

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: 10/02/06     |
| 8. DOCKET NO: C-20066946 | : | 9. EFFECTIVE DATE: 00/00/00 |

PARTY/COMPLAINANT: BOYCHAK, BOB

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: MONTGOMERY

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES BEING CHARGED FOR PRIOR ADDRESS HE NEVER LIVED AT. HE WOULD LIKE THE PJC TO HAVE CHARGES TAKEN OFF AND WANTS A DIFFERENT PROVIDER.

**DOCUMENT  
FOLDER**

**DOCKETED**  
OCT 16 2006



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

*Done 9/18/06*

IN REPLY PLEASE  
REFER TO OUR FILE

AUGUST 29, 2006

BCS2076522

ROBERT BOYCHAK  
760 TROXEL ROAD  
LANSDALE PA 19446

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 SEPTEMBER 18, 2006 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:

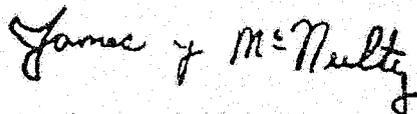
**Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265**

**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

SS

cc: PECO ENERGY

NOTIFICATION OF INTENT TO APPEAL  
(Request For Formal Complaint Forms)

*Timely*

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: AUGUST 4, 2006. 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:**

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

ROBERT BOYCHAK  
760 TROXEL ROAD  
LANSDALE PA 19446

267 265 3575  
(Area Code) Telephone Number

*Robert Boychak*  
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: ~~2076522~~  
Company: Peco Energy Co.

2076522  
Date of mailing: AUGUST 4, 2006

RECEIVED  
AUG 26 11 05 AM '06  
REVISSED 11/97

7

# CASE CLOSING DATA

Click here to search for a case number from a customer list

Enter a case number here:

2076522

FIND

**CUSTOMER NAME:**BOYCHAK, BOB  
**SERVICE ADDRESS**760 TROXEL RD  
 LANSDALE, PA 19446  
**INVESTIGATOR:**VALERIE FISHER

**OPEN DATE:**5/12/2006  
**INCOME LEVEL:**8  
**DECISION ISSUE**  
 (Y/N): Y

**CLOSE DATE:**8/4/2006  
**CLASSIFICATION:**Dispute  
**PRIOR CASE:**N

**RESOLUTION:**THIS CUST HAS NOT MADE ANY PAYMENT ON THIS ACCT. THE CUST HAS NOT PROVIDED THE CO WITH PROOF OF INCOME AS REQUESTED ON 5/12/06. THIS CUST SHALL PAY THE SD OF 588.00 BY 8/24/06, ALSO BEG WITH THE AUG 2006 DD PAY THE CURRENT BB OF 332.00 PLUS 571.00 TOWARD THE ARREARS BY THE DD EA MO UNTIL THE BALANCE IS PAID IN FULL. THE BB AMOUNT IS SUBJECT TO CHANGE. IN ORDER FOR THE CO TO CONSIDER WAIVING THE SD OR LOWERING THIS ARRANGEMENT, THE CUST MUST PROVIDE THE CO WITH PROOF OF HIS CURRENT INCOME.

## PECO ENERGY

**ACCOUNT NBR:** 400213216585    **ACCOUNT BALANCE DATE:**  
**TOTAL OR FINAL ACCOUNT BALANCE:** \$4,016.42

\*\*\*\*\* FOR RTU \*\*\*\*\*

**(OFFS)SERVICE RESTORED PAY:**  
**(REMEDS)KEEP SERVICE ON PAY:**  
 BY:  
**TERMS: BEGINNING:**  
**SPEC BUDGET / OPT PAYMENT:**  
**REGULAR BUDGET AMOUNT:**  
**PLUS PAY TOWARD ARREARS:**  
**FINAL BILL MONTHLY PAY:**  
**CURRENT BILL MONTHLY PAY:**  
**END OF MONTH PAYMENT:**

**LETTER TYPE:**

**LETTER HEAD DATE:**

**SPECIAL PARAGRAPHS**

MAIN MENU

GENERAL CASE INFORMATION

PENNSYLVANIA PUBLIC UTILITY COMMISSION

*untimely*

Formal Complaint Form

ORIGINAL

Please print or type.

C-20066946

1. CUSTOMER NAME (COMPLAINANT)

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

Name BOB BOYCHAK

Street/P.O. Box 760 TROXEL RD Apt # \_\_\_\_\_

City LANSDALE State PA Zip 19446

County MONTGOMERY

Area Code/HOME Phone 215 767 9215

Area Code/WORK Phone 267 625 3575

Utility Account Number (from your bill) 400213216585

SECRET  
2006 OCT -2 PM 9:30

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

Name UNKNOWN - DID NOT HAVE PECO -

Street/P.O. Box HAD PPTL AT PRIOR ADDRESS

City WHICH WAS 1498 W. MAIN STREET, LANSDALE State PA Zip 19446

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

*H7*

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.  
(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.

CHARGING ME FROM PRIOR ALLEGED  
ADDRESS WHERE I NEVER RESIDED, BILLING  
ME, I'M A TENANT + HEAT IS INCLUDED  
IN MY LEASE INSTEAD OF BILLING OWNER  
SIGHT SADAH; THREATENING TO CUT ME

5. RELIEF OFF WHEN SADAH DOESN'T PAY HIS BILLS  
HIS PROPERTY WHERE I RESIDE IS IN  
FORECLOSURE SINCE 3/14/06 DOCKET # 2006-06177  
What do you want the Public Utility Commission to do about your complaint? Use  
additional paper if you need more space.

WANT DIFFERENT PROVIDER PECO  
CHARGES HIGHEST RATES IN COUNTRY BECAUSE  
OF THEIR LIMERICK MISTAKE, I  
UNDERSTAND THERE'S A CHOICE NOW,  
PECO IS A MONOPOLY AND IN VIOLATION  
OF ANTITRUST, TREBLE DAMAGES SHOULD  
BE AWARDED AND PECO BROKEN UP.

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 BOB BOYCHAK, 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).

Bob Boychak  
(Signature)

9/15/04  
(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

|  |  |
|--|--|
| Secretary<br>Pennsylvania Public Utility Commission<br>P.O. Box 3265<br>Harrisburg, PA 17105 | Secretary<br>Pennsylvania Public Utility Commission<br>400 North Street<br>Commonwealth Keystone Building, 2 <sup>nd</sup> Floor<br>Harrisburg, Pennsylvania 17120 |
|--|--|

Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

**Keep a copy of your complaint for your records.**



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: OCTOBER 12, 2006

C-20066946

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

**DOCUMENT  
FOLDER**

Dear Mr. Smith:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by BOB BOYCHAK. 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.

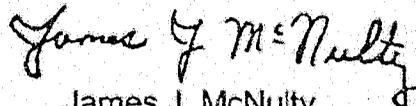
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

OCTOBER 12, 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

SS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 12, 2006

BOB BOYCHAK

Complainant

v.

PECO ENERGY COMPANY

Respondent

Complaint Docket

No: C-20066946

DOCKETED

OCT 16 2006

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

---

TO: PECO ENERGY COMPANY

DOCUMENT  
FOLDER

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).

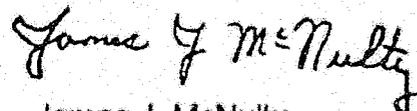
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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

**Legal Department**

Exelon Business Services Company  
2301 Market Street/523-1  
PO Box 8699  
Philadelphia, PA 19101-8699

Telephone 215 841 5544  
Fax 215 588 3389  
www.exelonline.com

Business Services  
Company

ORIGINAL

Direct Dial 215 841 6841

November 6, 2006

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

RECEIVED

NOV 06 2006

Re: Bob Boychak v. PECO Energy Company  
PUC Docket No. C-20066946

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

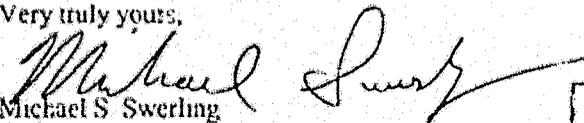
Dear Mr. McNulty:

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

- X   Answer (original and 3 copies)
- Petition (original and 3 copies)
- Preliminary Objection (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)

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,

  
Michael S. Swerling  
Counsel for PECO Energy Company

DOCUMENT  
FOLDER

DOCKETED

NOV - 8 2006

MSS/zr

Enc

SCHEDULING RECOMMENDATION:        CALL OF THE DOCKET   X   NON-CALL OF THE DOCKET

BTL

86

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOV 08 2006

BOB BOYCHAK

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

v.

DOCKET NO. C-20066946

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.

4. Admitted in part and denied in part. PECO Energy admits that Complainant established a service account in his own name at 760 Troxel Road in Lansdale on March 30, 2006. PECO Energy also admits that Complainant's current account balance at 706 Troxel Road, Lansdale includes an unpaid former address balance from service in his name at 104 David Lane in Lansdale. PECO Energy denies that there are incorrect charges on Complainant's bill. PECO Energy specifically denies that it is charging Complainant for a "prior alleged address where I never resided, billing me. I'm a tenant and heat is included in my lease instead of billing owner Sighth Sadah." PECO Energy further denies that Complainant had PP&L at a former address of 1498 W. Main Street, Lansdale, and strict proof thereof is hereby demanded at time of hearing.

PECO Energy denies that it charges the highest rates in the country because of their Limerick mistake and alleges that statement is irrelevant to the case at hand. PECO Energy also denies that it is a monopoly, which violates anti-trust laws, and that it should be broken up.

By way of further answer, Complainant's account at 706 Troxel Road, Lansdale was initiated on or about March 03, 2006, when Complainant called requesting service be initiated in his name. Complainant verified his identity by providing his social security number. On March 28, 2006 a deposit notification letter was mailed to the Complainant explaining that a deposit was being charged due to the uncollected balance from his previous address at 104 David Lane. On the same date, PECO Energy transferred the final account balance of \$2,071.34 from his former account at 104 David Lane, to his new account at 760 Troxel Road.

Complainant called PECO Energy on April 14, 2006 regarding his account balance. The past due balance, including his former address balance was explained to him at that time. The PECO Energy representative explained the former balance amount of \$2,071.34 and explained that it came from his account at 104 David Lane. He claimed that he never lived at 104 David Lane and requested a payment arrangement, but he did not qualify because he was over the income level.

On May 12, 2006, the Complainant called PECO Energy and admitted that he was not disputing the former address balance anymore, but that he just believed he had paid more of the former account balance.

To date, Complainant had made no payments either on his former account at 104 David Lane or his current account at 760 Troxel Road. Complainant's current total account balance owed is \$4,669.04.

A decision by the Bureau of Consumer Services ("BCS") was rendered on August 04, 2006 and found that the Complainant has not made any payments on his current account. Regarding Complainant's requests for a payment arrangement, the BCS found that Complainant failed to provide any proof of income as requested by PECO Energy, which would enable Complainant to be considered for a payment arrangement. The BCS did not address any former account dispute because, as the Complainant previously admitted to PECO Energy, he was not disputing the former address balance and, therefore, did not raise the issue at the informal level. The Complainant is raising the former address dispute at this time because he has failed to prevail on any of the issues he has previously raised. The Complainant had full knowledge of the former address balance transfer, and if he had a legitimate dispute, this issue would have been raised at the informal level.

It should be further noted that the Complainant had a previous informal complaint that was dismissed by the BCS in May, 2006. In that prior BCS decision, Complainant was once again looking for a payment arrangement on his current account. The BCS found that Complainant actually stated that he received a bill for a former address balance of \$2,851.97. The BCS also found that Complainant was not disputing the amount owed or the former address balance at that time; he only wanted a payment arrangement.

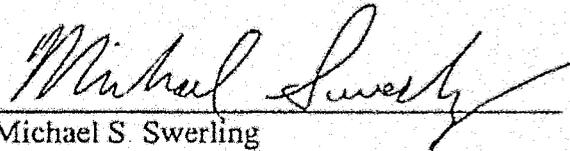
The current BCS decision issued on August 04, 2006 also set a payment arrangement including a regular monthly budget amount of \$332.00, plus a monthly arrears payment of \$571.00, beginning with his payment due in August, 2006. The Complainant has not complied with the BCS decision. A copy of the decision is attached as Exhibit A.

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,

A handwritten signature in cursive script, reading "Michael Swerling", written over a horizontal line.

Michael S. Swerling  
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  
Michael.Swerling@exeloncorp.com

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BOB BOYCHAK

v.

PECO ENERGY COMPANY

:  
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DOCKET NO. C-20066946

RECEIVED

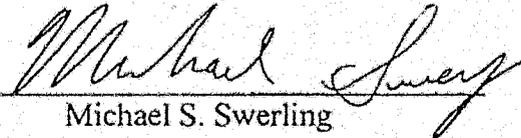
NOV 06 2006

VERIFICATION

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I, Michael S. Swerling, 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: November 06, 2006

  
Michael S. Swerling

Date: 10/19/06

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

Case Number: 2076522  
Customer Name: BOB BOYCHAK  
Address: 760 TROXEL RD  
LANSDALE PA 19446-0

Opened On: 5/12/06  
Utility Type: Electric Distributor  
Account Number: 400213216585  
Company Name: PECO Energy

Prior Case: Total Balance: \$4,016.42 Balance Date:

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

Decision Issued: Y Oral Written: W  
Investigator: FISHER, VALERIE PUC Decision Issued Dt: PUC Case Closed Dt: 8/4/06

Decision Recvd Dt: 8/4/06 01.25PM

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

NOV 06 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Resolution:

THIS CUST HAS NOT MADE ANY PAYMENT ON THIS ACCT. THE CUST HAS NOT PROVIDED THE CO WITH PROOF OF INCOME AS REQUESTED ON 5/12/06 THIS CUST SHALL PAY THE SD OF 588.00 BY 8/24/06. ALSO BEG WITH THE AUG 2006 DD PAY THE CURRENT BB OF 332.00 PLUS 571.00 TOWARD THE ARREARS BY THE DD EA MO UNTIL THE BALANCE IS PAID IN FULL. THE BB AMOUNT IS SUBJECT TO CHANGE. IN ORDER FOR THE CO TO CONSIDER WAIVING THE SD OR LOWERING THIS ARRANGEMENT, THE CUST MUST PROVIDE THE CO WITH PROOF OF HIS CURRENT INCOME.

Exhibit "A"

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BOB BOYCHAK

v.

PECO ENERGY COMPANY

:  
:  
:  
:  
:

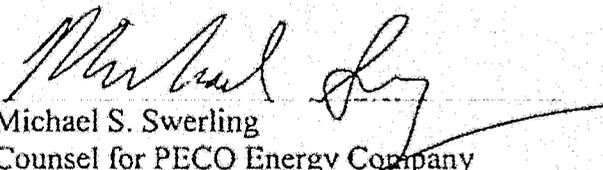
DOCKET NO. C-20066946

CERTIFICATE OF SERVICE

I, Michael S. Swerling, 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:

BOB BOYCHAK  
760 Troxel Road  
Lansdale, PA 19446

Dated at Philadelphia, Pennsylvania, November 06, 2006.

  
Michael S. Swerling  
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  
Michael S. Swerling

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



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

IN REPLY PLEASE  
REFER TO OUR FILE

November 21, 2006

In Re: C-20066946

(SEE ATTACHED LIST)

Bob Boychak v. PECO Energy Company

Billing dispute.

Telephone Hearing Notice

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

Type: Initial Telephonic Hearing

Date: Thursday, January 4, 2007

Time: 10:00 a.m.

Presiding: Administrative Law Judge Angela T. Jones  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215.560.2105  
Fax: 215.560.3133

DOCUMENT  
FOLDER

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

**DOCKETED**  
DEC 4 - 2006

BTL

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

Bob Boychak 215.767.9215  
Michael S. Swerling, Esquire 215.841.6841

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

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

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

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

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

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