAGE.)

Monthly Household Expenses  
Owed

Amount

Balance

Rent/mortgage

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Electric

\_\_\_\_\_

\_\_\_\_\_

Gas

\_\_\_\_\_

\_\_\_\_\_

Telephone

\_\_\_\_\_

\_\_\_\_\_

Water

\_\_\_\_\_

\_\_\_\_\_

Sewage

\_\_\_\_\_

\_\_\_\_\_

Trash pickup

\_\_\_\_\_

\_\_\_\_\_

Cable television

\_\_\_\_\_

\_\_\_\_\_

Food (Other than food stamps)

\_\_\_\_\_

\_\_\_\_\_

Clothing

\_\_\_\_\_

\_\_\_\_\_

Automobile:

    Loan payment

\_\_\_\_\_

\_\_\_\_\_

    Gasoline

\_\_\_\_\_

\_\_\_\_\_

    Repairs & maintenance

\_\_\_\_\_

\_\_\_\_\_

    Car insurance

\_\_\_\_\_

\_\_\_\_\_

Other transportation:

    Bus

\_\_\_\_\_

\_\_\_\_\_

    Taxicabs

\_\_\_\_\_

\_\_\_\_\_

    Jitneys

\_\_\_\_\_

\_\_\_\_\_

Insurance premiums:

    Renters'/homeowners' insurance

\_\_\_\_\_

\_\_\_\_\_

    Life insurance

\_\_\_\_\_

\_\_\_\_\_

    Medical insurance

\_\_\_\_\_

\_\_\_\_\_

Medical bills:

    Doctors

\_\_\_\_\_

\_\_\_\_\_

    Dentists

\_\_\_\_\_

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    Hospitals

\_\_\_\_\_

\_\_\_\_\_

    Prescriptions

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\_\_\_\_\_

List credit cards & charge accounts:

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List loan payments:

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List other expenses:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Total:**

\$ \_\_\_\_\_

\$ \_\_\_\_\_



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
December 14, 2004

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: Z-01689075

(See attached list)

David Sandy v. PECO Energy Company

Requests payment arrangements.

Hearing Notice

This is to inform you that your case is scheduled for hearing at 1:30 p.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the presiding Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

Type: Initial Hearing  
Date: Wednesday, January 5, 2005  
Time: 1:30 p.m.  
Location: Hearing Room 2  
State Office Building  
Broad & Spring Garden Streets  
Philadelphia, PA

DOCUMENT  
FOLDER

**DOCKETED**  
DEC 29 2004

Presiding: Administrative Law Judge Ky Van Nguyen  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215.560.2105  
Fax: 215.560.3133

Attention: You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

If you intend to file exhibits, bring 4 copies with you to the hearing.

Individuals may represent themselves or be represented by an attorney. Individuals representing themselves do not need to be represented by an attorney. If you have an attorney representing you, your attorney should file a Notice of Appearance before the scheduled hearing date.

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:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Nguyen  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

Legal Department

Telephone 215.841.5544

Fax 215.568.3389

Exelon Business Services Company

www.exeloncorp.com

2301 Market Street / S23-1

PO Box 8699

Philadelphia, PA 19101 8699

Business Services  
Company

ORIGINAL

Direct Dial: 215.841.6841

Fax: 215.568.3389

January 4, 2005

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

RECEIVED

JAN 05 2005

Re: **David Sandy v. PECO Energy Company**  
Docket Number: **Z-01689075**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

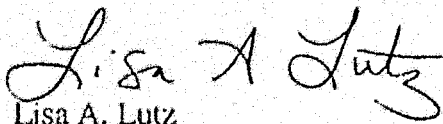
Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that the parties in the above referenced complaint have reached an accord.

By copy of this letter, I am alerting the Complainant of his 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.

Sincerely,



Lisa A. Lutz

Counsel for PECO Energy Company

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DOCKETED  
JAN 18 2005

Cc: Mr. David Sandy  
Administrative Law Judge Ky Van Nguyen  
Susan Licon

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COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: January 5, 2005

SUBJECT: Z-01689075 David Sandy v. PECO Energy Company

TO: Wanda Zeiders  
Docket Management

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

On January 4, 2005, a Certificate of Satisfaction was filed in the above-captioned proceeding. 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 Ky Van Nguyen  
Beth Plantz  
Case File

DOCUMENT  
FOLDER

**DOCKETED**  
JAN 25 2005

**Legal Department**

Exelon Business Services Company  
2301 Market Street / S23-1  
PO Box 8699  
Philadelphia, PA 19101-8699

Telephone 215 841-5544  
Fax 215 568-3389  
www.exeloncorp.com

Business Services  
Company

Direct Dial: 215 841 6841

January 28, 2005

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

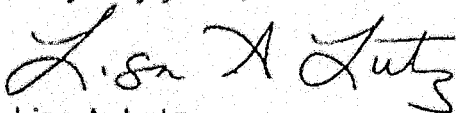
RE: **David Sandy v. PECO Energy Company**  
**Pa. PUC Docket No.: Z-01689075**

Dear Secretary McNulty:

Enclosed is a copy of Withdrawal of Complaint signed by the Complainant in the above-referenced case. The Complainant has agreed to withdraw the complaint without prejudice. Please send me a final order or closing notice in this matter.

Thank you for your help and if you have any questions regarding this request, please call my direct dial number (215) 841-3544.

Very truly yours,



Lisa A. Lutz  
Counsel for PECO Energy Company

LAL/zr

Enc.

**DOCUMENT  
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2005 JAN 31 AM 10:13

WITHDRAWAL OF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT  
David Sandy v. PECO Energy Company  
Docket Number: Z-01689075

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

David Sandy  
David Sandy

1-6-05  
Date

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DOCKETED  
MAR 03 2005