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PLEASE DOCKET

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joseph A. Zeccardi, Jr.  
v.  
PECO Energy Company

Docket Number  
F-01184392

**DOCKETED**

JUL 07 2003

PREHEARING ORDER

On May 6, 2003, I was assigned as the presiding officer in this case. The purpose of this order is to bring to the attention of the parties certain procedural rules that apply to the participants in this proceeding. This case is scheduled for a telephonic hearing on Monday, July 28, 2003 at 10:00 a.m. Please note that this was originally listed as a special agent case. However, because the Complainant is disputing that he owes the Respondent \$1,400, a court reporter will be present.

In the complaint, the Complainant alleged the following: that he has owned the apartment building for 15 years; that he has always been on the Respondent's budget program; that the Respondent claims that his settlement payment (twelfth month payment) is \$1,400; that he thought that the budget plan was designed to spread the bills throughout the year so that a large amount would not be requested in one month. He requested that the settlement amount be reduced to \$300 or less which is in line with previous settlement amounts

In its Answer, the Respondent admitted that its budget billing program is designed to prevent large settlements. The Respondent denied that the program is responsible for the \$1,428.73 settlement bill at the end of the budget billing year. The Respondent explained that the billing option allows the customer to make equal monthly payments for eleven months and receive a credit for overpayment or a bill for underpayment in the twelfth month. The Respondent contended that the large settlement amount at the end of his budget billing year is a

result of the Complainant's request to reduce his budget billing amount in spite of the Respondent's suggestion that the monthly billing be increased after the eighth month budget billing evaluation.

The Respondent has requested that the Commission issue an order requiring payments to be made during the pendency of the proceeding. Therefore, the Complainant is ordered to make monthly payments on the undisputed amounts until a final order is issued in this matter.

The Complainant has the burden of proving that the allegations in the complaint are true. Section 332(a) of the Public Utility Code, 66 Pa. C.S. §332(a).

If the Complainant has not made the payments that the Bureau of Consumer Services ("BCS") directed him to make, he must explain why the payments were not made. Failure to make regular payments as directed may result in an order requiring a lump sum payment equal to the amount of the payments for consumption that should have been made.

The Respondent must submit the relevant account statement and the most recent BCS decision.

If you wish to offer documents into evidence during the hearing (i.e. letters, bills, canceled checks, receipts, account statements, etc.), you should send three copies to me (a copy for the presiding officer and 2 copies for the Court Reporter) and send a copy to every other party in the case at least seven days in advance. Please keep a copy for yourself. 52 Pa. Code §5.409. Please send my copies to 1302 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130.

Pursuant to 52 Pa. Code §1.15(b), requests for postponements or continuance of hearings must be submitted in writing no later than five (5) days prior to the hearing. Requests for postponement or continuance of hearings are to be sent to the presiding officer with copies to

the Scheduling Office and the other party of record. The address for the Scheduling Office is P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265

All witnesses should be prepared to testify during the July 28, 2003 hearing. If the witness will be at a different telephone number, please notify my office at least five days in advance so that the necessary arrangements can be made.

If you will be at a different telephone number than the one listed on the hearing notice, please contact my office immediately. My telephone number is (215) 560-2105.

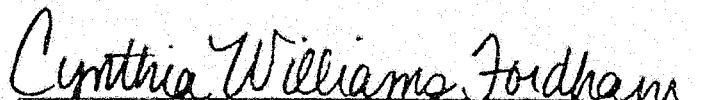
ORDER

THEREFORE,

IT IS ORDERED:

1. That the Complainant shall make monthly payments pending a final Commission Order.
2. That the parties shall comply with the procedural rules and regulations discussed herein.

Date: June 30, 2003

  
Cynthia Williams Fordham  
Administrative Law Judge



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge

P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

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July 3, 2003

In Re: F-01184392

(See letter dated 05/06/03)

Joseph A. Zeccardi, Jr. v. PECO Energy Company

Requests payment arrangements.

Telephone Hearing Notice

This is to inform you that the Time of the hearing by telephone on the above-captioned case has been changed due to a scheduling conflict.

Type: Initial telephone hearing

Date: Monday, July 28, 2003

Time: 1:00 p.m.

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

DOCKETED  
JUL 08 2003

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

FILE

At the above date and time, the Presiding Officer will contact the parties as follows:

Joseph A. Zeccardi, Jr.  
Priya Sankar, Esquire

(215) 884-4248  
(215) 841-5544

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

*Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.*

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

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 Fordham  
Judy W. Springer  
Beth Plantz  
Docket Section  
Calendar File

# OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No	F-01184392		YES	NO
Case Name	Joseph A. Zeccardi, Jr. v. PECO Energy	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Company		Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location	Philadelphia, PA	Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date	July 28, 2003	Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ	Cynthia W. Fordham	Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm	Sargents Court Reporting Service, Inc.	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Transcribed by M. Brown</i> PA PUC		Estimated Add'l Days:		
		RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:	8/18/03	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	<i>record will close 8/18/03 - date transcript is due.</i>	

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PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Joseph A. Zeccardi, Jr.	205 West Avenue Jenkintown <small>City: Jenkintown State: PA Zip: 19046</small>	Pro Se
Telephone: (215) 884-4248	E-mail Address:	Fax Number:
Priya Sankar, Esquire	PECO Energy Company 2301 Market St, P.O. Box 8699 <small>City: Philadelphia State: PA Zip: 19104-8699</small>	PECO Energy
Telephone: (215) 841-5544	E-mail Address:	Fax Number:
	<small>City State Zip</small>	
Telephone:	E-mail Address:	Fax Number:

Check this box if additional parties or attendees appear on back of form.

*Tranisha M. Brown*  
Reporter's Signature