

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Barbara Bohannon

v.

PECO Energy Company

**DOCUMENT
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C-20066840

PREHEARING ORDER

On October 24, 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 Wednesday, December 20, 2006, at 10:00 a.m.

On September 14, 2006, Barbara Bohannon ("Bohannon" or "Complainant") filed a complaint with the Commission against PECO Energy Company ("PECO" or "Respondent"). In the complaint, the Complainant alleged the following: that the back of her house on Jeffrey Street was burned in a fire on January 8, 2006; that the walls on the first and second floors of her house were destroyed during the fire; that she had the utility service turned off for a period of time; that the service has been restored, that she is requesting a payment arrangement of \$300.00 a month; that the Respondent refused to give her a payment arrangement because she failed to comply with a previous arrangement; and that she denied breaking the agreement before the fire. The Complainant stated that she has a Protection from Abuse order.

On October 20, 2006, the Respondent filed an Answer. In its Answer, the Respondent denied that the Complainant is unable to pay her gas and electric bill. The Respondent admitted that the Complainant had a fire and that service was discontinued on January 8, 2006 and restored on April 21, 2006. The Respondent denied that the deposit was improper. The Respondent stated that the Complainant's current balance is \$1819.18. Her average bill is \$31.00 a month. The Respondent averred that the Complainant made one

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payment in the amount of \$9.21 since the most recent account was initiated on April 21, 2006. The Respondent referred to the Bureau of Consumer Services decision, dated August 24, 2006, dismissing her complaint for failure to comply with a previous payment agreement. See 66 Pa. Code §1405(d).

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.

On or before November 28, 2006, the Complainant shall provide the presiding officer and the Respondent's attorney with a copy of a Protection from Abuse Order issued or extended in the past eighteen (18) months.

It should be noted that the Pennsylvania Legislature has enacted the Responsible Utility Customer Protection Act. 66 Pa. C.S. §1401 *et seq.* This new law provides strict guidelines as to how the Commission must handle customer complaints. However, section 1417 of the Public Utility Code, 66 Pa. C.S. §1417, states that Chapter 14 does not apply to victims under a protection of abuse order.

Since the Complainant is alleging an inability to pay, during the hearing, she 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 December 20, 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.

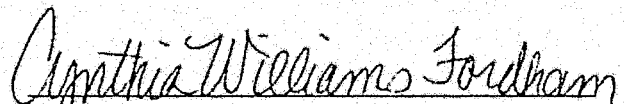
ORDER

THEREFORE,

IT IS ORDERED:

1. That on or before November 28, 2006, the Complainant shall provide the presiding officer and the Respondent's attorney with a copy of a Protection from Abuse Order issued or extended in the past eighteen (18) months.
2. That the parties shall comply with the procedural rules and regulations discussed herein.

Date: November 3, 2006


Cynthia Williams Fordham
Administrative Law Judge

Legal Department

Exelon Business Services Company
2301 Market Street / 523-1
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 22, 2006

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

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DEC 1 2 2006

Re: **Barbara Bohannon v. PECO Energy Company**
Docket Number: C-20066840

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

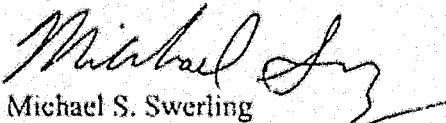
Dear Secretary McNulty:

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 its 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,


Michael S. Swerling
Counsel for PECO Energy Company

DOCUMENT
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cc: Ms. Barbara Bohannon
Administrative Law Judge Cynthia W. Fordham
PUC Scheduling

BTL

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DEC 12 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BARBARA BOHANNAN

COMPLAINANT

v.

PECO ENERGY COMPANY

RESPONDENT

DOCUMENT
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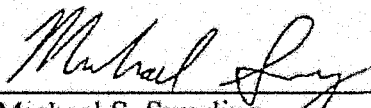
DOCKET NO. F-02043091 C-20066840

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DEC 14 2006

CERTIFICATE OF SATISFACTION

I, Michael S. Swerling, Esquire, representing PECO Energy Company ("PECO Energy") in this matter, hereby certify that the issues raised in the Formal Complaint filed by Complainant with the Pennsylvania Public Utility Commission and docketed at Complaint Docket Number F-02043091 have been satisfied.

This Certificate of Satisfaction is provided pursuant to 52 Pa. Code §5.24(b). Unless Complainant files an objection to this Certificate within ten (10) days of its filing, the Formal Complaint shall be withdrawn and the Commission's file closed.



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

Date: December 12, 2006



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
December 14, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20066840

(SEE LETTER DATED 10/24/06)

Barbara Bohannon v. PECO Energy Company

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial Telephonic Hearing
Date: Wednesday, December 20, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge Cynthia W. Fordham

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Please mark your records accordingly.

pc: Judge Fordham
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

DOCKETED
DEC 22 2006

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: December 18, 2006

SUBJECT: C-20066840
Barbara Bohannon v. PECO Energy Company

TO: Wanda Zeiders
Docket Management

FROM: Stacy Nolan, ALJ Support Staff
Office of Administrative Law Judge

On December 14, 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

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DEC 20 2006

OALJ Hearing Report

Please check Those Blocks Which Apply

Docket No.:	C-20066840		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Barbara Bohannon 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 type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
Date	December 20, 2006			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Cynthia W. Fordham	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<i>Certificate of satisfaction</i>	
			<i>filed</i>	

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

Name and Telephone Number	Address	Who are you representing?
	City State Zip	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	
Telephone:	E-mail Address:	Fax Number:

BTL

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

[Handwritten Signature]

Reporter's Signature

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

Legal Department

Exelon Business Services Company
2301 Market Street/5231
P.O. Box 8699
Philadelphia, PA 19101-8699

Telephone 215 841 5544
Fax 215 568 3389
www.exeloncorp.com

Business Services
Company

Direct Dial: 215 841 6841

ORIGINAL

December 29, 2006

James McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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DEC 29 2006

RE: **Barbara Bohannon v. PECO Energy Company**
Pa. PUC Docket No.: C-20066840

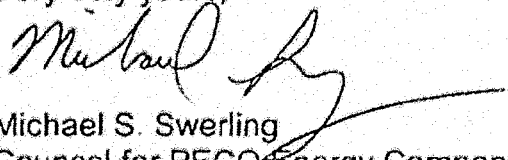
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Secretary McNulty:

Enclosed is a copy of Withdrawal of Complaint signed by the Complainant in the above-referenced case. The Complainant has agreed to withdraw the complaint without prejudice. Please send me a final order or closing notice in this matter.

Thank you for your help and if you have any questions regarding this request, please call my direct dial number (215) 841-6841.

Very truly yours,


Michael S. Swerling
Counsel for PECO Energy Company

**DOCUMENT
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MSS/zr

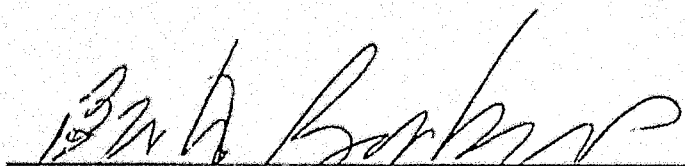
Enc.

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JAN 04 2007


WITHDRAWAL OF
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT

Barbara Bohannan v. PECO Energy Company
Docket Number: C-20066840

The circumstances causing the above Pennsylvania Public Utility Commission
formal complaint have been resolved as per the attached letter, and I wish to withdraw this
complaint.



BARBARA BOHANNAN



Date

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DEC 29 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



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

IN REPLY PLEASE
REFER TO OUR FILE

February 1, 2007

C-20066840

BARBARA BOHANNAN
615 JEFFREY STREET
CHESTER PA 19013

BARBARA BOHANNAN
v.
PECO ENERGY COMPANY

DOCKETED
JAN 31 2007

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty
Secretary

cc: All parties of Record

nvl

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