

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :
2. BUREAU: ALJ :
3. SECTION(S): : 4. PUBLIC MEETING DATE:
5. APPROVED BY: : 00/00/00
DIRECTOR: :
SUPERVISOR: :
6. PERSON IN CHARGE: : 7. DATE FILED: 01/02/07
8. DOCKET NO: C-20077246 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: MOYER, JILLIAN

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: MONTGOMERY

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES BEING CHARGED FOR RESTORATION FEE AND BEING BILLED AT INCORRECT ADDRESS. SHE WOULD LIKE THE PUC TO HAVE \$70 FOR RESTORATION REFUNDED AND BE BILLED AT PROPER ADDRESS.

**DOCUMENT
FOLDER**

DOCKETED
JAN 09 2007

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

ORIGINAL

Please print or type.

C-2007-7246

1. CUSTOMER NAME (COMPLAINANT)

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

Name Jillian Moyer

Street/P.O. Box 2037 Jason Drive Apt # B

City Huntingdon Valley State P.A. Zip 19006

County Montgomery

Area Code/HOME Phone (215) 221-4209

Area Code/WORK Phone (215) 221-4209

Utility Account Number _____
(from your bill)

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

Name Jillian Moyer

Street/P.O. Box 3586 Grant Ave. 2nd Floor

City Phila. State Pa. Zip 19114

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)

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2007 JAN -2 PM 9:13
SECRETARY'S OFFICE

5

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. They charged me for a Restoration fee (explain) when I was moving the next day I was suppose to have a medical restoration for one day for emergency

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.

I am at this time still being billed for at my my old address I don't even live there and I transferred my electric in October

5. RELIEF

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

I would like them to refund the \$70.00 for restoration because I did not pay that for restoration I payed my bill in full. I was suppose to have a medical restoration for 24 hours because of my daughters breathing machines.

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 Jillian Moyer, 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).

Jillian Moyer
(Signature)

Dec. 11th, 2006
(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: JANUARY 9, 2007

C-20077246

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 JILLIAN MOYER. 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.

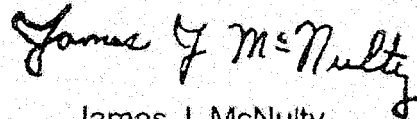
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

JANUARY 9, 2007

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,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in dark ink and is positioned above the printed name and title.

James J. McNulty
Secretary

SS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 9, 2007

JILLIAN MOYER
Complainant

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: C-20077246

DOCKETED
JAN 09 2007

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PECO ENERGY COMPANY

**DOCUMENT
FOLDER**

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).

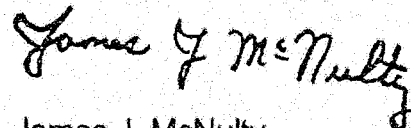
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

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

Direct Dial 215 841 6841

January 29, 2007

ORIGINAL

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

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JAN 29 2007

Re: Jillian Moyer v. Peco Energy Company
PUC Docket No. C-20077246

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.

- Answer (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)

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,

Michael S. Swerling

Michael S. Swerling
Counsel for PECO Energy Company

MSS/7r

Enc.

BTL

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



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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JAN 29 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

JILLIAN MOYER

v.

PECO ENERGY COMPANY

DOCKET NO. C-20077246

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. Admitted in part and denied in part. PECO Energy denies that there are incorrect

charges on Complainant's bill. PECO Energy further denies that it improperly charged Complainant a restoration fee. PECO Energy admits that after proper notice, Complainant's service at 3586 Grant Avenue, 2nd Floor, Philadelphia was terminated on September 26, 2006 for a past due balance of \$180.15 plus a \$70.00 re-connection fee. PECO Energy also denies that it is billing Complainant at an incorrect address.

By way of further answer, PECO Energy avers that the total \$250.15 re-connection requirement was met on September 27, 2006 and service was restored. PECO Energy admits that Complainant sent it a medical certificate. However, PECO Energy avers that Complainant did not send in the medical certificate until only after her service was already

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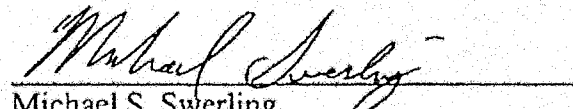
terminated. Therefore, PECO Energy had the right to terminate the account for non-payment on September 26, 2006.

A decision by the Bureau of Consumer Services ("BCS") issued on or about November 01, 2006 closed the informal complaint without a decision because service was properly terminated for non-payment before a medical certificate issued on the account. The BCS found that PECO Energy properly charged the re-connection fee. 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.

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

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JAN 29 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

JILLIAN MOYER

v.

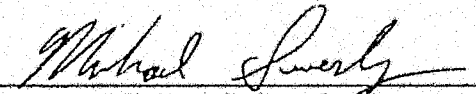
PECO ENERGY COMPANY

DOCKET NO. C-20077246

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: January 29, 2007


Michael S. Swerling

January 22, 2007

Case Details Report

BCS Case #: 002148165
Customer Name: JILLIAN MOYER
Service Address: 3586 GRANT AV
2ND FL
PHILADELPHIA, PA 19114 2616
Mailing Address: 2037 JASON DRIVE
2ND FLOOR
HUNTINGTON VALLEY, PA 19006 0000
Home Phone: (215) 221-4209
Business Phone: () -
Business name:
Alternate contact:

BCS Bill Account #: 0120701106

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JAN 29 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Date Case Opened: 2006-09-26
PAR Case: Y
Investigator Name: THEODORE GALACCI
Investigator Phone: (717) 772-3266
Service class: R
Previous case #:
Date Cut Out: 2006-09-26
Universal Service: N
Contact Type: TELEPHONE
Amount in Arrears: \$0.00

Complaint Reason:
OFF - SERVICE IS TERMINATED/SUSPENDED - PAR NEEDED (# 82)

Customer Problem Description:

OFF*****CU CALLED BECAUSE HER SERVICE IS OFF, CU USED A MED CERT TO RESTORE SERVICE, CU IS DISPUTING THAT THEY TOOK \$70.00 OUT OF HER PAYMENT FOR RECONNECTION FEE AFTER CU SENT IN THE MED CERT. CO WONT CREDIT THE \$70.00 CU REQUESTED TO SPEAK A SUPERVISOR AND WAS DENIED, AND THEY WOULD CALL HER BACK CU EXPLAINED THAT THEY WOULDNT BE ABLE TO CALL BACK BECAUSE HER ELECTRIC IS OFF, CU SAYS THAT REP MATRICE WAS RUDE TO HER.

Company Position:

09/26/2006 CO SAID THAT THE TOOK \$70 FOR A STANDARD RECONNECTION FEE AND THAT IT WOULD TAKE 3 DAYS AND THEY CANT CREDIT THE ACCT. REP SAID THAT SHE SEEN THAT THERE WAS MED CERT FOR RECONNECTION IN THE SYSTEM BEFORE THE PAYMENT WAS RECIEVED BY THE COSTORATION.ING CLOSED . CU DOESN'T KNOW LCC.

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JAN 29 2007

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

JILLIAN MOYER

v.

PECO ENERGY COMPANY

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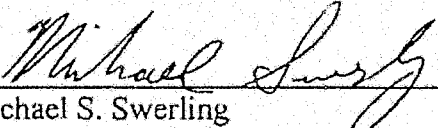
DOCKET NO. C-20077246

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:

JILLIAN MOYER
2037 Jason Drive, Apt. B
Huntingdon Valley, PA 19006

Dated at Philadelphia, Pennsylvania January 29, 2007.


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