

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: 03/16/06
8. DCCKET NO: F-01953796	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: LEWIS, BERTRAM F A

RESPONDENT/APPLICANT: PECO ENERGY COMPANY

COMP/APP COUNTY: MONTGOMERY

UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES THE COMPANY IS DEMANDING A DEPOSIT OF \$500.00 WHICH HE DOES NOT FEEL AS NECESSARY AT THIS TIME.

DOCKETED
MAR 21 2006

DOCUMENT
FOLDER

Must be returned by MARCH 21, 2006

RECEIVED

2006 MAR 16 AM 9:13

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

REG. SEC. SECRETARY'S BUREAU
Please print or type.

F-01953796

ORIGINAL

1. CUSTOMER NAME (COMPLAINANT)

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

Name Bertram F.A. Lewis

Street/P.O. Box 1500 Church Rd Apt # _____

City Wyncote State PA Zip 19095

County Mont Co

Area Code/HOME Phone 215-576-6643

Area Code/WORK Phone _____

Utility Account Number 40-17-18-799083
(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 _____

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO Energy

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

DOCKETED

MAR 21 2006

DOCUMENT 4
FOLDER

32

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) Demand for deposit of over five hundred dollars (\$500) not necessary at this time.

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.

I have been a PECO customer for over 36 years. I have been occasionally late, but always pay my electric bill. I am retired now, and cannot afford the extra \$500 that PECO demands. I have promised to pay my bill each month as due, and have done so, as enclosed documents will prove. If and when I fail to do so, PECO's request for a deposit would be more appropriate then.

5. RELIEF

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

Do not approve PECO's demand for a deposit unless I fail to pay my monthly electric bill as due from now on.

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)

BCS Decision

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 BERTRAM F. A. LEWIS, 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).

Bertram F. Lewis
(Signature)

March 10, 2006
(Date)

P.S. I will not be available the week of May 1st, 2006

B.L.

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 nd Floor Harrisburg, Pennsylvania 17120
--	--

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.



BILLING DETAIL

Account Number: 40-17-18-799083

Billing Details

BERTRAM LEWIS

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 R Electric Residence Service

Meter# 9U2174137

To November 23, 2005	46818	- Actual Reading
From October 26, 2005	<u>45923</u>	- Actual Reading
Kilowatt hours (kWh) billed for 28 days	00895	

PECO ENERGY Charges

Customer Charge		5.18
Generation and Transmission Charges (\$ 0608 X 895 0000 kWh)		54.41
Distribution Charges		39.74
Transition Charges		<u>22.64</u>
Total Basic Charges for 895 0000 kWh		121.97
State Tax Adjustment		<u>-.49</u>
	New Charges	\$121.48

Rate GR Gas General Service - Residential

Meter# 015 650867

To November 23, 2005	08520	- Actual Reading
From October 26, 2005	<u>08434</u>	- Actual Reading
Hundreds Cubic Feet (Ccf) billed for 28 days	00086	

PECO ENERGY Charges

Customer Charge		7.20
Natural Gas Supply Charges (\$ 90215 X 86 0000 Ccf)		77.58
Distribution Charges		27.47
Gas Cost Adjustment Charges		<u>7.10</u>
Total Basic Charges for 86 0000 Ccf		119.35
State Tax Adjustment		<u>-.55</u>
	New Charges	\$118.80

240.28



YOUR MONTHLY BILL

Your Account Number Is: 40-17-18-799083

Your Next Scheduled Meter Reading:
December 27, 2005

Service To: BERTRAM LEWIS
1500 W CHURCH RD
WYNCOTE PA 19095-1902

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 29, 2005

Billing For Your Energy Use:

Balance from last bill	\$695.10
Payment Nov. 17 - Thank You!	<u>-\$161.99</u>
Balance at Billing	\$533.11

Cost of Energy Used:

Summary of New Charges (Details on Next Page)
From October 26, 2005 to November 23, 2005

PECO Energy Charges..... 240.28

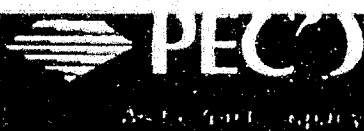
New Charges	\$240.28
New Balance	\$773.39

New charges contain estimated total state taxes of \$17.26,
including \$7.24 for State Gross Receipts Tax. PECO Energy's new
charges contain \$18.00 Intangible Transition Charges

Total Amount Due	
December 20, 2005	\$773.39

MESSAGE CENTER

Empty message center box.



YOUR MONTHLY BILL

Your Account Number Is: 40-17-18-799083

Your Next Scheduled Meter Reading:
January 26, 2006

Service To: BERTRAM LEWIS
1500 W CHURCH RD
WYNCOTE PA 19095-1902

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 29, 2005

Billing For Your Energy Use:

Balance from last bill	\$773.39
Payment Dec 20 - Thank You!	-\$240.28
Balance at Billing	\$533.11

Cost of Energy Used:

Summary of New Charges (Details on Next Page)
From November 23, 2005 to December 27, 2005

PECO Energy Charges 547.83

We could not provide you with a detailed breakdown of
your new charges this month. For a copy of your bill
calculation, please call us at 1-800-494-4000.

New Charges	\$547.83
New Balance	\$1,080.94

New charges contain estimated total state taxes of \$28.17,
including \$9.61 for State Gross Receipts Tax. PECO Energy's new
charges contain \$24.15 Intangible Transition Charges.

Total Amount Due	
January 19, 2006	\$1,080.94

MESSAGE CENTER



YOUR MONTHLY BILL

Your Account Number is: 40-17-18-799083

Your Next Scheduled Meter Reading:
February 23, 2006

Service to: BERTRAM LEWIS
1500 W CHURCH RD
WYNCOTE PA 19095-1902

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 30, 2006

Billing For Your Energy Use:	
Balance from last bill	\$1,080.94
Payment Jan.24 - Thank You!	<u>-\$567.83</u>
Balance at Billing	\$513.11

Cost of Energy Used:

Summary of New Charges (Details on Next Page)
From December 27, 2005 to January 26, 2006

PECO Energy Charges..... 445.31

New Charges	\$445.31
New Balance	\$958.42

New charges contain estimated total state taxes of \$24.56,
including \$8.83 for State Gross Receipts Tax. PECO Energy's new
charges contain \$22.14 Intangible Transition Charges.

Total Amount Due	
February 21, 2006	\$958.42

MESSAGE CENTER

Request for Formal Complaint Form
(Notification of Intent to Appeal)

Janel

Notice to Customer:

If you sign and return this form, you are telling the Public Utility Commission that you want to appeal this decision. Do not return this form unless you want to appeal this decision.

If you want to appeal, you must return this form within 20 days of 2/21/2006. The Commission will send you formal complaint forms if you return this form.

You must comply with this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments or the utility company may shut off your service.

Sincerely,
Pennsylvania Public Utility Commission

Yes, I want to appeal this decision. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

BERTRAM LEWIS
1500 CHURCH RD
WYNCOTE PA 19095 - 1902

215-576-6643
(Area Code) Telephone Number
BCS: 1953796
Company: PECO ENERGY

Bertram J. Lewis
Signature
Date of Mailing: 2/21/2006

Mail this completed form to:

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

PA P.U.C.
SECRETARY'S BUREAU

2006 MAR -1 AM 9:12

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Sir/Madam,

When I filed my original complaint, I promised to pay my PECO bill each month as due. I have done so, excluding the deposit they ask for. I have lived at this address for 21 years and have paid all my PECO bills despite being late at times. I intend to continue paying each month, and will continue doing so. I cannot afford the extra payments. If needs be, I will sell and get away, unless you can reverse this decision. B. Lewis.



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

Due 3/21/06

IN REPLY PLEASE
REFER TO OUR FILE

F-0195 3796

BCS1953796

MARCH 1, 2006

BERTRAM LEWIS
1500 CHURCH RD
WYNCOTE PA 19095

DOCUMENT
FOLDER

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before MARCH 21, 2006 to the address listed below:

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

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.

- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.
- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- **If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:**

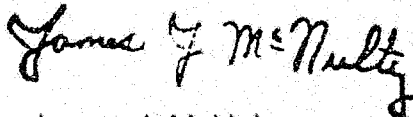
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,



James J. McNulty
Secretary

SS

cc: PECO ENERGY

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: MARCH 21, 2006

BERTRAM F A LEWIS
Complainant

v.

PECO ENERGY COMPANY
Respondent

Complaint Docket
No: F-01953796

DOCUMENT
FOLDER
DOCKETED

MAR 21 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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: MARCH 21, 2006

F-01953796

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 BERTRAM F A LEWIS. 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.

DOCUMENT
FOLDER

MARCH 21, 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

Legal Department

Telephone 215 841 5544

Business Services
Company

Exelon Business Services Company

Fax 215 568 3389

2301 Market Street / 523-1

www.exeloncorp.com

PO Box 8699

Philadelphia, PA 19101-8699

ORIGINAL

Direct Dial 215 841.6841

April 10, 2006

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

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APR 10 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: **Bertram F. A. Lewis v. PECO Energy Company**
PUC Docket No. F-01953796

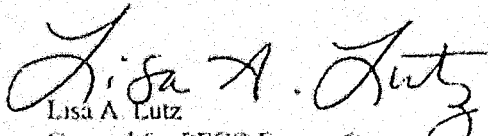
Dear Mr. McNulty:

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)
<u> </u>	Petition (original and 3 copies)
<u> </u>	Answer, New Matter and Motion to Dismiss (original and 3 copies)
<u> </u>	Motion to Dismiss (original and 3 copies)
<u> </u>	Reply to Motion/Petition (original and 3 copies)
<u> </u>	Exceptions (original and 9 copies)
<u> </u>	Reply Exceptions (original and 9 copies)
<u> </u>	Brief (original and 9 copies)
<u> </u>	Reply Brief (original and 9 copies)

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

DOCUMENT FOLDER

LAL/zr

Enc.

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

P231197

114

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BERIRAM F. A. LEWIS

v.

PECO ENERGY COMPANY

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:
:
:
:

DOCKET NO. F-01953796

RECEIVED

APR 10 2006

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 5.61, responds to the Complaint and states:

1. Admitted.
2. Admitted.
3. Admitted. Complainant also receives gas service from PECO Energy Company.
4. Admitted in part and denied in part. PECO Energy admits that Complainant was

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APR 12 2006

**DOCUMENT
FOLDER**

charged a credit deposit due to the delinquent payment history on this account. PECO Energy denies that the credit deposit was improper, and further avers that the deposit is permitted pursuant to 52 Pa. Code § 56.41. By way of further answer, PECO Energy avers that Complainant was charged a deposit of \$552.00; this deposit was billed in three installments. The first installment of \$276.00 was billed on June 29, 2005 and two additional installments of \$138.00 were billed on July 28, 2005 and August 30, 2005.

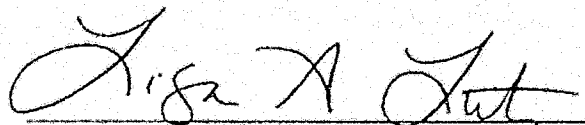
PECO Energy denies that Complainant pays his gas and electric bill each month on time and in full and strict proof thereof is demanded at time of hearing. PECO Energy avers that Complainant's account balance is \$916.86. Complainant's average monthly bill is \$300.00.

A decision by the Bureau of Consumer Services ("BCS") directed the Complainant to pay \$513.11 to continue service and further directed the Complainant to pay a special monthly budget amount of \$366.00, which includes the regular monthly budget amount of \$326.00 plus \$40.00 per month towards the account arrears, beginning March 15, 2006. The BSC decision found that PECO Energy has the right to require an existing ratepayer to pay a security deposit if the ratepayer has been delinquent in the payment of any two consecutive bills within the preceding twelve (12) months. A copy of the decision is attached hereto 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,



Lisa A. Lutz
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
Lisa.Lutz@exeloncorp.com

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APR 10 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BERTRAM F.A. LEWIS

v.

PECO ENERGY COMPANY

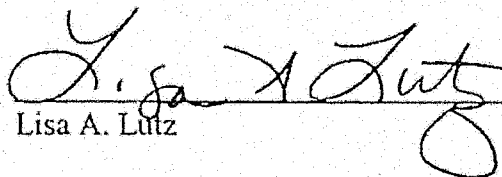
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DOCKET NO. F-01953796

VERIFICATION

I, Lisa A. Lutz, hereby declare that I am counsel for PFCO 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: April 10, 2006


Lisa A. Lutz

RECEIVED

APR 10 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Date: 4/5/06

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

Case Number: 1953796
Customer Name: BERTRAM LEWIS
Address: 1500 CHURCH RD
WYNCOTE PA 19095-1902

Opened On: 8/2/05
Utility Type: Electric Distributor
Account Number: 401718799083
Company Name: PECO Energy

Prior Case: Total Balance: \$958.42 Balance Date: 2/8/06

Compliance

Violation(Alleged, Actual, No): NO

Chap 56/64/Other:

Section/Rule:

Decision Issued: Y

Oral Written: W

Investigator: BYNDAS, JULIA

PUC Decision Issued Dt: 2/21/06

PUC Case Closed Dt: 2/21/06

Decision Recvd Dt: 2/21/06 05 25PM

Letter Description: EGW STRAIGHT PAR/BUDGET + FOR LEVEL 2-4 HOUSEHOLDS

To Restore Service Pay: \$0.00

To Continue Service Pay: \$513.11 By:

Terms: MARCH 15, 2006

Special Budget Amount: \$366.00

Regular Budget Amount: \$326.00 Plus Arrears Payment: \$40.00

Final Bill Monthly Payment: \$0.00

Current Bill Monthly Payment: \$0.00

End Of Month Payment: \$0.00

Par Description:

Resolution:

NUMEROUS LPCS ON ACCOUNT. ACCORDING TO RULES AND REGULATIONS APPROVED BY THE PUC... THE COMPANY HAS THE RIGHT TO REQUIRE AN EXISTING RATEPAYER TO PAY A SECURITY DEPOSIT... IF THE RATEPAYER HAS BEEN DELINQUENT IN THE PAYMENT OF ANY TWO CONSECUTIVE BILLS OR THREE OR MORE BILLS WITHIN THE PRECEDING 12 MONTHS... A DEPOSIT MAY BE HELD UNTIL A TIMELY PAYMENT HISTORY... IS ESTABLISHED OR FOR A MAXIMUM PERIOD OF 24 MONTHS... INTEREST IS EARNED ON THE SECURITY DEPOSIT AND APPLIED TO THE ACCOUNT ANNUALLY... BEGINNING MARCH 15, 2006, \$366(326+40) YOU CONTACTED THE PUBLIC UTILITY COMMISSION ASKING FOR HELP IN PREVENTING THE TERMINATION OF YOUR UTILITY SERVICE... WE LOOKED INTO YOUR RECORDS WITH THE COMPANY AND DECIDED THAT ACCORDING TO RULES AND REGULATIONS APPROVED BY THE PUC, THE COMPANY HAS THE RIGHT TO REQUIRE AN EXISTING RATEPAYER TO PAY A SECURITY DEPOSIT IF THE RATEPAYER HAS BEEN DELINQUENT IN THE PAYMENT OF ANY TWO CONSECUTIVE BILLS OR THREE OR MORE BILLS WITHIN THE PRECEDING 12 MONTHS... A DEPOSIT MAY BE HELD UNTIL A TIMELY PAYMENT HISTORY (WHEN A CUSTOMER HAS PAID IN FULL AND ON TIME FOR 12 CONSECUTIVE MONTHS) IS ESTABLISHED OR FOR A MAXIMUM PERIOD OF 24 MONTHS... INTEREST IS EARNED ON THE SECURITY DEPOSIT AND APPLIED TO THE ACCOUNT ANNUALLY... YOUR TOTAL ACCOUNT BALANCE IS \$958.42. THIS BALANCE DOES NOT INCLUDE ANY PAYMENTS OR BILLS SENT OUT ON OR AFTER 2/8/2006... BEGINNING MARCH 15, 2006, YOU MUST PAY THE COMPANY A SPECIAL BUDGET AMOUNT OF \$366.00 PER MONTH. THIS AMOUNT MAY CHANGE DEPENDING ON ANY CHANGE IN THE AMOUNT OF SERVICE YOU USE... THIS SPECIAL BUDGET AMOUNT INCLUDES A REGULAR BUDGET AMOUNT OF \$326.00 PER MONTH, WHICH IS BASED ON YOUR MONTHLY USAGE, PLUS \$40.00 THAT WILL BE PAID TOWARD THE ACCOUNT BALANCE... YOU MUST MAKE ALL PAYMENTS BY THE DUE DATE OF EACH MONTH'S BILL AND CONTINUE MAKING THE PAYMENTS UNTIL YOU PAY THE ACCOUNT IN FULL... IF YOU BREAK THIS PAYMENT AGREEMENT, THE COMPANY MAY SHUT OFF YOUR SERVICE. THE COMPANY SHUTS OFF YOUR SERVICE, THEY MAY MAKE YOU PAY YOUR FULL BILL PLUS A RECONNECT FEE AND A DEPOSIT TO RESTORE SERVICE.

Exhibit A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

BERTRAM F.A. LEWIS

v.

PECO ENERGY COMPANY

:
:
:
:
:

DOCKET NO. F-01953796

CERTIFICATE OF SERVICE

I, Lisa A. Lutz, 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:

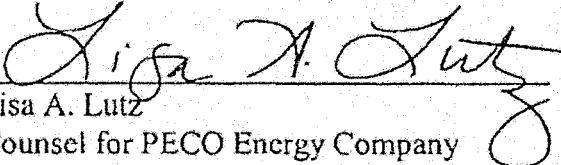
BERTRAM F.A. LEWIS
1500 Church Lane
Wyncote, PA 19095

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APR 10 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

Dated at Philadelphia, Pennsylvania, April 10, 2006.



Lisa A. Lutz
Counsel for PECO Energy Company
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P.O. Box 8699
Philadelphia, PA 19101-8699
Direct Dial: 215.841.6841;
Fax: 215.568.3389
Lisa.Lutz@exeloncorp.com



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
April 18, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: F-01953796

(See attached list)

DOCUMENT FOLDER

Bertram F. A. Lewis v. PECO Energy Company

Billing dispute.

Hearing Notice

This is to inform you that your case is scheduled for hearing at 9:30 a.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. 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, May 31, 2006
Time: 9:30 a.m.
Location: Hearing Room 2
State Office Building
Broad & Spring Garden Streets
Philadelphia, PA

DOCKETED
MAY 01 2006

Presiding: Administrative Law Judge Ky Van Nguyen
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 Nguyen
Susan Licon
Beth Plantz
Docket Section
Calendar File

#502238 09/04

#502238 03/05