

PLEASE DOCKET

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Michael J. Doyle

v.

PECO Energy Company

DOCKETED
APR 07 2006

C-20065776

**DOCUMENT
FOLDER**

PREHEARING ORDER

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, May 4, 2006, at 10:00 a.m. (This case was originally scheduled to be held in person on Tuesday, April 25, 2006. It was rescheduled because the Complainant requested a telephonic hearing.)

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 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 May 4, 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.

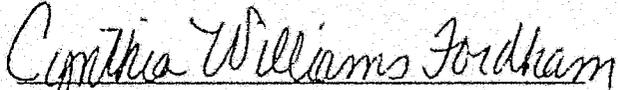
ORDER

THEREFORE,

IT IS ORDERED:

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

Date: April 4, 2006


Cynthia Williams Fordham
Administrative Law Judge

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20065776		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Michael J. Doyle v. PECO Energy Company	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	May 4, 2006	RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Cynthia W. Fordham	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Precision Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
<div style="font-size: 2em; font-weight: bold; margin: 0;">RECEIVED</div> <div style="font-size: 1.5em; font-weight: bold; margin: 0;">DOCUMENT FOLDER</div> <div style="font-size: 0.8em; margin: 0;">MAY 12 2006</div> <div style="font-size: 0.8em; margin: 0;">COMMUNITY COMMISSION</div> <div style="font-size: 0.8em; margin: 0;">PHILADELPHIA BUREAU</div>		REMARKS: <i>Hearing continued at the Complainant's request. Schedule telephonic hearing.</i>		

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table>	City	State	Zip	
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Telephone:	E-mail Address:	Fax Number:			
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Telephone:	E-mail Address:	Fax Number:			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table>	City	State	Zip	
City	State	Zip			
Telephone:	E-mail Address:	Fax Number:			

Check this box if additional parties or attendees appear on back of form.

Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
June 30, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20065776

(See letter of 3-29-06)

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Michael J. Doyle v. PECO Energy Company
Billing dispute.

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial hearing on the above-captioned case previously scheduled for May 4, 2006 has been canceled.

The hearing has been rescheduled as follows:

Type: Initial telephone hearing
Date: Thursday, August 3, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge Cynthia W. Fordham
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: 215.560.2105
Fax: 215.560.3133

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

Michael J. Doyle 215-276-1324
Lisa A. Lutz, Esquire 215-841-5841

BTL

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.

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 Fordham
Susan Licon
Beth Plantz
Docket Section
Calendar File