

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: 10/10/06
8. DOCKET NO: C-20066945	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: CALECO INC C/O PETER HODSON GM

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: CHESTER

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT THERE ARE INCORRECT CHARGES ON CALECO'S BILL.

NOV 5 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

C-20066945

16 2006

1. CUSTOMER NAME (COMPLAINANT)

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

Name CALECO - PETER HODSON, GM

Street/P.O. Box PO Box 1239 Apt #

City West Chester State PA Zip 19380

County CHESTER

Area Code/HOME Phone

Area Code/WORK Phone 610-692-5600 x 152

Utility Account Number 25-12-38-050610 (from your bill)

RECEIVED
OCT 13 11:52:23

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

Name CALECO INC

Street/P.O. Box 5239 BALTIMORE AVE

City Phila State PA Zip 19143-2622

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)

36

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.

THE LOCATION WAS CLOSED WITH NO ACTIVITY USING AN AVERAGE OF \$121.00 PER MONTH IN ELECTRIC FOR BASIC LIGHTING ONLY. PECO THEN SENDS A BILL FOR \$292.09 AND IS UNABLE TO JUSTIFY THE BILLING HIGHER THAN A CLAIM THAT THEIR READINGS ARE CORRECT. SEVERAL CALLS BY US TO REVIEW WITH PECO ONLY RESULTED IN PECO SAYING "TOUGH LUCK" (CONNIE) AND "NOTHING WE CAN DO, YOU HAVE TO PAY IT" (MARIA). PECO IS WRONG AND IS DRAGGING IT OUT.

5. RELIEF WE PAID \$119.02 FOR THE MONTH FEELING THAT IS WHAT WE MAY HAVE PAID NORMALLY. WE DISPUTE THE REMAINDER & FEES.

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

REQUIRE PECO TO REMOVE THE INCORRECT CHARGES & FEES FROM OUR ACCOUNT, MAKING OUR ACCOUNT CURRENT AS IT HAS ALWAYS BEEN PAID IN FULL & ON TIME UNTIL THIS SPECIFIC EVENT. PECO IS WRONG AND SHOULD NOT BE ALLOWED TO DICTATE CHARGES WITHOUT QUESTION OR RECOURSE.

THANK YOU.



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 Paul Hanson, GM - CALECO, 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).

Paul Hanson
(Signature)

10-6-06
(Date)



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 16, 2006

C-20066945

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 Caleco Inc C/O Peter Hodson GM. 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.

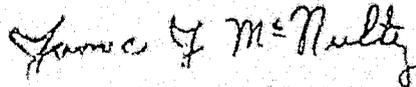
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October 16, 2006

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

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: October 16, 2006

Caleco Inc C/O Peter Hodson GM
Complainant

2006

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: C-20066945

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PECO ENERGY COMPANY

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).

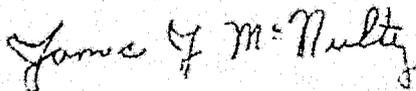
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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 #2301
PO Box 8699
Philadelphia, PA 19101-8699

Telephone 215 841 5344
Fax 215 568 3389
www.exeloncorp.com

Business Services
Company

ORIGINAL

Direct Dial 215 841 6841

November 7, 2006

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

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NOV 07 2006

Re: **Caleco Inc. c/o Peter Hodson GM v. PECO Energy Company**
PUC Docket No. C-20066945

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

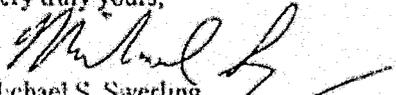
Dear Mr. McNulty:

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

- X Answer and New Matter (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

MSS/zr

Enc

BTL

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

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CALECO INC. C/O PETER HODSON GM :

v.

PECO ENERGY COMPANY

:
:
:
:

DOCKET NO. C-20066945

ANSWER AND NEW MATTER 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. Denied. PECO Energy specifically denies that there are incorrect charges on

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Complainant's bill. PECO Energy also denies that there are any errors in registering Complainant's electricity usage. PECO Energy avers that the electric service to Complainant's property is measured and transmitted by actual meter readings of usage at the commercial property Laundromat.

The Complainant is disputing the charges on its service bill for the period between August 10, 2005 and September, 18, 2005 at the Laundromat for a bill totaling to \$292.09. PECO Energy denies that this bill was improper. In addition, a field visit was performed by a PECO Energy technician at Complainant's property on or about February 28, 2006 to investigate Complainant's concerns. At that time, the electric meter reading was verified and the billed readings were verified as accurate. A passing load test was performed verifying the accuracy of the meter. The field technician determined that the property was vacant,

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however, he also noticed three hot water heaters. These heaters support PECO Energy's position that Complainant had the potential for use at the property during the disputed period. The Complainant was also required to have a security system operating in the building at all times.

A decision of the Bureau of Consumer Services ("BCS") issued on or about September 27, 2006, found that the Complainant's bills were correct as rendered, and it owes a final balance of \$196.50. A copy of the BCS 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.

NEW MATTER OF RESPONDENT, PECO ENERGY COMPANY

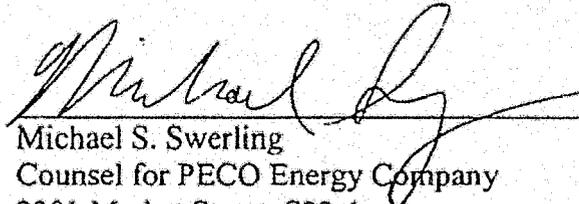
PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 5.62(b), further responds to the Complaint and states:

1. On or about October 06, 2006, Complainant filed a formal complaint with the Pennsylvania Public Utility Commission requesting certain relief for alleged improper billing on Complainant's electric account.
2. On or about October 16, 2005, PECO Energy was served the above-mentioned formal Complaint.
3. The ratepayer of record for the account on the complaint is Caleco Inc.
4. The Complainant is a commercial customer, which is not represented by counsel and the Complaint was not filed by an attorney.
5. The Complaint should be dismissed pursuant to 52 Pa. Code § 5.101 (2), 52 Pa. Code § 5.101 (4), 52 Pa. Code § 5.101 (5), and 52 Pa. Code § 1.21(b), as Complainant is a

corporation, unable to represent itself without counsel, and because the Complaint needs to be filed by counsel, the Complaint is defective.

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

Respectfully Submitted,



Michael S. Swerling
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Michael.Swerling@exeloncorp.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CALECO INC. C/O PETER HODSON GM :

v.

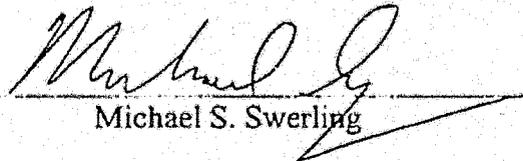
PECO ENERGY COMPANY

:
: DOCKET NO. C-20066945
:
:

VERIFICATION

I, Michael S. Swerling, 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: November 07, 2006


Michael S. Swerling

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Date: 10/19/06

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

Case Number: 2142065
Customer Name: CALECO INC
Address: 5239 BALTIMORE AVE
PHILADELPHIA PA 19143-2622

Opened On: 9/14/06
Utility Type: Electric Distributor
Account Number: 251238050610
Company Name: PECO Energy

Prior Case:

Total Balance: \$196.50

Balance Date:

Compliance

Violation(Alleged, Actual, No): NO

Chap 56/64/Other:

Section/Rule:

Decision Issued: N

Oral Written:

Investigator: ROSENTHAL, JANE

PUC Decision
Issued Dt:

PUC Case
Closed Dt: 9/27/06

Decision Recvd Dt: 9/27/06 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:

Resolution:

VERBAL CLOSE...BILLS CORRECT AS RENDERED.. CU HAS FINAL BILL BAL OF 196.50....CU DESIRES TO FILE FORMAL.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit "A"

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CALECO INC. C/O PETER HODSON GM :

v.

PECO ENERGY COMPANY :

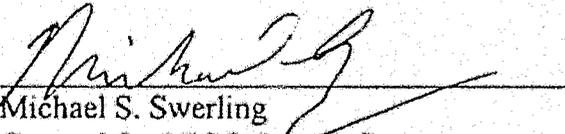
DOCKET NO. C-20066945

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:

CALECO INC. C/O PETER HODSON GM
PO Box 1239
West Chester, PA 19380

Dated at Philadelphia, Pennsylvania, November 07, 2006.


Michael S. Swerling
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Michael.Swerling@exeloncorp.com

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NOV 07 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
November 16, 2006

IN REPLY PLEASE
REFER TO OUR FILE

Re: C-20066945

(SEE ATTACHED LIST)

Caleco, Inc. c/o Peter Hodson, GM v. PECO Energy Company

Billing Dispute

Motion Judge Assignment Notice

DOCUMENT
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This is to inform you that a Preliminary Objection was filed on the above-captioned case. This objection is being assigned to Chief Administrative Law Judge Veronica A. Smith for ruling. The Commission rule of practice at 52 Pa. Code §5.101 specifies that the person who filed the complaint has ten (10) days from the date the objection was served on you to file an answer.

If you file any pleading or document relating to this objection with the Secretary of the Commission, please provide a duplicate copy to the judge.

Procedural questions or comments should be directed to the judge at:

717-783-5452

pc: Special Agent Eranda Vero
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section

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BTL