

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: 09/08/06
8. DOCKET NO: C-20066844	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PAULACHOK, DENNIS & STEPHANIE

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: CHESTER

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT THERE IS A RELIABILITY, SAFETY OR QUALITY PROBLEM WITH THEIR UTILITY SERVICE.

**DOCKETED**  
 SEP 28 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

C-20066844

1. CUSTOMER NAME (COMPLAINANT)

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

Name Dennis + (Stephanie Paulachok)

Street/P.O. Box 812 Carlson Ave. Apt #

City West Chester State PA Zip 19382

County Chester

Area Code/HOME Phone 610-696-4632

Area Code/WORK Phone 800-523-7437 (Dennis) 610-436-3307 (Stephanie)

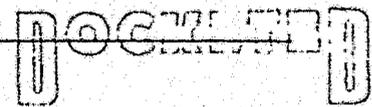
Utility Account Number 35-03-43-793013 (from your bill)

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

Name

Street/P.O. Box

City State Zip



SEP 28 2006

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO

3. TYPE OF UTILITY (check one)

[X] ELECTRIC

[ ] STEAM HEAT

[ ] GAS

[ ] WASTE WATER

[ ] WATER

[ ] MOTOR CARRIER

(taxi, moving company, limousine)

[ ] TELEPHONE (local, long distance)

SECRETARY'S BUREAU  
REC-1110  
2006 SEP -8 4:19:30

OR

LD

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.

5. An informal complaint was filed and Case # 2019867 was closed on 12/16/05 because we thought the problem was resolved. It is not. Our neighborhood of 86 homes lost power again on 8/2/06 for approximately 2 hours - non-weather related. All neighboring neighborhoods had power - only our grid had none, as has been typical over the past 24 years.

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

The 86 homes continually affected by the power outages would like to see the necessary upgrades to the equipment made, once and for all. We believe that too many homes were added to our electrical grid without the necessary upgrades added to accommodate the additional homes. We have lived here for nearly 24 years and frequently lose power, while the street behind us and homes on the far end of our street have no service interruption. This tells us there is something wrong with our grid.

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 DENNIS J PAULACHOK, 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).

Dennis J Paulachok  
(Signature)

9/5/6  
(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 <sup>nd</sup> Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: September 28, 2006

C-20066844

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 Dennis & Stephanie Paulachok. 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.

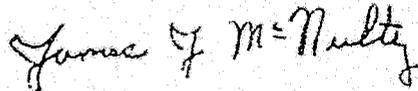
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

September 28, 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

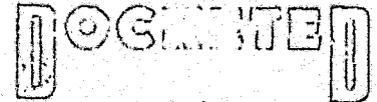
DATE SERVED: September 28, 2006

Dennis & Stephanie Paulachok  
Complainant

v.

PECO ENERGY COMPANY  
Respondent

Complaint Docket  
No: C-20066844



SEP 28 2006

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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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).

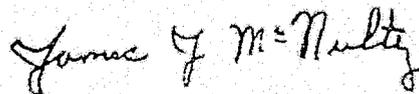
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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 / 523-1  
PO Box 8699  
Philadelphia, PA 19101-8699

Telephone 215 841 5544  
Fax 215 518 3389  
www.exeloncorp.com

Business Services  
Company

DOCUMENT  
FOLDER

Direct Dial: 215 841 6841

October 20, 2006

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

ORIGINAL

Re: Dennis & Stephanie Paulachok v. PECO Energy Company  
PUC Docket No. C-20066844

Dear Mr. McNulty:

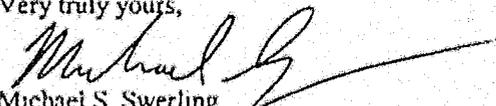
Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

- X   Answer (original and 3 copies)
- Petition (original and 3 copies)
- Motion to Dismiss (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)

BTL

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

MSS/zr

Enc.

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

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

DENNIS & STEPHANIE PAULACHOK :

v. :

PECO ENERGY COMPANY :

DOCKET NO. C-20066844

DOCUMENT  
FOLDER

ANSWER 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.

**DOCKETED**  
OCT 23 2006

OCT 23 2006

4. Admitted in part and denied in part. PECO Energy admits that Complainant experienced multiple service outages over the past several years. PECO Energy denies there are service, reliability or quality problems with Complainant's electric service.

By way of further answer, PECO Energy admits that between March 08, 2004 and August 02, 2006 there were five sustained equipment-related outages, all of which were permanently fixed. A decision by the Bureau of Consumer Services ("BCS") issued on April 05, 2006 recognized that there are no chronic problems with PECO Energy's equipment failures and that permanent repairs were made. A copy of the BCS decision is attached hereto as Exhibit A.

By way of further answer, PECO Energy admits that between March 08, 2004 and August 02, 2006 there were two sustained outages that were tree related. The BCS decision issued on April 05, 2006 noted that, at the time the informal complaint was opened (December

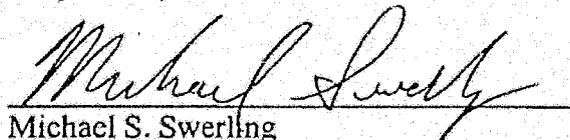
16, 2005), PECO Energy's periodic tree trimming was underway on Complainant's circuit and supply lines. In fact, PECO Energy completed its vegetation management activities on these circuits in February, 2006. PECO Energy's vegetation management consists of strategic tree removals, tree growth regulators and herbicide applications, in addition to trimming that includes lift work and manual work.

PECO Energy admits that there were nine sustained outages between March 08, 2004 and August 02, 2006 that were storm related. Although storms are difficult to prepare for, PECO Energy proactively patrols all distribution facilities, inspecting all major equipment components for defects and/or damage to ensure that PECO Energy's equipment is as prepared as possible. At the informal level, the BCS also recognized that during PECO Energy's equipment inspection patrol, PECO Energy proactively inspected all major components for defective items and equipment. A supply line patrol completed in 2005, ensured all necessary repairs were made. A circuit patrol is currently scheduled to occur in 2006.

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.

**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  
Direct Dial: 215.841.6841; Fax: 215.568.3389  
Michael.Swerling@exeloncorp.com

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DENNIS & STEPHANIE PAULACHOK :

v. :

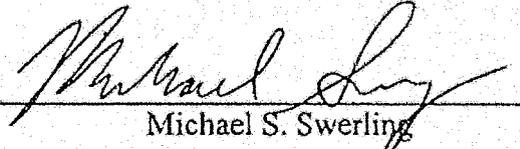
PECO ENERGY COMPANY :

DOCKET NO. C-20066844

VERIFICATION

I, Michael S. Swerling, hereby declare that I am counsel for 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: October 18, 2006

  
Michael S. Swerling

OCT 20 2006

Date: 10/19/06

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

Case Number: 2019867  
Customer Name: DENNIS PAULACHOCK  
Address: 812 CARLSON AVE  
WEST CHESTER PA 19382-5257

Opened On: 12/16/05  
Utility Type: Electric Distributor  
Account Number: 350343793013  
Company Name: PECO Energy

Prior Case: Total Balance: \$0.00 Balance Date:  
Compliance  
Violation(Alleged, Actual, No): NO Chap 56/64/Other: Section/Rule:  
Decision Issued: N Oral Written: O  
Investigator: BARBUSH, BARBARA PUC Decision Issued Dt: PUC Case Closed Dt: 4/5/06  
Decision Recvd Dt: 4/5/06 03:25PM

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:

REVIEW RECORDS INDICATE THAT THE CUSTOMER EXPERIENCED 7 SUSTAINED INTERRUPTIONS IN THE LAST TWO YEARS. FIVE INTERRUPTIONS WERE EQUIPMENT RELATED AND 2 WERE DUE TO TREES. FIVE WERE STORM RELATED WHILE 2 WERE NOT. A STUDY OF THE EQUIPMENT FAILURES DETERMINED THAT THERE ARE NO CHRONIC PROBLEMS WITH THE EQUIPMENT. PERMANENT REPAIRS HAVE BEEN MADE. OUR REGULAR PERIODIC TREE TRIMMING PROGRAM IS CURRENTLY UNDERWAY ON THE CUSTOMER'S CIRCUIT AND THE LINE THAT SUPPLIES THE CUSTOMER'S CIRCUIT. THE COMPONENTS OF THE PROGRAM CONSIST OF STRATEGIC TREE REMOVALS, TREE GROWTH REGULATORS, HERBICIDE APPLICATIONS, AND TREE TRIMMING COMPRISING OF LIFT WORK (VEGETATION ACCESSIBLE VIA ROADWAYS) AND MANUAL WORK (TREES THAT MUST BE PHYSICALLY CLIMBED). PECO ENERGY PROACTIVELY PATROLS ALL DISTRIBUTION FACILITIES ON A TWO YEAR CYCLE. INSPECTING ALL MAJOR COMPONENTS FOR DEFECTIVE ITEMS SUCH AS BROKEN CROSS-ARMS, DAMAGED INSULATORS, AND EXCESSIVE VEGETATION GROWTH. WE ALSO USE STATE OF THE ART THERMAL IMAGING TECHNOLOGY TO FIND HOT SPOTS, WHICH ARE OVERHEATED CONNECTIONS OR COMPONENTS THAT MAY FAIL IN THE FUTURE. THE PATROLS FOR THE CUSTOMER'S CIRCUIT ARE SCHEDULED FOR 2006 THE PATROLS FOR THE SUPPLY LINE WERE PERFORMED IN 2005 AND ALL REPAIRS ARE COMPLETE. RECORDS INDICATE THAT THE SERVICE AT THIS ADDRESS HAS BEEN IN THE CUSTOMER'S NAME SINCE 10/15/82. THE CUSTOMER IS SERVICED BY OUR B PHASE. THREE OF THE SUSTAINED INTERRUPTIONS OCCURRED ON B PHASE WHILE CUSTOMERS ON A AND C PHASE WERE NOT AFFECTED. THE COMPANY LOOKED INTO THE TYPES OF OUTAGES THE CUSTOMER WAS HAVING AND FOUND THAT SOME WERE DUE TO STORMS, AND SOME EQUIPMENT FAILURES. THE CO. HAS PUT A PLAN IN PLACE TO DO ACTIVE PATROLS AND INSPECTING COMPONENTS. CUST STATES THAT THE PROBLEMS ARE BETTER AND HE IS SATISFIED. NO CITES \*\*\*VERBAL CLOSE\*\*\*

Exhibit "A"

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DENNIS & STEPHANIE PAULACHOK :

v. :

PECO ENERGY COMPANY :

DOCKET NO. C-20066844

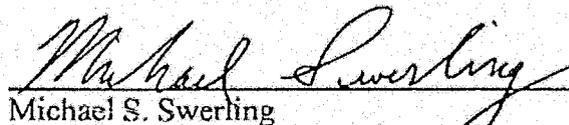
CERTIFICATE OF SERVICE

I, Michael S. Swerling, 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, properly addressed and postage prepaid to:

DENNIS & STEPHANIE PAULACHOK  
812 Carlson Avenue  
West Chester, PA 19382

Dated at Philadelphia, Pennsylvania, October 18, 2006.

OCT 20 2006



Michael S. Swerling  
Counsel for PECO Energy Company  
2301 Market Street, S23-1, P.O. Box 8699  
Philadelphia, PA 19101-8699  
Direct Dial: 215.841.6841; Fax: 215.568.3389  
Michael.Swerling@exeloncorp.com