

PLEASE DOCKET

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Antoinette Cheatham

v.

PECO Energy Company

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C-20054256

PREHEARING ORDER

An Initial Hearing in this case is scheduled for Wednesday, April 27, 2005 at 9:30 a.m. in an available hearing room on the 13<sup>th</sup> floor of the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 1. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the hearing room no later than 9:15 a.m. and wait in the hearing room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

The parties are hereby directed to comply with the following requirements:

1. A request for a continuance of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa.Code §1.15(b). Requests for a change of hearing date must be sent to me and all parties of record. The correct address is:

Administrative Law Judge Herbert Smolen  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: (215) 560-2105  
Fax: (215) 560-3133

DOCUMENT  
FOLDER

**DOCKETED**  
MAY 04 2005

Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa.Code §5.231(a). The utility shall contact the Complainant at least one week before the scheduled hearing to discuss a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. The Pennsylvania Legislature has recently 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. The application of this law may result in the issuance of a less favorable payment arrangement than a customer's current payment arrangement.

4. The customer must make monthly payments towards his/her utility bill while their complaint is pending. **FAILURE TO MAKE PAYMENTS WILL RESULT IN AN ORDER REQUIRING A CATCH UP PAYMENT EQUAL TO THE AMOUNT OF THE PAYMENTS THAT SHOULD HAVE BEEN MADE. FAILURE TO MAKE PAYMENTS MAY RESULT IN THE UTILITY TERMINATING YOUR SERVICE.**

5. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

6. At the hearing, the customer must be prepared to testify about the total gross monthly income of all adult residents of the household. This includes 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.

7. To assist the customer in providing necessary income and expense information, four (4) copies of a budget information form are enclosed. The customer must fill out all the copies and bring them to the hearing.

8. The utility must bring the following documents to the hearing:

- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a service usage comparison report for the same period as the account statement;
- (c) a copy of the most recent Bureau of Consumer Services (BCS) decision, if any; and,
- (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission

A copy of each of these documents shall be served on the Complainant.

9. Pursuant to 52 Pa.Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code §1.24(b).

10. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10)

days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

**11. YOUR CASE WILL BE DISMISSED IF YOU DO NOT PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.**

12. This is a formal hearing and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

Date: April 12, 2005



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Herbert Smolen  
Administrative Law Judge



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
March 24, 2005

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20054256

(See attached list)

Antoinette Cheatham v. PECO Energy Company

Requests payment arrangements.

Hearing Notice

This is to inform you that your case is scheduled for hearing at 9:30 a.m. in Hearing Room 1 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 1. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 9:15 a.m. and wait in the Hearing Room until the presiding Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

Type: Initial Hearing  
Date: Wednesday, April 27, 2005  
Time: 9:30 a.m.  
Location: In an available hearing room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania

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**DOCKETED**  
APR 05 2005

Presiding: Administrative Law Judge Herbert Smolen  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: (215) 560-2105  
Fax: (215) 560-3133

Attention: You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

If you intend to file exhibits, bring 4 copies with you to the hearing.

Individuals may represent themselves or be represented by an attorney. Individuals representing themselves do not need to be represented by an attorney. If you have an attorney representing you, your attorney should file a Notice of Appearance before the scheduled hearing date.

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:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Smolen  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

#527862 rev 03/05

#528864 03/05



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
April 15, 2005

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20054256

(See letter of 3-24-05)

DOCUMENT  
FOLDER

Antoinette Cheatham v. PECO Energy Company  
Requests payment arrangements.

JUDGE CHANGE NOTICE

This is to inform you that the presiding officer has been changed from Administrative Law Judge Herbert Smolen to Administrative Law Judge Cynthia W. Fordham.

Type: Initial Hearing

Date: Wednesday, April 27, 2005

Time: 9:30 a.m.

Location: In an available hearing room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania

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

**DOCKETED**  
JUN 23 2005

BTL

Attention: You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

If you intend to file exhibits, bring 4 copies with you to the hearing.

Individuals may represent themselves or be represented by an attorney. Individuals representing themselves do not need to be represented by an attorney. If you have an attorney representing you, your attorney should file a Notice of Appearance before the scheduled hearing date.

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:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Smolen  
Judge Fordham  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

#527862 rev 03/05

#528864 03/05

ORIGINAL

Exelon<sup>SM</sup>

**Legal Department**

Exelon Business Services Company  
2301 Market Street / S23-1  
PO 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  
Fax: 215.568.3389  
April 18, 2005

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

RECEIVED

APR 18 2005

PA PUBLIC UTILITY COMMISSION  
REGISTRY DIVISION

**Re: Antoinette Cheatham v. PECO Energy Company**  
**Docket Number: C-20054256**

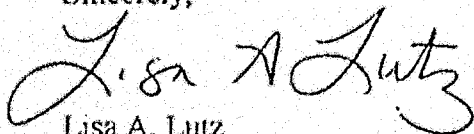
Dear Secretary McNulty:

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 her 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

Cc: Ms. Antoinette Cheatham  
Administrative Law Judge Herbert Smolen  
Susan Licon

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COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: April 19, 2005  
SUBJECT: C-20054256 Antoinette Cheatham v. PECO Energy Company  
TO: Wanda Zeiders  
Docket Management  
FROM: Susan Licon, ALJ Support Staff  
Office of Administrative Law Judge

On April 18, 2005, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, 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 Herbert Smolen  
Beth Plantz  
Case File

DOCUMENT  
FOLDER

DOCKETED  
APR 28 2005

RJP



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
April 19, 2005

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20054256

(See letter of 4-15-05)

Antoinette Cheatham v. PECO Energy Company

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial hearing  
Date: Wednesday, April 27, 2005  
Time: 9:30 a.m.  
Presiding: Administrative Law Judge Cynthia W. Fordham

Please mark your records accordingly.

pc: Judge Fordham  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

**DOCKETED**  
MAY 05 2005

**DOCUMENT  
FOLDER**

ORIGINAL

Exelon<sup>SM</sup>

Legal Department

Exelon Business Services Company  
2301 Market Street / S23-1  
PO Box 8699  
Philadelphia, PA 19101-8699

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

Business Services  
Company

7:00 APR 25 03:4:17

SECRET... BUREAU Direct Dial: 215 841 6841

April 22, 2005

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

DOCUMENT  
FOLDER

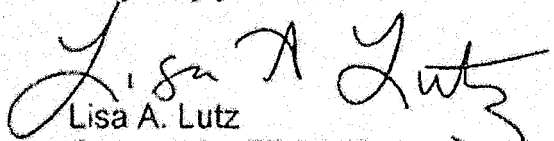
RE: **Antoinette Cheatham v. PECO Energy Company**  
**Pa. PUC Docket No.: C-20054256**

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,

  
Lisa A. Lutz  
Counsel for PECO Energy Company

LAL/zr

Enc.

RJP

WITHDRAWAL OF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT  
Antoinette Cheatham v. PECO Energy Company  
Docket Number: C-20054256

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

Antoinette Cheatham  
Antoinette Cheatham

April, 19<sup>th</sup> 2005  
Date

DOCUMENT  
FOLDER

**DOCKETED**

MAY 3 2005

SECRET

APR 23 2005

# OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20054256		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Antoinette Cheatham 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:	April 27, 2005			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Cynthia W. Fordham	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	<i>certificate of satisfaction filed.</i>	

DOCUMENT FOLDER

RECEIVED

MAY - 6 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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:

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

*elp 5/5/05*

\_\_\_\_\_  
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  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

July 12, 2005

C-20054256

ANTOINETTE CHEATHAM  
4502 NORTH BROAD STREET  
PHILADELPHIA PA 19140

ANTOINETTE CHEATHAM  
v.  
PECO ENERGY COMPANY

TO WHOM IT MAY CONCERN:

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

DOCUMENT  
FOLDER

Very truly yours,

James J. McNulty  
Secretary

nvl  
cc: All parties of Record  
Office of ALJ

**DOCKETED**  
JUL 12 2005