

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Samuel B. Dogan
v.
PECO Energy Company

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C-20043987

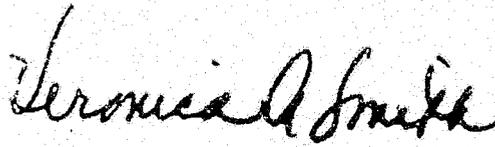
INTERIM PAYMENT ORDER

The Respondent utility, PECO Energy Company, has requested the Commission to issue an Interim Payment Order reminding the Complainant of the obligation to make regular monthly payments towards the utility bill while awaiting a hearing on the complaint, consistent with the Commission's Order in Charles Stammel v. PG Energy Co., A Division of Southern Union Company, Opinion and Order entered May 21, 2003 at Docket No. C-20027994.

The Complainant, Samuel B. Dogan, is hereby directed to pay the monthly utility bill, on or before the billing due date, unless otherwise directed by the Administrative Law Judge, until a final Commission Order is issued or until the proceeding is otherwise resolved.

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE TERMINATION OF YOUR SERVICE. THE UTILITY MUST GIVE YOU TERMINATION NOTICES AS REQUIRED BY 52 PA CODE CHAPTER 56.

Date: December 27, 2004



VERONICA A. SMITH
Chief Administrative Law Judge

DOCKETED
JAN 12 2005

**DOCUMENT
FOLDER**

SAMUEL B DOGAN v. PECO ENERGY COMPANY
C-20043987

SAMUEL B DOGAN
5429 DIAMOND STREET
PHILADELPHIA PA 19131

LISA A LUTZ ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET/S23-1
P O BOX 8699
PHILADELPHIA PA 19101-8699

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

ORIGINAL

Direct Dial: 215.841.6841
Fax: 215.568.3389
December 22, 2004

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

Re: Samuel B. Dogan v. PECO Energy Company
Docket No. C-20043987

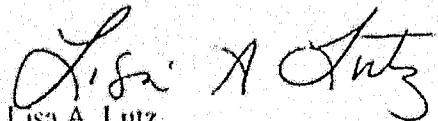
Dear Mr. McNulty:

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

- X Answer (original and 3 copies)
- Answer and Motion (original and 3 copies)
- Petition (original and 3 copies)
- Answer and New Matter (original and 3 copies)
- Amended Motion (original and 3 copies)
- Exceptions (original and 9 copies)
- Reply Exceptions (original and 9 copies)
- Motion (original and 9 copies)
- Reply Motion (original and 9 copies)

Also enclosed is an extra copy of this letter, which I request that you date stamp and return to me in the envelope provided as proof of filing. I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties.

Very truly yours,

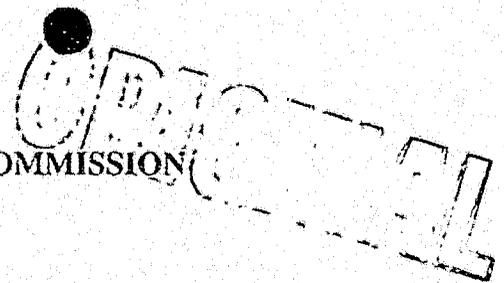


Lisa A. Lutz
Counsel for PECO Energy Company
Enclosures
cc: All Parties

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PA.P.U.C.
SECRETARY'S BUREAU

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION



SAMUEL B. DOGAN

v.

PECO ENERGY COMPANY

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DOCKET NO. C-20043987

ANSWER OF RESPONDENT PECO ENERGY COMPANY

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

1. Admitted.
2. Admitted.
3. Admitted. PECO Energy Company does provide electric service to Complainant

however, PECO Energy does not provide telephone service to Complainant.

4. Denied. PECO Energy specifically denies that Complainant is unable to pay Complainant's electric bill and strict proof thereof is hereby demanded at time of hearing. By way of further response, PECO Energy avers that Complainant's current outstanding balance is \$10,801.52. The Complainant's average monthly bill is currently \$136.00 and Complainant's calculated budget payment is currently \$152.00. Complainant has a poor payment history. Over the past twenty-one (21) months, Complainant has made only eight (8) good payments.

A decision of the Bureau of Consumer Services ("BCS") issued on or about November 4, 2004 required the Complainant to pay \$949.00 by November 24, 2004 and then to pay a \$149.00 budget payment plus \$100.00 per month toward the arrears beginning December 2004. The Complainant has not complied with the BCS decision. A copy of the BCS decision is attached as Exhibit A.

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By way of further answer, Complainant alleges that during the calendar year of 1983, Complainant became victim to a fire at his residence, causing his residence to change for one and one-half (1 ½) years. PECO Energy continued to provide service and bill accordingly for that service since PECO was not made aware of Complainant's change of residence at any time nor was PECO requested to discontinue service at 5429 Diamond Street in Philadelphia, Pennsylvania. Therefore, such averments are denied and strict proof thereof is demanded at hearing, if relevant.

PECO Energy is without sufficient knowledge to either confirm or deny the remaining statements of this Complainant. Therefore PECO Energy denies all such averments.

5. This paragraph is a request for relief and no answer is required.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint or remove the automatic stay on the payment arrangement set forth under the Bureau of Consumer Services decision and authorize PECO Energy Company to terminate service if said payment is not made. 56 Pa. Code § 56.174(3); Charles Stammel v. PG Energy, a Division of Southern Union Company, Docket No. C-20027994 (Order Entered May 21, 2003). PECO Energy further requests that your Honorable Commission enter an Interim Order directing payment of current undisputed consumption charges in addition to charges set forth in the Bureau of Consumer Services decision while the hearing in this matter is pending and reminding Complainant that PECO Energy Company is authorized to terminate service if Complainant fails to pay according to said Interim Order

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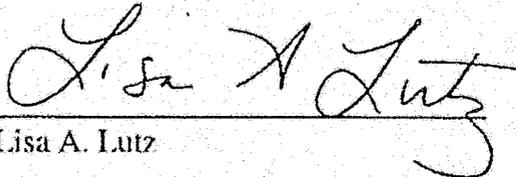
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DOCKET NO. C-20043987

VERIFICATION

I, Lisa A. Lutz, hereby declare that I am counsel for PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.

Date: December 22, 2004



Lisa A. Lutz

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PECO ENERGY COMPANY

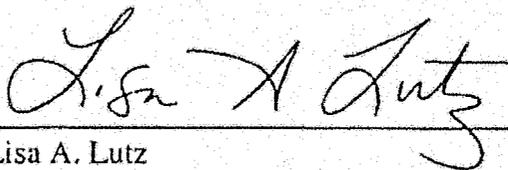
DOCKET NO. C-20043987

CERTIFICATE OF SERVICE

I, Lisa A. Lutz, hereby certify that I have this day served a copy of PECO Energy Company's Answer in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Samuel B. Dogan
5429 Diamond Street
Philadelphia, PA 19131

Dated at Philadelphia, Pennsylvania, December 22, 2004



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Direct Dial: 215.841.6841;
Fax: 215.568.3389
Lisa.Lutz@exeloncorp.com

RECEIVED
04 DEC 27 AM 8:42
P.A. P.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

March 4, 2005

In Re: C-20043987

(SEE ATTACHED LIST)

Samuel B. Dogan v. PECO Energy Company

Requests Payment Arrangements

**DOCUMENT
FOLDER**

Telephone Hearing Notice

This is to inform you that a hearing by telephone has been scheduled in this case on Wednesday, March 30, 2005. This is one of several hearings scheduled for this day. Your case will be dismissed if the presiding officer is not able to contact you at the time scheduled for the hearing. The hearing will be held as follows:

Type: Initial Telephonic Hearing
Date: Wednesday, March 30, 2005
Time: 3:00 p.m.
Presiding: Administrative Law Judge Susan D. Colwell
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

DOCKETED
MAR 18 2005

On the hearing date, the Presiding Officer will contact the parties as follows:

Samuel B. Dogan 215.878.8070
Lisa A. Lutz, Esquire 215.841.6841

You must provide the presiding officer with the telephone number where you can be reached to participate in the hearing. If your telephone number or area code has changed, you must contact the presiding officer at least 5 business days prior to the scheduled hearing and provide the necessary information.

ATTENTION: YOU MUST BE AVAILABLE WHEN CONTACTED BY THE PRESIDING OFFICER. IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT YOUR CASE, YOUR CASE WILL BE DISMISSED.

If you have any exhibits that you will refer to during the hearing, you must send 3 copies to the presiding officer and 1 copy to every other party. All copies must be received at least 5 business days before 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 at least 5 business days 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 Colwell
Susan Licon
Beth Plantz
Docket Section
Calendar File

#519301 1/05