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COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

----- XDocket No. 7
Matthew Frey v. PECO Energy Company :F-01023091
Billing dispute. :
Initial hearing. :
----- -x

Pages 1 through 7

Hearing Room One
State Office Building
Philadelphia, Pennsylvania

DOCUMENT
FOLDER

Wednesday, April 10, 2002

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

MARLANE R. CHESTNUT, ADMINISTRATIVE LAW JUDGE

APPEARANCES:

MATTHEW FREY
102 N. New Street
Apartment One
West Chester, Pennsylvania 19380
(Pro se)

HENRI P. MARCIAL, ESQUIRE
PECO Energy Company
2301 Market Street
Suite S23-1
Philadelphia, Pennsylvania 19101
(Counsel for PECO)

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WITNESS

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EXHIBIT INDEX

NUMBER	FOR IDENTIFICATION	IN EVIDENCE
(None)		

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1 P R O C E E D I N G S

2 ADMINISTRATIVE LAW JUDGE MARLANE R. CHESTNUT:

3 This is the hearing scheduled at Docket F-C1023091. For
4 the record let me state that I am Administrative Law Judge
5 Marlane R. Chestnut. I note the following appearances for the
6 record: Matthew Frey, representing himself, and Henri Marcial,
7 representing PECO.

8 Now, Mr. Frey, before we get started here, I'm
9 going to give you a chance to see if you can resolve this with
10 the company so that there will be no need for me to proceed with
11 this and write a decision. But before I do that, I do want to
12 make you aware of what the legal situation is.

13 I don't understand why you filed this formal
14 complaint, frankly, because the informal, the decision on the
15 informal complaint I thought set it out pretty clearly. But
16 I especially want to direct your attention to Finding Number
17 Three, that regardless of the regulatory issue involved, that
18 means the company's failure to get an actual reading within six
19 months, the customer consumed the gas, and is responsible for
20 payment.

21 Even accepting your complaint fully, that there
22 was no intermediary reading, they went six months without the
23 reading, that doesn't mean you're not obligated to pay the bill.
24 You have an actual start and an actual finish. You are
25 responsible for that.

1 Now, I would expect the company to make some kind
2 of offer to you as mainly a goodwill kind of gesture. Because
3 I tell you the truth, you really do not have any kind of legal
4 basis for your complaint.

5 Are you willing to attempt to negotiate this,
6 Mr. Marcial?

7 MR. MARCIAL: Yes.

8 JUDGE CHESTNUT: Then I will see if you can do
9 that. Let me know when you're done.

10 MR. MARCIAL: Thank you, Your Honor.

11 (Whereupon, at 10:05 a.m. the parties went off the
12 record.)

13 JUDGE CHESTNUT: Let's go back on the record.
14 I gave the parties an opportunity to resolve this matter.

15 Mr. Marcial.

16 MR. MARCIAL: Your Honor, the parties have
17 reached a settlement. We are prepared to file a Certificate
18 of Satisfaction and terminate.

19 JUDGE CHESTNUT: Do you understand?

20 MR. FREY: It has been explained to me.

21 JUDGE CHESTNUT: What will happen is Mr. Marcial
22 will file a letter saying this has been resolved. You will get
23 a letter from the Commission saying that your docket is closed.
24 Thank you very much. Thank you for resolving it. This hearing
25 is adjourned.

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MR. MARCIAL: Thank you, Your Honor.

MR. FEY: Thank you, Your Honor.

(Whereupon, at 10:45 a.m. the hearing was
adjourned.)

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C E R T I F I C A T E

I hereby certify, as the stenographic reporter,
that the foregoing proceedings were taken stenographically by
me, and thereafter reduced to typewriting by me or under my
direction; and that this transcript is a true and accurate
record to the best of my ability.

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