

AA.00129.00000 (40/40)

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: :
- SUPERVISOR: :
- 6. PERSON IN CHARGE: : 7. DATE FILED: 05/08/07
- 8. DOCKET NO: C-20077768 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: HARMON, MARIA E.  
 RESPONDENT/APPLICANT: PECO ENERGY COMPANY  
 COMP/APP COUNTY: DELAWARE UTILITY CODE: 110550

ALLEGATION OR SUBJECT

COMPLAINANT STATES SHE RECEIVED A NOTICE STATING THAT HER UTILITY SERVICE IS BEING TERMINATED AND SHE WOULD LIKE A PAYMENT AGREEMENT.

DOCUMENT FOLDER **DOCKETED**  
 MAY 21 2007

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED

110550  
Please print or type.

MAY 08 2007

C-20077768

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

1. CUSTOMER NAME (COMPLAINANT)

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

Name Maria E. Harmon

Street/P.O. Box 706 Calcon Hook Rd. Apt # 1st Floor

City Sharon Hill State PA Zip 19079-1/14

County Delaware County

Area Code/HOME Phone (610) 586-9112

Area Code/WORK Phone \_\_\_\_\_

Utility Account Number 55447-01709  
(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 \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_

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

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PECO An Exelon Company

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER  
(taxi, moving company, limousine)

TELEPHONE  
(local, long distance)

48

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.

See Attachment

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 you to stop the scheduled shut off and make PECO take \$50 per month until I get the IRS squared away and a full time job.



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 Nathaniel C. Nichols, Esq. (Supreme Court # 19886)

Street Pennsylvania Civil Law Clinic, P.O. Box 7474, Widener Law School

City Wilmington State DE Zip 19803

Area Code/Phone Number (302) 477-2269

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.**

## Facts of my complaint

About one year ago I was not working and could not pay my electric and gas bill. I applied for the CAP program and was accepted. I paid about \$119.00 per month which later went up to about \$124.00 a month. I got a part time job at Wells Fargo on August 24, 2006 and was able to make my CAP payments.

I owe over \$10,000 in back taxes to the IRS. ( I have attached the notice of levy I got from them) In February of 2007 the IRS began to garnish my wages. I was not making that much anyway but now with the garnishment I only take home between \$203.00 and \$215.00 every 2 weeks. ( I have attached my pay statements that show the garnishment and how much I take home). Because of the garnishment I could not make my CAP payments.

I have severe asthma and must use a nebulizer. Because of my asthma I get bronchitis about 5 times per year and my allergies worsen my asthma. I applied for a medical certification and got one, but the electric company still wants to shut me off. They are scheduled to shut me off on May 12, 2007. I called them on Tuesday, May 8 to try and work out an equitable arrangement to pay on my bill.

On May 7, 2006 at about 9:23 a.m. I talked to a Melanie Carter at the electric company to try to get back into the CAP program or work out arrangements to pay my bill. I was told I could not start over on CAP and that I had to pay one third of my total bill which is \$1,027.96 plus the current bill, which is \$186.27 to get reinstated. And then they could make payment arrangements. With only a part time job and the garnishment I do not have the money to pay that. I could pay about \$50.00 per month on my bill. Please stop the shut off and give me a reasonable amount to pay until I can get IRS squared away and a full time job. I am actively looking for a full time job. Thank you.

I have a lawyer and he is aware of this complaint. His name and address are  
Nathaniel C. Nichols, Esq. (Supreme Court # 19886)  
Pennsylvania Civil Law Clinic  
P.O. Box 7474  
Widener Law School  
Wilmington, DE. 19803  
302-477-2269



otherwise provided in subsection (e), a levy shall extend only to property possessed and obligations existing at the time thereof. In any case in which the Secretary may levy upon property or rights to property, he may seize and sell such property or rights to property (whether real or personal, tangible or intangible).

(c) **Successive Seizures.**— Whenever any property or rights to property upon which levy has been made by virtue of subsection (a) is not sufficient to satisfy the claim of the United States for which levy is made, the Secretary may, thereafter, and as often as may be necessary, proceed to levy in the like manner upon any other property liable to levy of the person against whom such claim exists, until the amount due from him, together with all expenses, is fully paid.

(e) **Continuing Levy on Salary and Wages.**— The effect of a levy on salary or wages payable to or received by a taxpayer shall be continuous from the date such levy is first made until such levy is released under Section 6343. Sec. 6332. **Surrender of Property Subject to Levy.**

(a) **Requirement.**— Except as otherwise provided in subsections (b) and (c), any person in possession of (or obligated with respect to) property or rights to property subject to levy upon which a levy has been made shall, upon demand of the Secretary, surrender such property or rights (or discharge such obligation) to the Secretary, except such part of the property or rights as is, at the time of such demand, subject to an attachment or execution under any judicial process.

(d) **Enforcement of Levy.**

(1) **Extent of personal liability.**— Any person who fails or refuses to surrender any property or rights to property, subject to levy, upon demand by the Secretary, shall be liable in his own person and estate to the United States in a sum equal to the value of the property or rights not so surrendered, but not exceeding the amount of taxes for the collection of which such levy has been made, together with costs and interest on such sum at the underpayment rate established under section 6821 from the date of such levy (or, in the case of a levy described in section 6331 (d)(3), from the date such person would otherwise have been obligated to pay over such amounts to the taxpayer). Any amount (other than costs) recovered under this paragraph shall be credited against the tax liability for the collection of which such levy was made.

(2) **Penalty for violation.**— In addition to the personal liability imposed by paragraph (1), if any person required to surrender property or rights to property fails or refuses to surrender such property without reasonable cause, such person shall be liable for a penalty equal to 50 percent of the amount recoverable under paragraph (1). No part of such penalty shall be credited against the tax liability for the collection of which such levy was made.

(e) **Effect of honoring levy.**— Any person in possession of (or obligated with respect to) property or rights to property subject to levy upon which a levy has been made who, upon demand by the Secretary, surrenders such property or rights to property (or discharges such obligation) to the Secretary (or who pays a liability under subsection (d)(1)) shall be discharged from any obligation or liability to the delinquent taxpayer and any other person with respect to such property or rights to property arising from such surrender or payment.

Sec. 6333. **Production of Books.**

If a levy has been made or is about to be made on any property, or right to property, any person having custody or control of any books or records, containing evidence or statements relating to the property or right to property subject to levy, shall, upon demand of the Secretary, exhibit such books or records to the Secretary.

Sec. 6334. **Property Exempt From Levy.**

(a) **Enumeration.**— There shall be exempt from levy

(4) **Unemployment benefits.**— Any amount payable to an individual with respect to his unemployment (including any portion thereof payable with respect to dependents) under an unemployment compensation law of the United States, of any State, or of the District of Columbia or the Commonwealth of Puerto Rico.

(6) **Certain annuity and pension payments.**— Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll (38 U.S.C. 562), and annuities based on retired or retainer pay under chapter 73 of title 10 of the United States Code.

(7) **Workmen's compensation.**— Any amount payable to an individual as workmen's compensation (including any portion thereof payable with respect to dependents) under a workmen's compensation law of the United States, any State, the District of Columbia, or the Commonwealth of Puerto Rico.

(8) **Judgments for support of minor children.**— If the taxpayer is required by judgment of a court of competent jurisdiction, entered prior to the date of levy, to contribute to the support of his minor children, so much of his salary, wages, or other income as is necessary to comply with such judgment.

(9) **Minimum exemption for wages, salary, and other income.**— Any amount payable to or received by an individual as wages or salary for personal services or as income derived from other sources, during any period, to the extent that the total of such amounts payable to or received by him during such period does not exceed the applicable exempt amount determined under subsection (d).

(10) **Certain service connected disability payments.**— Any amount payable to an individual as a service-connected (within the meaning of section 101 (10) of title 38, United States Code), disability benefit under—

- (A) subchapter II, III, IV, V or VI of chapter 11 of such title 38, or
- (B) Chapter 13, 21, 23, 31, 32, 34, 35, 37, or 39 of such title 38.

(11) **Certain Public Assistance Payments.**— Any amount payable to an individual as a recipient of public assistance under—

(B) State or local government public assistance or public welfare programs for which eligibility is determined by a needs or income test.

(12) **Assistance Under Job Training Partnership Act.**— Any amount payable to a participant under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) from funds appropriated pursuant to such Act.

(d) **Exempt Amount of Wages, Salary, or Other Income.**

(1) **Individuals on weekly basis.**— In the case of an individual who is paid or receives all of his wages, salary, and other income on a weekly basis, the amount of the wages, salary, and other income payable to or received by him during any week which is exempt from levy under subsection (a)(9) shall be the exempt amount.

(2) **Exempt Amount.**— For purposes of paragraph (1), the term "exempt amount" means an amount equal to—

(A) The sum of—

(i) the standard deduction; and

(ii) the aggregate amount of the deductions for personal exemptions allowed the taxpayer under section 151 in the taxable year in which such levy occurs, divided by

(B) 52

Unless the taxpayer submits to the Secretary a written and properly verified statement specifying the facts necessary to determine the proper amount under subparagraph (A), subparagraph (A) shall be applied as if the taxpayer were a married individual filing a separate return with only 1 personal exemption.

(3) **Individuals on basis other than weekly.**— In case of any individual not described in paragraph (1), the amount of the wages, salary, and other income payable to or received by him during any applicable pay period or other fiscal period (as determined under such regulations prescribed by the Secretary) which is exempt from levy under subsection (a)(9) shall be an amount (determined under such regulations) which as nearly as possible will result in the same total exemption from levy for such individual over a period of time as he would have under paragraph (1) if (during such period of time) he were paid or received such wages, salary and other income on a regular weekly basis.

Sec. 6343. **Authority to Release Levy and Return Property.**

(a) **Release of Levy and Notice of Release.**—

(1) **In General.**— Under regulations prescribed by the Secretary, the Secretary shall release the levy upon all, or part of, the property or rights to property levied upon and shall promptly notify the person upon whom such levy was made (if any) that such levy has been released if—

(A) the liability for which such levy was made is satisfied or becomes unenforceable by reason of lapse of time,

(B) release of such levy will facilitate the collection of such liability,

(C) the taxpayer has entered into an agreement under section 6159 to satisfy such liability by means of installment payments, unless such agreement provides otherwise,

(D) the Secretary has determined that such levy is creating an economic hardship due to the financial condition of the taxpayer, or

(E) the fair market value of the property exceeds such liability and release of the levy on a part of such property could be made without hindering the collection of such liability.

For purposes of subparagraph (C), the Secretary is not required to release such levy if such release would jeopardize the secured creditor status of the Secretary.

(2) **Expedited Determination on Certain Business Property.**— In the case of any tangible personal property essential in carrying on the trade or business of the taxpayer, the Secretary shall provide for an expedited determination under paragraph (1) if levy on such tangible personal property would prevent the taxpayer from carrying on such trade or business.

(3) **Subsequent Levy.**— The release of levy on any property under paragraph (1) shall not prevent any subsequent levy on such property.

(b) **Return of Property.**— If the Secretary determines that property has been wrongfully levied upon, it shall be lawful for the Secretary to return—

(1) the specific property levied upon,

(2) an amount of money equal to the amount of money levied upon, or

(3) an amount of money equal to the amount of money received by the United States from a sale of such property.

Property may be returned at any time. An amount equal to the amount of money levied upon or received from such sale may be returned at any time before the expiration of 9 months from the date of such levy. For purposes of paragraph (3), if property is declared purchased by the United States at a sale pursuant to section 6335(e) (relating to manner and conditions of sale), the United States shall be treated as having received an amount of money equal to the minimum price determined pursuant to such section or (if larger) the amount received by the United States from the resale of such property.

(d) **RETURN OF PROPERTY IN CERTAIN CASES.**—IF—

(1) any property has been levied upon, and

(2) the Secretary determines that—

(A) the levy on such property was premature or otherwise not in accordance with the administrative procedures of the Secretary,

(B) the taxpayer has entered into an agreement under section 6159 to satisfy the tax liability for which the levy was imposed by means of installment payments unless such agreement provides otherwise,

(C) the return of such property will facilitate the collection of the tax liability, or

(D) with the consent of the taxpayer or the Taxpayer Advocate, the return of such property would be in the best interests of the taxpayer (as determined by the Taxpayer Advocate) and the United States,

the provisions of subsection (b) shall apply in the same manner as if such property had been wrongfully levied upon, except that no interest shall be allowed.

**Pay Voucher**

MARIA HARMON

G51 WFF PENNSYLVANIA, INC.

206 8TH ST

DES MOINES, IA 50309

[Paycheck Calculator](#)



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Show Year-To-Date

For a prior pay period, click

[Paycheck Selection](#)

MARIA EDNA HARMON 706 CALCON HOOK ROAD APT 1 SHARON HILL, PA 19079  Job Title: WFF CLAIMS REPRESENTATIVE 1 SSN: 176-44-8254	EmpID: 00000727713 AU#/CC#: 004098 Location: CHESTR2501 Pay Begin Date: 03/01/2007 Pay End Date: 03/30/2007 Check Date: 03/08/2007	TAX DATA: Federal PA Marital Status: Single Not applicable Allowances: 1 Addl. Amt:
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	Total Earnings	Cur TaxableGrs	Total Taxes	Total Deductions	Net Pay
Current	286.00	286.00	43.11	37.12	205.77

Earnings				Taxes	
Description	Hours	Rate	Amount	Description	Amount
REG Pay * - Week Ending 3/3/2007	16.00	14.300000	228.80	Fed Withholding	5.33
PTO - Week Ending 3/3/2007	4.00	14.300000	57.20	Fed MED/EE	4.15
*Shift Incl in Pay			26.00	Fed OASDI/EE	17.73
Holiday				PA Unempl EE	0.26
				PA Withholding	8.78
				PA CHESTER CITY Withholding	6.86
<b>Total:</b>	<b>20.00</b>		<b>286.00</b>	PA CHESTER CITY EMS Tax	
				<b>Total:</b>	<b>43.11</b>

Before-Tax Deductions		After-Tax Deductions	
Description	Amount	Description	Amo
WFHP		Garnishment/Levy/Support... LTD	37
WF Dental			
VSP Vision			
<b>Total:</b>		<b>Total:</b>	<b>37</b>

**Pay Voucher**

MARIA HARMON

G51 WFF PENNSYLVANIA, INC.  
 206 8TH ST  
 DES MOINES, IA 50309

Paycheck Calculator



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Paycheck Selection

MARIA EDNA HARMON 706 CALCON HOOK ROAD APT 1 SHARON HILL, PA 19079  Job Title: WFF CLAIMS REPRESENTATIVE I SSN: 176-44-8254	EmpID: 00000727713	TAX DATA: Federal PA
	AU#/CC#: 005507	Marital Status: Single Not applicable
	Location: CHESTR2501	Allowances: 1
	Pay Begin Date: 03/04/2007	Addl. Amt:
	Pay End Date: 03/17/2007	
Check Date: 03/23/2007		

Current	Total Earnings	Cur Taxable Grs	Total Taxes	Total Deductions	Net Pay
	502.93	444.22	79.88	217.28	205.77

Earnings				Taxes	
Description	Hours	Rate	Amount	Description	Amount
Regular Pay	27.17	14.300000	388.53	Fed Withholding	21.15
PTO - Week Ending 3/10/2007	8.00	14.300000	114.40	Fed MED/EE	6.44
*Shift Incl in Pay			45.72	Fed OASDI/EE	27.54
Holiday				PA Unempl EE	0.45
				PA Withholding	13.64
				PA CHESTER CITY Withholding	10.66
<b>Total:</b>	<b>35.17</b>		<b>502.93</b>	PA CHESTER CITY EMS Tax	
				<b>Total:</b>	<b>79.88</b>

Before-Tax Deductions		After-Tax Deductions	
Description	Amount	Description	Amo
WFHP	51.23	Garnishment/Levy/Support...	15.00
WF Dental	5.49	LTD	
VSP Vision	1.99		
<b>Total:</b>	<b>58.71</b>	<b>Total:</b>	<b>15.00</b>

**Pay Voucher**

MARIA HARMON

G51 WFF PENNSYLVANIA, INC.

206 8TH ST

DES MOINES, IA 50309

Paycheck Calculator



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Show Year-To-Date

For a prior pay period, click

Paycheck Selection

MARIA EDNA HARMON 706 CALCON HOOK ROAD APT I SHARON HILL, PA 19079  Job Title: WFF CLAIMS REPRESENTATIVE I SSN: 176-44-8254	EmpID: 00000727713 AU#/CC#: 004098 Location: CHESTR2501 Pay Begin Date: 03/18/2007 Pay End Date: 03/31/2007 Check Date: 04/06/2007	TAX DATA: Federal PA Marital Status: Single Not applicable Allowances: 1 Addl. Amt:
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	Total Earnings	Cur TaxableGrs	Total Taxes	Total Deductions	Net Pay
Current	564.85	506.14	94.26	262.43	208.16

Earnings				Taxes	
Description	Hours	Rate	Amount	Description	Amount
Regular Pay	34.50	14.300000	493.35	Fed Withholding	27.34
PTO - Week Ending 3/24/2007	4.00	14.300000	57.20	Fed MED/EE	7.34
*Shift Incl n Pay			51.35	Fed OASDI/EE	31.38
PTO - Week Ending 3/31/2007	1.00	14.300000	14.30	PA Unempl EE	0.51
Holiday				PA Withholding	15.54
				PA CHESTER CITY Withholding	12.15
				PA CHESTER CITY EMS Tax	
<b>Total:</b>	<b>39.50</b>		<b>564.85</b>	<b>Total:</b>	<b>94.26</b>

Before-Tax Deductions		After-Tax Deductions	
Description	Amount	Description	Amount
WFHP	51.23	Garnishment/Levy/Support...	208.16
WF Dental	5.49	LTD	
VSP Vision	1.99		
<b>Total:</b>	<b>58.71</b>	<b>Total:</b>	<b>208.16</b>

**Pay Voucher**

MARIA HARMON

G51 WFF PENNSYLVANIA, INC.

206 8TH ST

DES MOINES, IA 50309

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Show Year-To-Date

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Paycheck Selection

MARIA EDNA HARMON 706 CALCON HOOK ROAD APT 1 SHARON HILL, PA 19079  Job Title: WFF CLAIMS REPRESENTATIVE 1 SSN: 176-44-8254	EmplID: 00000727713	TAX DATA: Federal PA
	AU#/CC#: 004098	Marital Status: Single Not applicable
	Location: CHESTR2501	Allowances: 1
	Pay Begin Date: 04/01/2007	Addl. Amt:
	Pay End Date: 04/14/2007	
Check Date: 04/20/2007		

	Total Earnings	Cur TaxableGrs	Total Taxes	Total Deductions	Net Pay
Current	574.72	516.01	96.55	262.43	215.74

Earnings				Taxes	
Description	Hours	Rate	Amount	Description	Amount
Regular Pay	34.44	14.300000	492.49	Fed Withholding	28.33
PTO - Week Ending 4/14/2007	5.75	14.300000	82.23	Fed MED/EE	7.48
Holiday				Fed OASDI/EE	32.00
*Shift Incl in Pay				PA Unempl EE	0.52
				PA Withholding	15.84
				PA CHESTER CITY Withholding	12.38
<b>Total:</b>	<b>40.19</b>		<b>574.72</b>	PA CHESTER CITY EMS Tax	
				<b>Total:</b>	<b>96.55</b>

Before-Tax Deductions		After-Tax Deductions	
Description	Amount	Description	Amo
WFHP	51.23	Garnishment/Levy/Support ..	200
WF Dental	5.49	LTD	
VSP Vision	1.99		
<b>Total:</b>	<b>58.71</b>	<b>Total:</b>	<b>200</b>

**Pay Voucher**

MARIA HARMON

G51 WFF PENNSYLVANIA, INC.  
206 8TH ST  
DES MOINES, IA 50309

Paycheck Calculator



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For a prior pay period, click

Paycheck Selection

MARIA EDNA HARMON 706 CALCON HOOK ROAD APT 1 SHARON HILL, PA 19079  Job Title: WFF CLAIMS REPRESENTATIVE I SSN: 176-44-8254	EmpID: 00000727713	TAX DATA: Federal PA
	AU#/CC#: 004098	Marital Status: Single Not applicable
	Location: CHESTR2501	Allowances: 1
	Pay Begin Date: 04/15/2007	Add. Amt:
	Pay End Date: 04/28/2007	
Check Date: 05/04/2007		

	Total Earnings	Cur TaxableGrs	Total Taxes	Total Deductions	Net Pay
Current	580.29	521.58	97.92	262.43	219.94
YTD	5,086.38	4,557.99	878.39	1,348.04	2,859.95

Earnings				Taxes				
Description	Hours	Rate	Amount	YTD Hours	YTD Amount	Description	Amount	An
Regular Pay	36.58	14.300000	523.09	302.94	4,332.05	Fed Withholding	28.97	2
PTO - Week Ending 4/21/2007	4.00	14.300000	57.20	44.75	639.93	Fed MED/EE	7.56	
*Shift Incl in Pay			52.75		410.16	Fed OASDI/EE	32.34	2
Holiday				8.00	114.40	PA Unempl EE	0.52	
						PA Withholding	16.01	1
						PA CHESTER CITY Withholding	12.52	1
<b>Total:</b>	<b>40.58</b>		<b>580.29</b>	<b>355.69</b>	<b>5,086.38</b>	PA CHESTER CITY EMS Tax		
						<b>Total:</b>	<b>97.92</b>	<b>8</b>

Before-Tax Deductions			After-Tax Deductions		
Description	Amount	YTD Amount	Description	Amount	YTD Ar
WFHP	51.23	461.07	Garnishment/Levy/Support	200.00	7
WF Dental	5.49	49.41	LTD	3.72	
VSP Vision	1.99	17.91			
<b>Total:</b>	<b>58.71</b>	<b>528.39</b>	<b>Total:</b>	<b>203.72</b>	<b>8</b>



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: May 21, 2007

C-20077768

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 MARIA E. HARMON. 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.

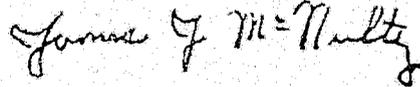
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

May 21, 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".

James J. McNulty  
Secretary

ane

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: May 21, 2007

DOCUMENT  
FOLDER

MARIA E. HARMON  
Complainant

v.

PECO ENERGY COMPANY  
Respondent

Complaint Docket  
No: C-20077768

**DOCKETED**  
MAY 21 2007

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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).

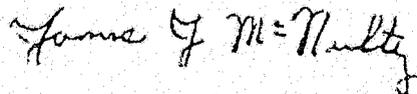
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

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

Business Services  
Company

Exelon Business Services Company  
2301 Market Street, 5231  
PO Box 8699  
Philadelphia, PA 19101-8699

Direct Dial 215 841 6841

June 14, 2007

# ORIGINAL

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

## RECEIVED

JUN 15 2007

RE: Maria E. Harmon v. PECO Energy Company  
Docket No. C-20077768

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.

- X   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)

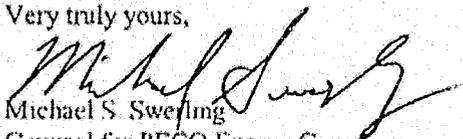
## DOCUMENT FOLDER

## DOCKETED

JUN 19 2007

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

Erc.

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

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JUN 15 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

MARIA E. HARMON

v.

PECO ENERGY COMPANY

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DOCKET NO. C-20077768

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. It is admitted that Complainant was enrolled

in the Customer Assistance Program ("CAP") on November 29, 2005.

PECO Energy avers that Complainant was placed on a budget bill amount of \$124.00 on October 09, 2006 but it was then reduced to \$119.00 per month on November 07, 2006. PECO Energy denies that Complainant paid "about \$119.00 per month which later went up to \$124.00 per month."

PECO Energy avers that since August 2006, Complainant has only made four payments on her account; \$84.86 paid on October 23, 2006, \$248.00 paid on December 01, 2006, \$119.00 paid on January 16, 2007, and \$143.17 paid on June 01, 2007. Complainant's payment history demonstrates that she did not make continuous payments of about \$119.00 every month. PECO Energy further denies that Complainant was able to make her CAP payments after she

received a part time job on August 24, 2006. Ms. Harmon's payment history does not support her statements of paying her bills since August 24, 2006.

PECO Energy specifically denies that Complainant is unable to pay her gas and electric bill and strict proof thereof is demanded at time of hearing. PECO Energy also denies that Complainant's IRS bill demonstrates a change in circumstance worthy of a payment agreement as Complainant's payment history demonstrates many missed and late payments and multiple broken payment agreements. PECO Energy further avers that Complainant's account balance is \$3,278.31.

PECO Energy is without sufficient information to confirm or deny Complainant's working history or any financial arrangements with the Internal Revenue Service.

PECO Energy denies that Complainant was removed from CAP as she is still a participant in the program. PECO Energy avers that Complainant has defaulted on her most recent payment agreement and needed to pay the reinstatement amount before being placed back onto the payment agreement.

PECO Energy admits that Complainant was granted medical certificates on April 12, 2007 and May 31, 2007. PECO Energy denies that Complainant has made equitable arrangements to pay her bill.

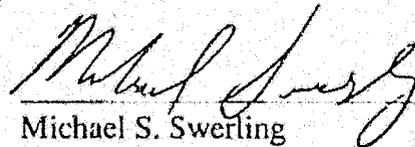
PECO Energy further denies that Complainant is entitled to a payment agreement as the Complainant is a CAP participant and the Commission is without jurisdiction to award payment arrangements to CAP customers. Section 1405(c) of the Public Utility Code provides that customer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the Commission. 66 Pa. C.S. § 1405(c); Walton

v. PECO Energy Company, Pa. PUC Docket Z-01593807, Initial Decision issued January 11, 2005.

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  
(215) 841-6841

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JUN 15 2007

MARIA E. HARMON

v.

PECO ENERGY COMPANY

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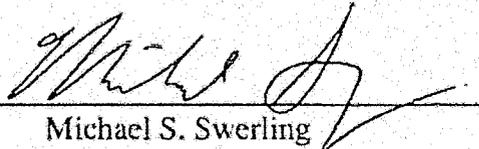
DOCKET NO. C-20077768

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

VERIFICATION

I, Michael S. Swerling, 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: June 14, 2007

  
Michael S. Swerling

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JUN 15 2007

MARIA E. HARMON

v.

PECO ENERGY COMPANY

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DOCKET C-20077768

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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 properly addressed and postage prepaid to:

MARIA E. HARMON  
706 Calcon Hook Road  
Sharon Hill, PA 19079-1714

NATHANIEL C. NICHOLS, ESQ.  
Pennsylvania Civil Law Clinic  
P.O. Box 7474  
Wilmington, DE 19803

Dated at Philadelphia, Pennsylvania, June 14, 2007.



Michael S. Swerling  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
June 27, 2007

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20077768

(SEE ATTACHED LIST)

Maria E. Harmon v. PECO Energy Company

Requests Payment Arrangements

**DOCUMENT  
FOLDER**

Hearing Notice

This is to inform you that your case is scheduled for hearing at 9:30 a.m. in an available Hearing Room in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in the same hearing room. 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: Tuesday, August 21, 2007  
Time: 9:30 a.m.  
Location: In an available Hearing Room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania

**DOCKETED**  
JUL 03 2007

Presiding: Administrative Law Judge Cynthia W. Fordham  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215-560-2105  
Fax: 215-560-3133

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 at least (2) two business days prior to your hearing:

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

pc: Judge Fordham  
Stacy Nolan, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File