

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: 01/30/06
8. DOCKET NO: C-20065818	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: JOHN BERRY EVANGELISTIC ASSOC

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON THEIR BILL. THEY WANT THE PUC TO CORRECT THE BILL AND REFUND THE AMOUNT PLUS INTEREST TO THEIR ACCOUNT.

DOCUMENT  
FOLDER

**DOCKETED**

JAN 31 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION RECEIVED

Formal Complaint Form

2006 JAN 30 AM 9:39

110550

Please print or type.

C-20065818

SECRETARY'S BUREAU

1. CUSTOMER NAME (COMPLAINANT)

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

Name John BERRY EVANGELISTIC ASSOC

Street/P.O. Box 605 S. 60th St. Apt # 1st FLR

City PHILA State PA Zip 19143-2301

County Phila

Area Code/HOME Phone 215-727-4325

Area Code/WORK Phone 215-747-0606

Utility Account Number 25-20-52-105217 (from your bill)

ORIGINAL

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

Name N/A

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO

3. TYPE OF UTILITY (check one)

- ELECTRIC
- GAS
- WATER
- TELEPHONE (local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER (taxi, moving company, limousine)

37

JANUARY 20, 2006  
JOHN BERRY EVANGELISTIC ASSOC  
ACCT. #25-20-52-105217:PECO

PENNA PUBLIC UTILITY COMMISSION  
FORMAL COMPLAINT FORM

THIS PAGE INCLUDED FOR LEGIBILITY ON QUESTIONS 4B AND 5. ON PAGE 5.

4. COMPLAINT

B. STATE THE FACTS OF YOUR COMPLAINT

WE HAVE PAID APPROXIMATELY \$240.00 ON THIS ACCOUNT FOR ESTIMATED BILLS. SO, AS OF 2004 OR EARLIER, WE HAVE RECEIVED ESTIMATED BILLS. PRESENTLY, AS OF OCTOBER-DECEMBER 2005, WE HAVE RECEIVED ESTIMATED BILLS OF \$676.82-\$706.32. PREVIOUS BILLS WERE MUCH LOWER. WE HAVE CONSISTENTLY TRIED TO GET ACTUAL METER READINGS (READINGS WERE CALLED IN, BUT REJECTED). REQUEST FOR METER READING DEVICE WAS DENIED. PLEASE CORRECT BILL, REFUND AMOUNT PLUS INTEREST. WE WERE TOLD PAYMENTS WERE NOT APPLIED TO BILL.

5. RELIEF

WHAT DO YOU WANT THE PUC TO DO ABOUT YOUR COMPLAINT?

CORRECT BILL, REFUND AMOUNT PLUS INTEREST TO ACCOUNT #25-20-52-1-5217.

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.

We have paid approximately \$240.00 on this account for estimated bills, so as of 2004 or earlier we have received estimated bills. Presently as of October - December 2005 we have received estimated bills of \$676.82 - \$706.32. Previous bills were much lower. We have consistently tried to get actual meter readings (readings were called in, but rejected), request for meter reading device was denied. Please correct bill, refund amount plus interest. We were told payments were not applied to bill.

5. RELIEF

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

Correct bill, refund amount plus interest to the account # 25-20-52-105717.

MA

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: JOHN BERRY

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).

(Signature) John Berry (Date) January 20, 2006

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 N/A

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.

Account Number: 25-20-52-105217

Billing Details

JOHN BERRY

**Energy Used This Month**

**Meter Reading Information and New Charges**

**General Information**

PECO ENERGY, 2301 MARKET ST, PHILADELPHIA, PA, 19101, WALK-IN BUSINESS HOURS MONDAY THROUGH FRIDAY 8:30 AM TO 5:00 PM, 1-800-494-4000, WWW.PECO.COM

GREEN MOUNTAIN ENERGY COMPANY, 3815 CAP OF TEXAS HW S, STE100, AUSTIN, TX, 787040000, 800-286-5856

**Rate GS Electric General Service**

Meter# 9 8374734

To September 30, 2005  
From August 31, 2005  
Kilowatt hours (kWh) billed for 30 days  
This is An Estimated Bill

00455 - Estimated Reading  
00455 - Estimated Reading  
00000  
Billed Demand 1.2 KW

**PECO ENERGY Charges**

Customer Charge .....	6.74
Distribution Charges .....	.00
Transition Charges .....	.00
Total Basic Charges for 0.0000 kWh .....	6.74
State Tax Adjustment .....	-.05

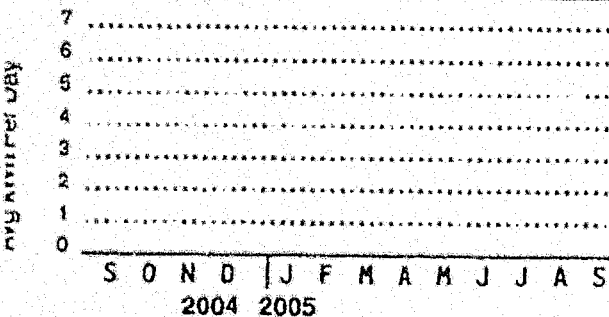
**GREEN MOUNTAIN ENERGY COMPANY Charges / 800-286-5856**

MONTHLY SERVICE CHARGE .....	3.95
Total Basic Charges .....	3.95
<b>New Charges</b> .....	<b>\$10.64</b>

**Your Electric Use Pattern**

Average kWh per month 0  
Total Annual kWh 0

	Last Year	This Year
kWh per day		0.0
Meter Reading	Estimated	Estimated
Average Temperature		74°
Billed Demand	1.2	1.2



■ -Actual    ■ -Estimated    □ -Customer



An Exelon Company

# YOUR MONTHLY BILL

Your Account Number Is: 25-20-52-105217

Your Next Scheduled Meter Reading:  
October 31, 2005

Service To: JOHN BERRY  
EVANGELISTIC ASSOCIATION  
605 S 60TH ST  
1ST FL  
PHILADELPHIA PA 19143-2301

If you have Any Questions or Concerns, Call  
PECO Energy at: 1-800-494-4000 Before the  
Due Date between 7 A.M. and 6 P.M. Mon - Fri,  
on Sat between 9 A.M. - 1 P.M.; or write P.O.  
Box 8699 , Phila., PA 19101.  
Si tiene alguna pregunta o queja, llame al  
1-800-494-4000 antes de la fecha vencida.

Billing Date: October 4, 2005

### Billing For Your Energy Use:

Balance from last bill	\$9.61
<u>Payment Sep. 13 - Thank You!</u>	<u>-\$10.21</u>
Credit Balance at Billing	-\$1.60

PECO Energy Company, EIN 23-0970240, is a  
corporation exempt from federal back-up  
withholding and information reporting.

### Cost of Energy Used:

### Summary of New Charges (Details on Next Page)

From August 31, 2005 to September 30, 2005

PECO Energy Charges .....	6.69
Sales Tax (100% Exemption).....	.00
GREEN MOUNTAIN ENERGY COMPANY Charges.....	3.95

<hr/>	
New Charges	\$10.64
<hr/>	
New Balance	\$10.04

5.98 % estimated Gross Receipts Tax of \$1.62 included in new  
charges.

<b>Total Amount Due</b>	
<b>October 26, 2005</b>	<b>\$10.04</b>

### MESSAGE CENTER

PECO ENERGY - We have been unable to read your meter. According to the Pennsylvania Public Utility Commission's rules, we must get an actual meter reading to see if our estimated readings are right. We must get an actual reading now or we may have to shut off your service. Please call 1-800-494-4000, and tell us when we can read your meter.

Account Number: 25-20-52-105217

Billing Details

JOHN BERRY

Energy Used This Month

Meter Reading Information and New Charges

## General Information

PECO ENERGY, 2301 MARKET ST, PHILADELPHIA, PA, 19101, WALK-IN BUSINESS HOURS MONDAY THROUGH FRIDAY 8:30 AM TO 5:00 PM, 1-800-494-4000, WWW.PECO.COM

GREEN MOUNTAIN ENERGY COMPANY, 3815 CAP OF TEXAS HWY S, STE100, AUSTIN, TX, 787040000, 800-286-5856

## Rate GS Electric General Service

Meter# 9 8374734

To October 31, 2005	00455	- Estimated Reading
From September 30, 2005	00455	- Estimated Reading
Kilowatt hours (kWh) billed for 31 days	00000	
This is An Estimated Bill	Billed Demand	1.2 KW

## PECO ENERGY Charges

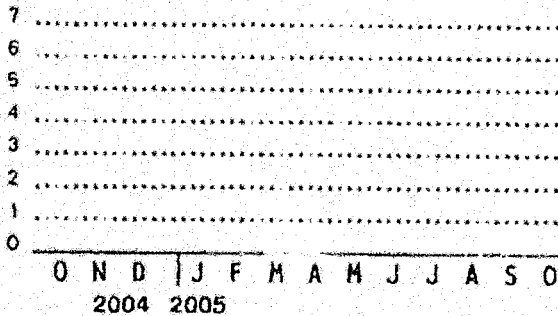
Customer Charge .....	6.74
Distribution Charges .....	.00
Transition Charges .....	.00
Total Basic Charges for 0.0000 kWh .....	6.74
State Tax Adjustment .....	-.05

## GREEN MOUNTAIN ENERGY COMPANY Charges / 800-286-5856

MONTHLY SERVICE CHARGE .....	3.95
Total Basic Charges .....	3.95
<b>New Charges</b>	<b>\$10.64</b>

## Your Electric Use Pattern

Average kWh per month	.0
Total Annual kWh	0
	<u>          Last Year    This Year</u>
Wh per day	0.0
Meter Reading	Estimated    Estimated
Average Temperature	59°



<input checked="" type="checkbox"/> Actual	<input checked="" type="checkbox"/> -Estimated	<input type="checkbox"/> -Customer
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An Exelon Company

# YOUR MONTHLY BILL

Your Account Number is: 25-20-52-105217

Your Next Scheduled Meter Reading:  
November 30, 2005

Service To: JOHN BERRY  
EVANGELISTIC ASSOCIATION  
605 S 60TH ST  
1ST FL  
PHILADELPHIA PA 19143-2301

If you have Any Questions or Concerns, Call  
PECO Energy at: 1-800-494-4000 Before the  
Due Date between 7 A.M. and 6 P.M. Mon - Fri,  
on Sat between 9 A.M. - 1 P.M.; or write P.O.  
Box 8699 , Phila., PA 19101.  
Si tiene alguna pregunta o queja, llame al  
1-800-494-4000 antes de la fecha vencida.

Billing Date: November 2, 2005

### Billing For Your Energy Use:

Balance from last bill		\$10.04
	\$10.04	\$10.04
No Late Charge On	\$6.09	
Late Charge = 1.25%	\$3.95	\$ .05
Balance at Billing		\$10.09

PECO Energy Company, EIN 23-0970240, is a  
corporation exempt from federal back-up  
withholding and information reporting.

### Cost of Energy Used:

### Summary of New Charges (Details on Next Page) From September 30, 2005 to October 31, 2005

PECO Energy Charges .....	6.69
Sales Tax(100% Exemption).....	.00
GREEN MOUNTAIN ENERGY COMPANY Charges.....	3.95

<hr/> New Charges	\$10.64
<hr/> New Balance	\$20.73

5.98 % estimated Gross Receipts Tax of \$6.62 included in new  
charges.

<b>Total Amount Due</b>	
<b>November 28, 2005</b>	<b>\$20.73</b>

### MESSAGE CENTER

**PECO ENERGY** - We have been unable to read your meter. According to the Pennsylvania Public Utility Commission's rules, we must get an actual meter reading to see if our estimated readings are right. We must get an actual reading now or we may have to shut off your service. Please call 1-800-494-4000, and tell us when we can read your meter.

Account Number: 25-20-52-105217

Billing Details

JOHN BERRY

Energy Used This Month

Meter Reading Information and New Charges

General Information

PECO ENERGY, 2301 MARKET ST, PHILADELPHIA, PA, 19101, WALK-IN BUSINESS HOURS MONDAY THROUGH FRIDAY 8:30 AM TO 5:00 PM, 1-800-494-4000, WWW.PECO.COM

GREEN MOUNTAIN ENERGY COMPANY, 3815 CAP OF TEXAS HWY S, STE 100, AUSTIN, TX, 787040000, 800-286-5856

Rate GS Electric General Service

Meter# 9U4363072

To November 30, 2005

00026 - Actual Reading

From October 31, 2005

00455 - Estimated Reading

Kilowatt hours (kWh) billed for 30 days

04641

Billed Demand 28.5 KW

PECO ENERGY Charges

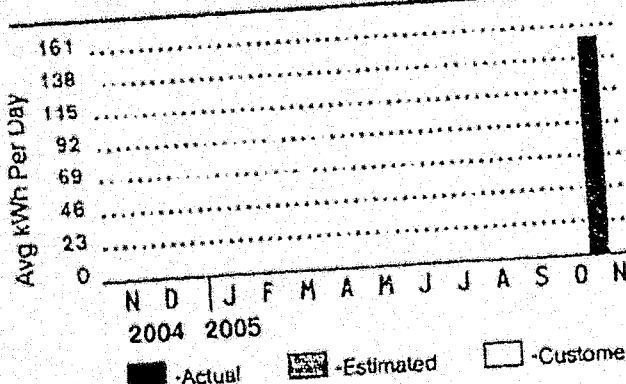
Customer Charge .....		6.74
Distribution Charges	(\$ .0344 X 2120.0000 kWh)	
	(\$ .0103 X 2521.0000 kWh) .....	98.89
Transition Charges	(\$ .0669 X 2120.0000 kWh)	
	(\$ .0205 X 2521.0000 kWh) .....	193.51
Total Basic Charges for 4641.0000 kWh .....		299.14
State Tax Adjustment .....		-2.03

GREEN MOUNTAIN ENERGY COMPANY Charges / 800-286-5856

GREEN MOUNTAIN ENERGY CHARGE - 4641 KWH TOTAL @ 8.167 CENTS/KWH .....	379.03
MONTHLY SERVICE CHARGE .....	3.95
Total Basic Charges .....	382.98
<b>New Charges</b>	<b>\$680.09</b>

Your Electric Use Pattern

Average kWh per month		386.7
Total Annual kWh	Last Year	This Year
		154.7
kWh per day	Estimated	Actual
Meter Reading		50
Average Temperature		





An Exelon Company

# YOUR MONTHLY BILL

Your Account Number Is: 25-20-52-105217

Your Next Scheduled Meter Reading:  
December 30, 2005

Service To: JOHN BERRY  
EVANGELISTIC ASSOCIATION  
605 S 60TH ST  
1ST FL  
PHILADELPHIA PA 19143-2301

If you have Any Questions or Concerns, Call  
PECO Energy at: 1-800-494-4000 Before the  
Due Date between 7 A.M. and 6 P.M. Mon - Fri,  
on Sat between 9 A.M. - 1 P.M.; or write P.O.  
Box 8699, Phila., PA 19101.  
Si tiene alguna pregunta o queja, llame al  
1-800-494-4000 antes de la fecha vencida.

Billing Date: December 2, 2005

**Billing For Your Energy Use:**

Balance from last bill	\$20.73
Payment Nov. 10 - Thank You!	-\$24.00
<b>Credit Balance at Billing</b>	<b>-\$3.27</b>

PECO Energy Company, EIN 23-0970240, is a corporation exempt from federal back-up withholding and information reporting.

**Cost of Energy Used:**

Summary of New Charges (Details on Next Page)

From October 31, 2005 to November 30, 2005

PECO Energy Charges.....	297.11
Sales Tax(100% Exemption).....	.00
GREEN MOUNTAIN ENERGY COMPANY Charges.....	382.98

<b>New Charges</b>	<b>\$680.09</b>
<b>New Balance</b>	<b>\$676.82</b>

5.98 % estimated Gross Receipts Tax of \$40.30 included in new charges. PECO Energy's new charges contain \$145.15 Intangible Transition Charges.

<b>Total Amount Due</b>	
<b>December 27, 2005</b>	<b>\$676.82</b>

**MESSAGE CENTER**

PECO ENERGY - We have been unable to read your meter. According to the Pennsylvania Public Utility Commission's rules, we must get an actual meter reading to see if our estimated readings are right. We must get an actual reading now or we may have to shut off your service. Please call 1-800-494-4000, and tell us when we can read your meter.

Account Number: 25-20-52-105217

Billing Details

JOHN BERRY

Energy Used This Month

Meter Reading Information and New Charges

**General Information**

PECO ENERGY, 2301 MARKET ST, PHILADELPHIA, PA, 19101, WALK-IN BUSINESS HOURS MONDAY THROUGH FRIDAY 8:30 AM TO 5:00 PM, 1-800-494-4000, WWW.PECO.COM

**Rate GS Electric General Service**

Meter# 9U4363072

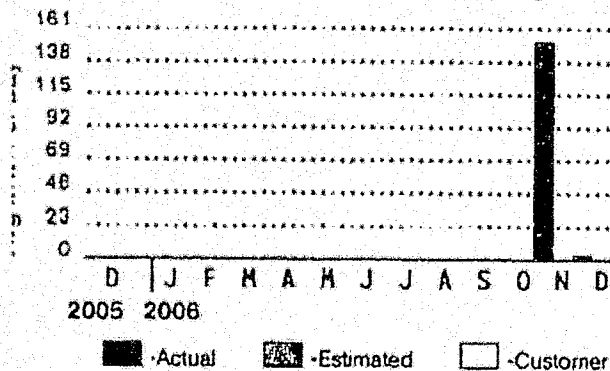
To December 30, 2005 00141 - Actual Reading  
 From November 30, 2005 00026 - Actual Reading  
 Kilowatt hours (kWh) billed for 30 days 00115  
 Billed Demand 12 KW

**PECO ENERGY Charges**

Customer Charge			6.74
Generation and Transmission Charges	(\$ 1217 X	96.0000 kWh)	
	(\$ 0466 X	19.0000 kWh)	12.57
Distribution Charges	(\$ 0344 X	96.0000 kWh)	
	(\$ 0103 X	19.0000 kWh)	3.50
Transition Charges	(\$ 0669 X	96.0000 kWh)	
	(\$ 0205 X	19.0000 kWh)	6.81
<b>Total Basic Charges for</b>	<b>115.0000 kWh</b>		<b>29.62</b>
State Tax Adjustment			-12
		<b>New Charges</b>	<b>\$29.50</b>

**Your Electric Use Pattern**

Average kWh per month		396.3
Total Annual kWh		4,756.0
	Last Year	This Year
kWh per day		3.8
Meter Reading	Estimated	Actual
Average Temperature		34'





An Exelon Company

# YOUR MONT'LY BILL

Your Account Number Is: 25-20-52-105217

Your Next Scheduled Meter Reading:  
January 31, 2006

Service To: JOHN BERRY  
EVANGELISTIC ASSOCIATION  
605 S 60TH ST  
1ST FL  
PHILADELPHIA PA 19143-2301

If you have Any Questions or Concerns, Call  
PECO Energy at: 1-800-494-4000 Before the  
Due Date between 7 A.M. and 6 P.M. Mon - Fri,  
on Sat between 9 A.M. - 1 P.M.; or write P.O.  
Box 8699 , Phila., PA 19101.  
Si tiene alguna pregunta o queja, llame al  
1-800-494-4000 antes de la fecha vencida.

Billing Date: January 4, 2006

**Billing For Your Energy Use:**

Balance from last bill	\$676.82
Balance at Billing	\$676.82

PECO Energy Company, EIN 23-0970240, is a  
corporation exempt from federal back-up  
withholding and information reporting.

**Cost of Energy Used:**

Summary of New Charges (Details on Next Page)  
From November 30, 2005 to December 30, 2005

PECO Energy Charges .....	29.50
Sales Tax(100% Exemption).....	.00

<hr/> New Charges	\$29.50
<hr/> New Balance	\$706.32

5.96 % estimated Gross Receipts Tax of \$1.75 included in new  
charges. PECO Energy's new charges contain \$5.12 Intangible  
Transition Charges.

<b>Total Amount Due</b>	
January 25, 2006	<b>\$706.32</b>

**MESSAGE CENTER**

PECO ENERGY - We have been unable to read your meter. According to the Pennsylvania Public Utility Commission's rules, we must get an actual meter reading to see if our estimated readings are right. We must get an actual reading now or we may have to shut off your service. Please call 1-800-494-4000, and tell us when we can read your meter.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: January 31, 2006

DOCUMENT  
FOLDER

JOHN BERRY EVANGELISTIC ASSOC  
Complainant

v.

PECO ENERGY COMPANY  
Respondent

Complaint Docket  
No: C-20065818

**DOCKETED**

JAN 31 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



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: January 31, 2006

C-20065818

PECO ENERGY COMPANY  
C/O WARD L SMITH  
ASSOCIATE GENERAL COUNSEL  
PO BOX 8699  
PHILADELPHIA PA 19101-8699

DOCUMENT  
FOLDER

Dear Mr. Smith:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by JOHN BERRY EVANGELISTIC ASSOC. 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.

January 31, 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

ane

Legal Department

Telephone 215.841.5544  
www.exeloncorp.com

Business Services  
Company

Exelon Business Services Company  
2301 Market Street  
PO Box 8699  
Philadelphia, PA 19101

# ORIGINAL

Direct Dial: 215.841.6841

February 21, 2006

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

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FEB 21 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY JAMES MCNULTY

Re: John Berry Evangelistic Assoc. v. PECO Energy Company  
PUC Docket No. C-20065818

Dear Mr. McNulty:

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

<u>X</u>	Answer (original and 3 copies)
---	Petition (original and 3 copies)
---	Answer and Motion (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)

DOCUMENT  
FOLDER

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,

Lisa A. Lutz  
Counsel for PECO Energy Company

LAL/zr

Enc.

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FEB 21 2006

JOHN BERRY EVANGELISTIC ASSOC. :  
:  
v. :  
:  
PECO ENERGY COMPANY :

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCKET NO. C-20065818

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.
- 4. Denied.

**DOCKETED**  
FEB 27 2006

**DOCUMENT  
FOLDER**

PECO Energy denies that the meter at Complainant's property was not changed to an automated meter reading unit ("AMR"). On November 17, 2005 an AMR was installed at the property and the old meter was removed, having a reading of usage of 05070. PECO Energy denies Complainant was improperly charged for utility service.

It is specifically denied that PECO Energy did not attempt to obtain actual meter readings. To the contrary, PECO Energy avers that multiple attempts to schedule meter readings were made but access was not provided. Recent attempts for access were made by PECO to the Complainant on June 9, 2004 and December 22, 2004 via telephone; and on December 22, 2004, a card was left at the property requesting that Complainant contact PECO Energy. On November 7, 2005, the Complainant did telephone PECO Energy to request a meter reading, and it was scheduled for November 14, 2005; at that time, the PECO Energy representative could not gain

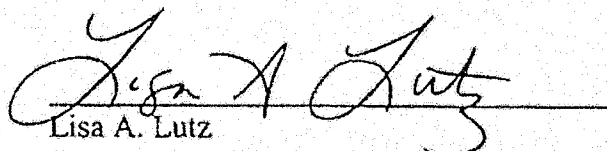
access to the meter. Again, a card was left at the property requesting that Complainant contact PECO Energy; on November 14, 2005, the meter reading was re-scheduled due to no access.

By way of further answer, records indicate the account has been billed for zero usage from July, 1999. On December 2, 2005, Complainant was billed for the actual usage once the meter reading was obtained, for the period of October 31, 2005 to November 30, 2005 in the amount of \$680.09.

5. This paragraph is a request for relief and no answer is required.
6. The Complainant did not mark any response to this question; therefore, no answer is submitted by PECO.
7. Admitted.

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

Respectfully Submitted,



Lisa A. Lutz  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841  
lisa.lutz@exeloncorp.com

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 21 2006

JOHN BERRY EVANGELISTIC ASSOC. :

PA PUBLIC UTILITY COMMISSION  
OFFICE OF THE SECRETARY

v. :

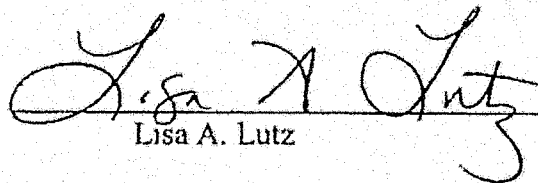
DOCKET NO. C-20065818

PECO ENERGY COMPANY :

VERIFICATION

I, Lisa A. Lutz, 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: February 21, 2006

  
Lisa A. Lutz

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FEB 21 2006

JOHN BERRY EVANGELISTIC ASSOC. :  
:  
v. :  
:  
PECO ENERGY COMPANY :

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

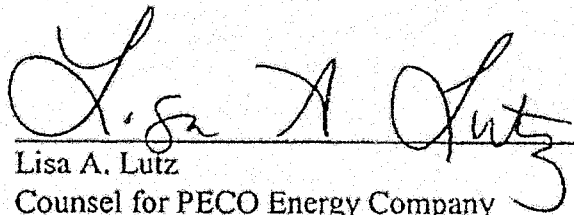
DOCKET NO. C-20065818

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:

JOHN BERRY EVANGELISTIC ASSOC.  
605 So. 60<sup>th</sup> Street - 1<sup>st</sup> Flr.  
Philadelphia, PA 19143-2301

Dated at Philadelphia, Pennsylvania, February 21, 2006.



Lisa A. Lutz  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841  
lisa.lutz@exeloncorp.com