

PLEASE DOCKET

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Sara Gallagher

v.

PECO Energy Company

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F-01936685

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PREHEARING ORDER

An Initial Hearing in this case is scheduled for Wednesday, May 31, 2006 at 1:30 p.m. in Hearing Room 2 in the Philadelphia State Office Building. This 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 1:15 p.m. and wait in the Hearing Room until the 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 the customer is not present and prepared to go forward with the case when it is called, the case will be dismissed by the Administrative Law Judge.

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is:

1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215-560-2105  
Fax: 215-560-3133

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Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will contact the customer at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. The Pennsylvania Legislature recently enacted the Responsible Utility Customer Protection Act. 66 Pa. C.S. §1401 *et seq.* The application of this law may result in new payment terms that are less favorable than the customer's current payment arrangement.

4. If the Commission's Bureau of Consumer Services (BCS) has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made.

5. The customer must pay his/her current monthly bills for utility service while waiting for a hearing on the complaint. **FAILURE TO MAKE PAYMENTS FOR CURRENT SERVICE BY THE DUE DATE EACH MONTH MAY RESULT IN THE TERMINATION OF THE CUSTOMER'S SERVICE PRIOR TO THE HEARING. FAILURE TO MAKE THESE PAYMENTS WILL RESULT IN AN ORDER REQUIRING A LUMP SUM PAYMENT EQUAL TO THE AMOUNT OF ALL MISSED PAYMENTS FOR SERVICE.**

6. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

7. This hearing is a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedures.

8. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following:

- (a) income from salaries, wages, tips or other compensation;
- (b) pension, retirement or social security benefits;
- (c) Supplemental Security Income (SSI);
- (d) unemployment compensation benefits;
- (e) workers' compensation benefits;
- (f) alimony;
- (g) child support;
- (h) public assistance; and
- (i) any other source(s) of income.

9. The utility must bring the following documents to the hearing:

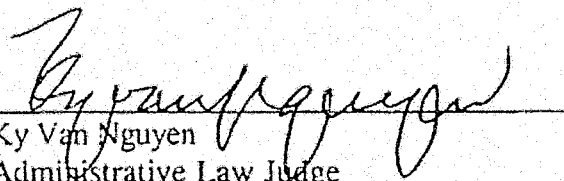
- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a copy of the most recent BCS decision, if any
- (c) a service usage comparison report for the same period as the account statement, and
- (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

10. Under 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code §1.24(b).

11. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

12. **THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.**

Date: May 1, 2006

  
Ky Van Nguyen  
Administrative Law Judge

**Legal Department**

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

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Fax 215 568 4389  
www.exeloncorp.com

Business Services  
Company

Direct Dial 215 841 6841

May 8, 2006

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

ORIGINAL

RE: Sara Gallagher v. PECO Energy Company  
Pa. PUC Docket No.: F-01936685  
FILING OF CERTIFICATE OF SATISFACTION

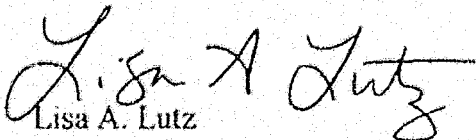
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Dear Secretary McNulty:

Enclosed for filing with the Commission are the original and three (3) copies of a Certificate of Satisfaction in connection with the above-referenced case. This Certificate indicates that PECO Energy Company and the Complainant have resolved the issues raised in the Formal Complaint. Unless the Complainant files an objection to the enclosed Certificate of Satisfaction within ten (10) days, the Formal Complaint should be withdrawn and the Commission's file closed.

If you have any questions with regard to this filing, please contact me at 215.841.6841. Thank you.

Sincerely,



Lisa A. Lutz  
Counsel for PECO Energy Company

LAL/zr

cc: Ms. Sara Gallagher  
Administrative Law Judge Ky Van Nguyen  
Sue Licon

RJP

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SARA GALLAGHER

COMPLAINANT

v.

DOCKET NO. F-01936685

PECO ENERGY COMPANY

RESPONDENT

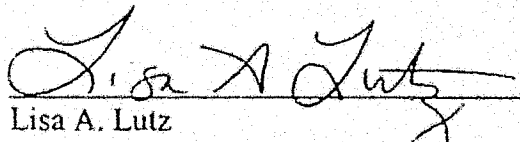
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CERTIFICATE OF SATISFACTION

I, Lisa A. Lutz, Esquire, representing PECO Energy Company ("PECO") in this matter, hereby certify that the issues raised in the Formal Complaint filed by Complainant with the Pennsylvania Public Utility Commission and docketed at Complaint Docket No.F-01936685 have been satisfied.

This Certificate of Satisfaction is provided pursuant to 52 Pa. Code §5.24(b). Unless Complainant files an objection to this Certificate within ten (10) days of its filing, the Formal Complaint shall be withdrawn and the Commission's file closed.

**DOCKETED**  
MAY 12 2006



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

Date: May 8, 2006

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SARA GALLAGHER

COMPLAINANT

v.

PECO ENERGY COMPANY

RESPONDENT

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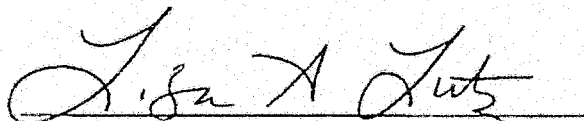
DOCKET NO. F-01936685

CERTIFICATE OF SERVICE

I, Lisa A. Lutz, hereby certify that I have this day served a true and correct copy of the foregoing document upon the interested parties and in the manner indicated below.

Service by first class mail:

SARA GALLAGHER  
46 Quarry Rd., Apt. 2B  
Coatesville, PA 19320



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

Dated: May 8, 2006

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: May 12, 2006  
SUBJECT: F-01936685 Sara Gallagher v. PECO Energy Company  
TO: Wanda Zeiders  
Docket Management  
FROM: Susan Licon, ALJ Support Staff  
Office of Administrative Law Judge

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On May 10, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Ky Van Nguyen  
Beth Plantz  
Case File

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MAY 17 2006

RJP