

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :
2. BUREAU: ALJ :
3. SECTION(S): :
5. APPROVED BY: : 4. PUBLIC MEETING DATE:
DIRECTOR: : 00/00/00
SUPERVISOR: :
6. PERSON IN CHARGE: : 7. DATE FILED: 01/20/06
8. DOCKET NO: C-20065789 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: SCHEIDL, JOSEPH M

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT HE HAS BEEN CHARGED TWICE FOR LATE CHARGES AND WANTS THIS CORRECTED ON HIS BILL.

DOCKETED

JAN 23 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

C-20065789

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address.

Name Joseph M. Scheidly

Street/P.O. Box 606 Dutton Street Apt #

City Aston State Pa Zip 19014

County Philadelphia

Area Code/HOME Phone

Area Code/WORK Phone

Utility Account Number 50-18-53-044516 (from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO Energy Company

3. TYPE OF UTILITY (check one)

- ELECTRIC (checked), GAS, WATER, TELEPHONE (local, long distance), STEAM HEAT, WASTE WATER, MOTOR CARRIER (taxi, moving company, limousine)

DOCKETED

JAN 23 2006

RECEIVED 2006 JAN 20 AM 9:25 SECRETARY'S BUREAU

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

Other. Twice charged for late charges
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

As an established customer with PECO who's electric was not shut off I filed an informal complaint with Public Utilities on December 10, 2005 and denied on January 6, 2006 I now move this complaint to a Formal Complaint for the following reason

This commission fails to disclose double late charges on an established customer who's electric has not been shut off suggests Double Jeopardy and in violation arising under Article 1 sec 10 Of the Pennsylvania Constitution and review able in this administration proceeding under the ruling of Del. v W.C.A.B. 687 A 2d 1211 and Sweeny v. State Board of Funeral Directors 666 A 2d 1137 accordingly the complainant Joseph M. Scheidly requests a formal hearing to address his rights against Double Jeopardy arising under Article 1 sec 10 of the Pennsylvania Constitution

Formatted: Indent: Left: 0"

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

Joseph M. Scheidly (complaint) requests the return of his second late charge called a deposit with interest along with every resident effected.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES
NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)
NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided

Verification:

I Joseph M. Scheidly (complaintant), hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Deleted: _____

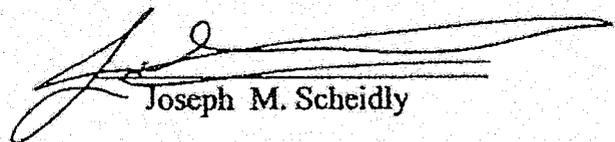
[Signature] (Signature) 1/16/06 (Date)

CERTIFICATE OF SERVICE

I Joseph M. Scheidly complainant hereby certifies that on this day

of 1/16/06 I have served my formal complaint by first class mail on the following .

PECO ENERGY COMPANY
Customer Strategies & Support
2301 Market Street
P.O. BOX 8699
Philadelphia, Pa. 19101


Joseph M. Scheidly

Joseph M. Scheidly
606 Dutton Street
Aston, Pa. 19014
January 16, 2005

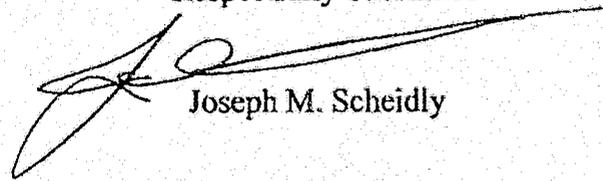
Secretary
Pennsylvania Public Utility Commission
P.O. BOX 3265
Harrisburg, Pa. 17105

Dear Sir/Madam:

On the denial of my informal complaint I wish to file a formal complaint .

Attached is three copies of my formal complaint , for filling

Respectfully Submitted



Joseph M. Scheidly

Served on
PECO
Customer Strategies & Support
2301 Market Street
PO. BOX 8699
Philadelphia, Pa. 19101 - 8699

Copied to the Governor of Pennsylvania
The Honorable Edward Rendell
2225 Main Capitol Building
Harrisburg, Pa. 17120

RECEIVED
2006 JAN 20 AM 9:25
PENNSYLVANIA
SECRETARY'S BUREAU

Joseph m. Scheidly
606 Dutton Street
Aston, Pa. 19014
January 16,2006

The Honorable Edward Rendell
2225 main capital Building
Harrisburg , Pa. 17120

To the Honorable Governor Rendell:

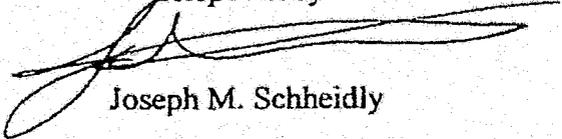
I filed an informal Complaint in the Public Utilities Office (P.U.C.) on December 10,2005 complaining PECO Electric company was double charging for late charges on an established customer who's electric was not shut off and I was denied my informal complaint on January 6 , 2006 , with copies of 052 Pa.Code sec. 56.41 and sec.56.22 supporting the denial

As a result I have moved my informal complaint to a formal complaint with P.U.C complaining double billing suggests Double Jeopardy a violation arising under Article 1 sec 10 of the Pennsylvania Constitution .

Not believing our Governor would sign into law a law allowing double billing (double Jeopardy) I searched high and low under Penna Statue 66 Pa C.S promulgating P.U.C. codes allowing a late charge called a deposit (Pa .code 052 sec 56.41) on an established customer who's electric has not been shut off and found no such statue. Leaving me to believe there is conspiracy between P.U.C and PECO to extort citizens (especially the low income and poor) of this state out of their hard earned money at this energy crisis time.

Copies attached --Informal complaint , denial of informer complaint and formal complaint .

Respectfully


Joseph M. Scheidly

CC: Representative Stephen Barrar
Willowbrook Shopping Crenter
3358 Chichester Ave
Boothwyn , Pa.19061

SECRETARY'S BUREAU

2006 JAN 20 AM 9:25

RECEIVED

Joseph M. Scheidly
606 Dutton Street
Aston , Pa. 19014
January 16, 2005

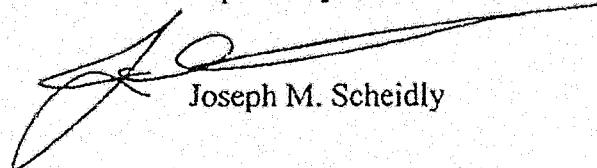
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Pennsylvania Public Utility Commission
P.O. BOX 3265
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Respectfully Submitted



Joseph M. Scheidly

Served on
PECO
Customer Strategies & Support
2301 Market Street
PO. BOX 8699
Philadelphia , Pa. 19101 - 8699

Copied to the Governor of Pennsylvania
The Honorable Edward Rendell
2225 Main Capitol Building
Harrisburg , Pa. 17120

REC-31110
2005 JAN 20 AM 9:25
SECRETARY'S OFFICE

Joseph m. Scheidly
606 Dutton Street
Aston, Pa. 19014
January 16,2006

The Honorable Edward Rendell
2225 main capital Building
Harrisburg , Pa. 17120

To the Honorable Governor Rendell:

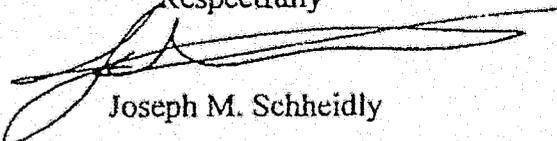
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Respectfully


Joseph M. Schheidly

CC: Representative Stephen Barrar
Willowbrook Shopping Crenter
3358 Chichester Ave
Boothwyn , Pa.19061

REC'D
2006 JAN 20 11:52
SECRETARY'S OFFICE

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 23, 2006

DOCKETED

JAN 23 2006

JOSEPH M SCHEIDLY
Complainant

v.

COLUMBIA GAS OF PENNSYLVANIA, INC.
Respondent

Complaint Docket
No: C-20065789

**DOCUMENT
FOLDER**

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: COLUMBIA GAS OF PENNSYLVANIA, INC.

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



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: JANUARY 23, 2006

C-20065789

LAWRENCE NOWICKI, MGR
REGULATORY COMPLIANCE
COLUMBIA GAS OF PA INC
1020 NORTH HARTLEY STREET
YORK PA 17404

Dear Mr. Nowicki:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by JOSEPH M SCHEIDLKY. 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.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

DOCUMENT
FOLDER

DOCKETED
JAN 23 2006

JANUARY 23, 2006

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

ddi

Columbia Gas[®]
of Pennsylvania

A NiSource Company

1020 N. Hartley Street
York, PA 17404

January 27, 2006

RECEIVED

JAN 30 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

James J. McNulty
Commonwealth of PA
PUC
P. O. Box 3265
Harrisburg, PA 17105

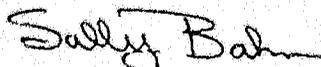
Dear Mr. McNulty:

I am returning the enclosed formal utility complaint #C-20065789 filed in the name of Joseph M. Scheidly.

According to the information contained in this complaint, it is being filed against PFCO Electric and not Columbia Gas of PA, Inc.

Please forward this information to the proper utility service.

Thank you,



Sally Bahn
CPA Compliance Dept.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: February 1, 2006

Joseph M. Scheidly
Complainant

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: C-20065789

DOCUMENT
FOLDER

DOCKETED

FEB 01 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PECO ENERGY COMPANY

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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.

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James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE RE-SERVED: February 1, 2006

C-20065789

PECO ENERGY COMPANY
C/O WARD L SMITH
ASSOCIATE GENERAL COUNSEL
PO BOX 8699
PHILADELPHIA PA 19101-8699

Dear Mr. Smith:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by JOSEPH M SCHEIDLKY. 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.

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DOCUMENT
FOLDER

February 1, 2006

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Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,

James J. McNulty
Secretary

ddi

Legal Department

Telephone 215 841 5544
www.exeloncorp.com

Business Services
Company

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

ORIGINAL

Direct Dial. 215 841 6841

February 22, 2006

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

RECEIVED

FEB 22 2006

Re: Joseph M. Scheidly v. PECO Energy Company
PUC Docket No. C-20065789

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Mr. McNulty.

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

- Answer (original and 3 copies)
- Petition (original and 3 copies)
- Answer and Motion (original and 3 copies)
- Motion to Dismiss (original and 3 copies)
- Reply to Motion/Petition (original and 3 copies)
- Exceptions (original and 9 copies)
- Reply Exceptions (original and 9 copies)
- Brief (original and 9 copies)
- Reply Brief (original and 9 copies)

DOCUMENT FOLDER

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

LAL/zr

Enc.

73

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 22 2006

JOSEPH M. SCHEIDL

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

v.

DOCKET NO. C-20065789

PECO ENERGY COMPANY

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.

DOCKETED
FEB 27 2006

DOCUMENT
FOLDER

- 4. Denied. PECO Energy specifically denies that it improperly charged late charges

or improperly charged a deposit to the Complainant's account.

Complainant has been charged a security deposit for delinquency. PECO Energy avers that the security deposit is permitted pursuant to 52 Pa. Code § 56.41. Complainant has a poor payment history with many late payments. By way of further answer, on July 29, 2005, Complainant was charged a \$184.00 security deposit; this deposit was billed in three installments. The first installment of \$92.00 was billed on July 29, 2005 and two additional installments of \$46.00 were billed on August 31, 2005 and September 30, 2005.

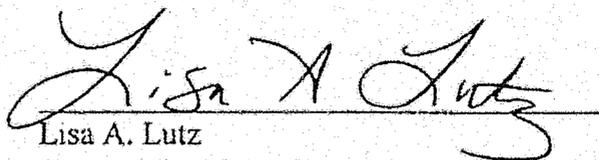
The decision by the Bureau of Consumer Services ("BCS"), entered January 5, 2006, found that PECO Energy was in compliance with all regulations in requesting a security deposit. A copy of the decision is attached hereto as Exhibit A.

The remaining allegations are conclusions of law to which no response is required.

5. This paragraph is a request for relief and no answer is required.
6. PECO Energy is without sufficient information to confirm or deny this statement.
7. Admitted.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
lisa.lutz@exeloncorp.com

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 22 2006

JOSEPH M. SCHEIDLY

v.

PECO ENERGY COMPANY

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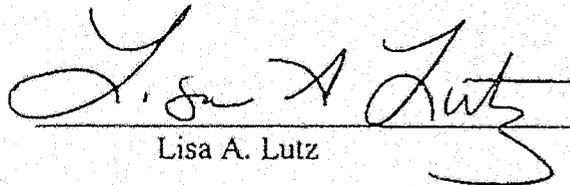
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCKET NO. C-20065789

VERIFICATION

I, Lisa A. Lutz, hereby declare that I am an attorney representing 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: February 22, 2006



Lisa A. Lutz

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION FEB 22 2006

JOSEPH M. SCHEIDL Y

v.

PECO ENERGY COMPANY

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

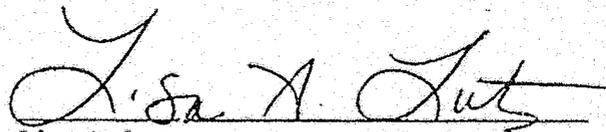
DOCKET NO. C-20065789

CERTIFICATE OF SERVICE

I 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 thereof Certified mail, properly addressed and postage prepaid to:

JOSEPH M. SCHEIDL Y
606 Dutton Street.
Aston, PA 19014

Dated at Philadelphia, Pennsylvania, February 22, 2006.



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
lisa.lutz@exeloncorp.com

Date 2/10/06

PA. Public Utility Commission
Bureau Of Consumer Services
Inbound Closing Report

Case Number: 2022745
Customer Name: JOSEPH M SCHEIDL
Address: 606 DUTTON STREET
CHESTER PA 19014-3305

Opened On: 1/3/06
Utility Type: Electric Distributor
Account Number: 501853044515
Company Name: PECO Energy

Prior Case: Total Balance: \$81.68 Balance Date:

Compliance Violation(Alleged, Actual, No): NO Chap 56/64/Other: Section/Rule:

Decision Issued: N Oral Written: W
Investigator: KEPNER, SHEILA PUC Decision Issued Dt: PUC Case Closed Dt: 1/5/06

Decision Recvd Dt: 1/5/06 10:25AM

Letter Description:

To Restore Service Pay: \$0.00 To Continue Service Pay: \$0.00 By:
Terms:
Special Budget Amount: \$0.00 Regular Budget Amount: \$0.00 Plus Arrears Payment: \$0.00
Final Bill Monthly Payment: \$0.00 Current Bill Monthly Payment: \$0.00
End Of Month Payment: \$0.00

Par Description:

RECEIVED

FEB 22 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Resolution:

CASE CLOSED. LTR TO CU DATED 1/5/06 ADVISED THAT CO IN COMPLIANCE WITH PA REGS, ON REQUEST FOR SECURITY DEPOSIT OF EXISTING RATEPAYER.

Exh. b. + A

RECEIVED

2006 MAR -1 AM 9: 09

PA P.U.C.
SECRETARY'S BUREAU

Joseph M. Scheidly
606 Dutton Street
Aston, Pa 19014
February 24, 2006

C: 200605789

James McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second floor
Harrisburg, Pa. 17120

ORIGINAL

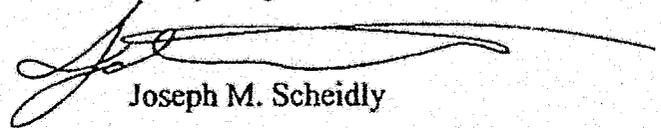
RE Joseph M. Scheidly v Peco Energy Compant
Dear Mr. McNulty :

Enclosed for filing is the original and 3 copies of my answer to Peco Energy Company's answer

Would you kindly time stamp one copy and return it in the provided self addresses stamped envelope .

DOCUMENT
FOLDER

Very truly Yours



Joseph M. Scheidly

Copied to

Representative Stephen Barrar
Willowbrook Shopping Center
3358 Chichester Ave
Boothwyn, Pa. 19061

The Governor of Pennsylvania
The Honorable Edward Rendell
225 Main Capitol Building
Harrisburg, Pa. 17120

27

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOSEPH M. SCHEIDL Y

v.

DOCKET NO C- 20065789

PECO ENERGY COMPANY

DOCUMENT
FOLDER

COMPLAINANTS ANSWER TO RESPONDENTS ANSWER

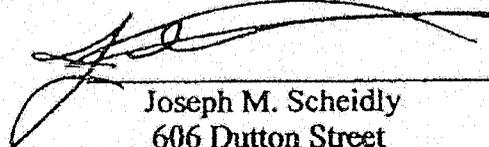
MOTION FOR NIHIL DICIT JUDGMENT

The complainant (Joseph M. Scheidly) moves this panel for Nihil dicit judgment and states the following .

The complainant(Joseph M. Scheidly) filed a complaint (attached hereto as Exhibit "A") in a cause of action with the Pennsylvania Public Utility Commission requesting a hearing to address his rights against double jeopardy arising under Article 1 sec 10, of the Pennsylvania Constitution the respondent (Peco Energy Company) in their answer (attached hereto as Exhibit B) refuses to answer the complainants complaint or plead a defense , accordingly Joseph M. Scheidly respectfully requests a Nihil dicit judgment and relief granted as outlined at No. 5 of his complaint .

DOCKETED
MAR 2 - 2006

Respectfully Submitted



Joseph M. Scheidly
606 Dutton Street
Aston, Pa. 19014

Date , February 24,2006

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

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Joseph M. Scherdly

Street/P.O. Box 606 Dutton Street Apt #

City Aston State Pennsylvania Zip 19014

County Delaware

Area Code/HOME Phone (610) 485-4274

Area Code/WORK Phone

Utility Account Number 50-18-53-044516
(from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns. PECO Energy Company

3. TYPE OF UTILITY (check one)

- | | |
|--|---|
| <input type="checkbox"/> ELECTRIC | <input type="checkbox"/> STEAM HEAT |
| <input type="checkbox"/> GAS | <input type="checkbox"/> WASTE WATER |
| <input type="checkbox"/> WATER | <input type="checkbox"/> MOTOR CARRIER
(taxi, moving company, limousine) |
| <input type="checkbox"/> TELEPHONE
(local, long distance) | |

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

Other. Twice charged for late charges
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

As an established customer with PECO who's electric was not shut off I filed an informal complaint with Public Utilities on December 10, 2005 and denied on January 6, 2006 I now move this complaint to a Formal Complaint for the following reason

This commission fails to disclose double late charges on an established customer who's electric has not been shut off suggests Double Jeopardy and in violation arising under Article 1 sec 10 Of the Pennsylvania Constitution and review able in this administration proceeding under the ruling of Del. v. W.C.A.B. 687 A.2d 121 and Sweeny v. State Board of Funeral Directors 666 A.2d 1137 accordingly the complainant Joseph M. Scheidly requests a formal hearing to address his rights against Double Jeopardy arising under Article 1 sec 10 of the Pennsylvania Constitution

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5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

Joseph M. Scheidly (complaint) requests the return of his second late charge called a deposit with interest along with every resident effected.

A2

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES

(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I Joseph M. Scheidly (complainant) hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Deletect: _____

[Signature]
(Signature)

1/16/06
(Date)

A 3

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOSEPH M. SCHEIDLY

v.

PECO ENERGY COMPANY

DOCKET NO. C-20065789

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.

DOCUMENT
FOLDER

DOCKETED
MAR 2 - 2006

4. Denied. PECO Energy specifically denies that it improperly charged late charges

or improperly charged a deposit to the Complainant's account.

Complainant has been charged a security deposit for delinquency. PECO Energy avers that the security deposit is permitted pursuant to 52 Pa. Code § 56.41. Complainant has a poor payment history with many late payments. By way of further answer, on July 29, 2005, Complainant was charged a \$184.00 security deposit; this deposit was billed in three installments. The first installment of \$92.00 was billed on July 29, 2005 and two additional installments of \$46.00 were billed on August 31, 2005 and September 30, 2005.

The decision by the Bureau of Consumer Services ("BCS"), entered January 5, 2006, found that PECO Energy was in compliance with all regulations in requesting a security deposit. A copy of the decision is attached hereto as Exhibit A.

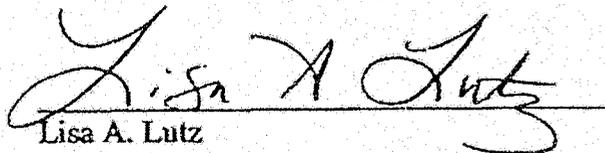
EXHIBIT NO. 'B'

The remaining allegations are conclusions of law to which no response is required.

5. This paragraph is a request for relief and no answer is required.
6. PECO Energy is without sufficient information to confirm or deny this statement.
7. Admitted.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
lisa.lutz@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOSEPH M., ACHEIDL Y

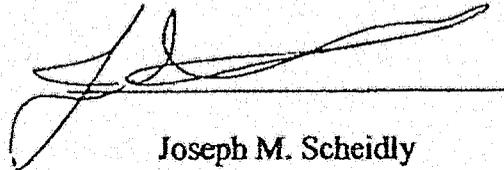
v.

DOCKET NO C - 2006579

PECO ENERGY COMPANY

CERTIFICATE OF SERVICE

I Joseph M. Scheidly (complainant) hereby certifies I have served on Peco Energy Company VIA there attorney Lisa A. Lutz a true and correct copy of my answer to Peco Energy company's answer by certified mail on this day of February 24 , 2006



Joseph M. Scheidly
606 Dutton Street
Aston, Pa. 19014

Date executed February 24, 2006



7002 3150 0004 6297 4606

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

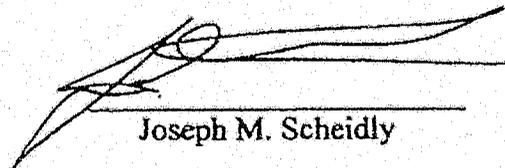
JOSEPH M. SCHEIDL Y

V

DOCKET NO. C- 20065789

PECO ENERGY COMPANY

I, Joseph M. Scheidly hereby under penalty of law state the facts set forth in my answer to Peco Energy Company's answer are true to the best of my knowledge ,



Joseph M. Scheidly

Date February 24, 2006



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 15, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20065789

(See attached list)

DOCUMENT FOLDER

Joseph M. Cheidly v. PECO Energy Company

Billing dispute.

Hearing Notice

This is to inform you that your case is scheduled for hearing at 9:30 a.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 9:15 a.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, April 26, 2006
Time: 9:30 a.m.
Location: Hearing Room 2
State Office Building
Broad & Spring Garden Streets
Philadelphia, PA

DOCKETED
APR 03 2006

Presiding: Administrative Law Judge Marlane R. Chestnut
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 Chestnut
Susan Licon
Beth Plantz
Docket Section
Calendar File

#502238 09/04

#502238 03/05