

PLEASE DOCKET

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Michael J. Doyle

v.

PECO Energy Company

DOCKETED
JUL 17 2006

C-20065776

REC-1115-11
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SECRETARY GENERAL

**DOCUMENT
FOLDER**

PREHEARING ORDER#2

On February 28, 2006, I was assigned as the presiding officer in this case. The purpose of this order is to bring to the attention of the parties certain procedural rules that apply to the participants in this proceeding. This case is scheduled for a telephonic hearing on Thursday, August 3, 2006. (This case was originally scheduled to be held in person on Tuesday, April 25, 2006. It was rescheduled to May 4, 2006, at 10:00 a.m. because the Complainant requested a telephonic hearing. The hearing was continued at the request of the Complainant.)

In the complaint, the Complainant alleged the following: that there are incorrect charges on his bill; that a security deposit was added to his bill without his knowledge; that the Respondent did not accept a medical certificate signed by one of the head surgeons at the VA Hospital; and that he was treated poorly and supervisors did not return his calls. The Complainant requested that his payments and account be reviewed and that his electric meter be tested.

On February 9, 2005, the Respondent filed an Answer. In its Answer, the Respondent admitted that the Complainant was charged a security deposit due to his delinquent payment history. The Respondent averred that it charged the security deposit pursuant to 52 Pa. Code §56.41. The Respondent referred to the Bureau of Consumer Services decision, dated November 30, 2005, requiring the Complainant to pay a budget of \$71.00 plus \$30.00 a month on the outstanding balance. The Respondent stated that a medical certificate rejection letter was

sent to the Complainant explaining that the certificate was rejected because the name was illegible and the license number was invalid.

The Complainant has the burden of proving that the allegations in the complaint are true. Section 332(a) of the Public Utility Code, 66 Pa. C.S. §332(a). The Complainant must pay the undisputed portion of the bill while this proceeding is pending.

If the Complainant has not made the payments that the Bureau of Consumer Services ("BCS") directed him to make, he must explain why the payments were not made. Failure to make regular budget payments as directed may result in an order requiring a lump sum payment equal to the amount of the budget payments that should have been made. If the Complainant is no longer a customer of the Respondents, the entire balance is due.

If the Complainant is alleging an inability to pay, during the hearing, he must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following:

- (a) income 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.

The Respondent must submit the relevant account statement and the relevant BCS decision.

If you wish to offer documents into evidence during the hearing (i.e. letters, bills, canceled checks, receipts, account statements, etc.), you should send three copies to me (a copy for the presiding officer and 2 copies for the Court Reporter) and send a copy to every other

party in the case at least five days in advance. Please keep a copy for yourself. 52 Pa. Code §5.409. Please send my copies to 1302 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130.

Pursuant to 52 Pa. Code §1.15(b), requests for postponements or continuance of hearings must be submitted in writing no later than five (5) days prior to the hearing. Requests for postponement or continuance of hearings are to be sent to the presiding officer with copies to the Scheduling Office and the other party of record. The address for the Scheduling Office is P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

All witnesses should be prepared to testify during the August 3, 2006 hearing. If the witness will be at a different telephone number, please notify my office at least five days in advance so that the necessary arrangements can be made.

If you will be at a different telephone number than the one listed on the hearing notice, please contact my office immediately. My telephone number is (215) 560-2105.

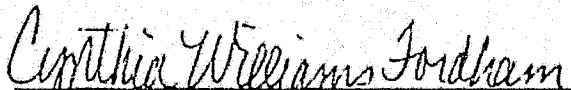
ORDER

THEREFORE,

IT IS ORDERED:

That the parties shall comply with the procedural rules and regulations discussed herein.

Date: July 5, 2006


Cynthia Williams Fordham
Administrative Law Judge

Legal Department

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Business Services
Company

Direct Dial: 215-841-6841

July 18, 2006

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

ORIGINAL

Re: Michael J. Doyle v. PECO Energy Company
Docket Number: C-20065776

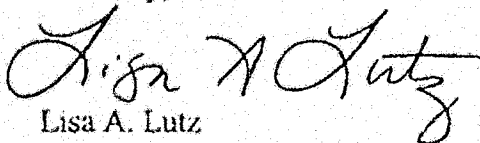
Dear Secretary McNulty:

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
AUG 2 2006

cc: Mr. Michael J. Doyle
Administrative Law Judge Cynthia W. Fordham
Susan Licon

RECEIVED

JUL 18 2006

PA PUBLIC UTILITY COMMISSION
HARRISBURG, PA

34

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: July 21, 2006
SUBJECT: C-20065776 Michael J. Doyle v. PECO Energy Company
TO: Wanda Zeiders
Docket Management
FROM: Susan Licon, ALJ Support Staff
Office of Administrative Law Judge

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On July 19, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, 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 Cynthia W. Fordham
Beth Plantz
Case File

DOCKETED
AUG 09 2006

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Public Utility Commission

Date: July 24, 2006

Subject: Update or Correction to the File
Docket No. C-20065776 Michael J. Doyle v. PECO Energy
Company

To: Docketing Supervisor
Docket Management Division – Secretary's Bureau

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

This is to inform you that the initial hearing in the above-referenced proceeding, previously scheduled for August 3, 2006 was canceled.

pc: ALJ Cynthia W. Fordham
Christine Williams, Supervisor
Scheduling File

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NOV 15 2006

BTL