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CHITUCHY

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

MINDY JAYE ZIED & BINNIE A. ZIED, Complainants) F-2015-2500342
) P-2015-2520474
v.) F-2015-2500342
)
PECO Energy Company, An Exelon Corp., Respondents)
and)
Gladys M. Brown, Chairperson of the Public Utilities)
Commission,)

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**COMPLAINANTS'S MOTION FOR AN INTERLOCUTORY APPEAL TO
THE COMMONWEALTH OF PENNSYLVANIA BASED UPON THE
STATEMENT/ORDER ATTACHED TO THE APRIL 6, 2017 ORDER BY
THE PUBLIC UTILITIES COMMISSION MADE BY PUC CHAIRMAN -
GLADYS M. BROWN (Made within 10 days of the April 6, 2017 ORDER,
PURSUANT TO 52 PA CODE §5.633(a))**

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Mindy Jaye Zied(Campbell), pro se
Binnie A. Zied, pro se
1948 Kentwood Street
Philadelphia, PA 19116

DATE: April 10, 2017

INTRODUCTION

28 C.F.R. Section 35.160

§35.160 General

(a)(1) A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.

(2) For purposes of this section “companion” means a family member, friend, or associate of an individual seeking access to a service, program, or activity of a public entity, who, along with such individual, is an appropriate person with whom the public entity should communicate.

(b)(1)

A public entity shall furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities, including applicants participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity.

(2) The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual, the nature, length, the complexity of the communication involved; and the context in which the communication is taking place. In determining what types of auxiliary aids and services are necessary a public entity shall give primary consideration to the requests of individuals with disabilities. In order to be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

The April 6, 2017 Statement by Gladys M. Brown attached to the April 6, 2017 ORDER

Instead of trying to figure out how to accommodate the disabilities of Complainants’ Mindy Jaye Zied (aka Zied-Campbell) and Binnie A. Zied, you the PUC have made yourselves a “party” to this case. Not only is this a request to have the

following question heard by the Commonwealth of Pennsylvania on an Interlocutory basis, but this is to inform you that Mindy Jaye Zied-Campbell is putting you (Gladys M. Brown) on notice in your individual and official capacity as the Chairman of the Public Utilities Commission that I, Mindy Jaye Zied-Campbell have, within the two year statutory time limit in the Commonwealth of Pennsylvania that the "Statement" which you have attached to your ORDER, dated April 6, 2017 discriminates against me on the face of said document, and violates the Rehabilitation Act of 1973, et. seq., (because the Public Utilities Commission receives federal funding), and violates the American with Disabilities Act of 1990, et. seq.

It is Binnie Zied, not Mindy Zied's age and medical issues that prevent her from attending the hearing, due to the fact that Binnie Zied will turn 99 this year, and cannot hear over the telephone due to the two hearing aids she wears.

The Question for Certification to the Commonwealth of Pennsylvania for Interlocutory Review is:

"Whether the April 6, 2017 Statement made by the Pennsylvania Public Utilities Commission, Gladys M. Brown, Chairman of the Pa PUC discriminates against Complainant Mindy Jaye Zied-Campbell (for communication difficulties) on the face of that document, and against Binnie A. Zied (based upon her age) when Ms. Brown puts the regulations of the Commission over the the rights of a disability accommodation request by a disabled individual who asserts verbal communication and comprehension difficulties in certain settings, where the same effect as to the procedures before the PUC can be accomplished in writing so both parties can effectively participate in the proceedings before the Public Utilities Commission, thus violating both Zied-Campbell and Binnie Zied's due process rights to be properly heard before this tribunal."

As was asserted by the PUC in the April 6, 2017 ORDER, this request is being made in a “timely manner”, pursuant to 52 Pa Code §5.633(a):

(April 6, 2017 ORDER, page 15)

(a) When the Commission has made an order which is not a final order, a party may by motion request that the Commission find, and include the findings in the order by amendment that the order involves a controlling question of law as to which there is a substantial ground for difference of opinion and that an immediate appeal to the Commonwealth Court from the order may materially advance the ultimate termination of the matter. The motion shall be filed within 10 days after service of the order, and is procedurally governed by 5.103(a)-(c) (relating to hearing motions) Unless the Commission acts within 30 days after the filing of the motion, the motion will be deemed denied.

ARGUMENT

April 6, 2017 Assertion by the PUC (page 14):

“The Complainants have the burden of showing, by a preponderance of the evidence, that PECO is responsible for the problem described in the Complaint.”

In all seriousness, this is not rocket science. The pictures which were submitted by Zied-Campbell and Binnie Zied showed that there had been no electric meters on the wall of the residence of 1948 Kentwood Street, Philadelphia, PA 19116 from March 23, 2014 through June 13, 2014, (Attachment #2) although PECO’s submission shows that the problem they were investigating was resolved on March 24, 2014. They never provided proof that there were any attachments to said missing meters of a detection of the usage of the electricity. As a matter of fact, the bills which were generated show the complete opposite scenerio. (estimated readings opposed to actual readings)

Attachment #3 is so blatantly clear, one might wonder why we are still doing this.

Attachment #3, page 1. (PECO Bill - DUE 8/21/2014)

...Budget Bill "Settlement"	-\$1,514.43
Total Other Charges	- 639.03

Important Part -

Total Amount Due on 08/21/2014	\$0.00
Your remaining excess credit is \$639.03	

Attachment #3, page 2.

Excess credit	-\$639.03
---------------	-----------

The Current Charges on this Bill don't even make sense.	\$772.97
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Important Part:

Total Amount due on 8/22/2014	\$133.94
(paid on 8/4/2014 - Check #4028 -\$133.94)	

Attachment #3, page 3 and 4:

Important Part:

Total Amount Due on 8/25/2014	(adding improper amounts back to bill)	
(based on service 5/22-6/25 ????? on an estimate not actual reading)		\$237.04
	now requesting:	\$370.98

Attachment #3, page 5:

Important Part:

Total Amount Due on 8/26/2014	adding	\$257.19
		\$628.17

So, you have a -0- amount due by 8/21/2014...
 You have a \$133.94 due by 8/22/2014...
 You have \$370.98 due by 8/25/2014...
 You have \$628.17 due by 8/26/2014...

And, this Commission thinks that it is PECO's rights that are being adversely effected???

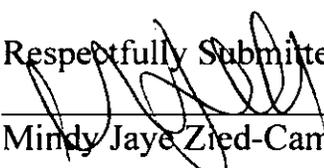
Don't you find it a bit odd that on 5/22/2014 when the meter was off the wall that the "Estimated reading of Meter #117138091 is 49,673, (attachment #3, page 6), and (Attachment #3, page 7), on June 13, (the day they put a " meter on the wall), that the "actual reading" of the old Meter Number 117138091 on June 13, 2014 was 49,673?

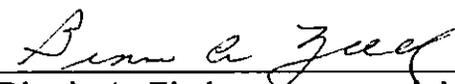
CONCLUSION

This Motion is timely filed. It is an important question that needs to be addressed by the Commonwealth of Pennsylvania to resolve this issue once and for all.

However, if the evidence provided by the Complainant's appears to be overwhelming against PECO, feel free at any time to rule in favor of the Complainants' and against PECO.

Respectfully Submitted,


 Mindy Jaye Zied-Campbell, pro se complainant


 Binnie A. Zied, pro se complainant

Date: April 10, 2017

Attachments

Attachment #1 - April 6, 2017 PUC ORDER
Attachment #2 - Picture of "No Meter on Wall"
Attachment #3 - PECO Billing Statements between 8/21/2014-8/26/2017
 Certificate of Service

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT A
APRIL 6, 2017 PUC ORDER

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held April 6, 2017

Commissioners Present:

Gladys M. Brown, Chairman, Statement
Andrew G. Place, Vice Chairman
John F. Coleman, Jr.
Robert F. Powelson
David W. Sweet

Mindy Jaye Zied and Binnie A. Zied

P-2015-2520474
F-2015-2500342

v.

PECO Energy Company

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is a Motion filed by Mindy Jaye Zied and Binnie A. Zied (Complainants) on December 23, 2016, in the above-captioned proceeding.¹ PECO Energy Company (PECO, Respondent, or Company) filed an Answer to the Motion on

¹ The Complainants' Motion is titled "Complainants Renewed Motion for a Disability Accommodation Request or Certification to the Commonwealth Court of Pennsylvania for Resolution of this Question." As will be discussed in more detail herein, we shall treat one portion of the Motion as a Petition for Rescission or Amendment (Petition) under 52 Pa. Code § 5.572(d) and another portion of the Motion as a Motion for Certification of Interlocutory Order (Motion for Certification) under 52 Pa. Code § 5.633.

January 5, 2017. For the reasons more fully discussed below, we shall deny the Motion and return this matter to the Office of Administrative Law Judge (OALJ).

History of the Proceeding

On August 24, 2015, the Complainants filed a Formal Complaint² at Docket No. F-2015-2500342, alleging that there were incorrect charges on Mindy Zied's bills from PECO for electric service. The Complainants claimed the amount owed was the result of an improper transfer of a balance accrued at 1948 Kentwood Street, Philadelphia, Pennsylvania (service address) prior to Mindy Zied's alleged occupancy at the service address. The Complainants also alleged that there were no meters at the service address from March 23, 2014, through June 13, 2014, to generate accurate billing of the amount of electric usage at the service address. The Complainants disputed the amounts billed over that time period. Complaint at 2. The Complainants stated that they reached a settlement with a PECO customer service representative regarding the unmetered electric usage bill from March 23, 2014, until June 13, 2014, which resulted in a balance due of \$133.94, and that PECO failed to honor that settlement. *Id.* at 5. The Complainants further contested a deposit assessed to Mindy Zied's account on the basis that PECO previously told Mindy Zied that no deposit was required for her account. *Id.* at 2.

On September 10, 2015, the Respondent filed an Answer denying all material allegations of fact and conclusions of law in the Complaint. The Respondent stated that the Complainant Mindy Zied was responsible for the transferred balance attributable to the Complainant Binnie Zied's account based on the Respondent's contention that Mindy Zied resided at the service address and benefitted from the electric service. Answer at 5-6. The Respondent also averred that the charges were correct and

² The Complaint was a timely appeal of an informal Bureau of Consumer Services (BCS) decision at BCS Case No. 003322542.

that the security deposit assessed to Mindy Zied's account was in compliance with its tariff and Section 1404(a) of the Public Utility Code (Code), 66 Pa. C.S. § 1404(a). Answer at 4.

On September 15, 2015, the Complainants filed an objection to the Respondent's Answer and also moved for an immediate judgment in their favor. By Order dated November 2, 2015, Administrative Law Judge (ALJ) Angela T. Jones indicated that the document the Complainants filed would be considered a preliminary objection. In the Order, the ALJ overruled the objection and denied the Complainants' request because the Motion failed to conform to the seven grounds available for filing objections set forth in 52 Pa. Code § 5.101(a)(1)-(7).

On October 7, 2015, the Complainants served the ALJ with a "Motion for an Immediate Decision/Summary Judgment" and "Brief in Lieu of Hearing," which the ALJ treated as a Motion for Summary Judgment (Summary Judgment Motion).³ Among other things, the Complainants requested that reasonable accommodations be made and that the ALJ decide the proceeding based on written submittals or a written brief instead of an in-person or telephonic hearing. The Complainants stated that Mindy Zied is "permanently disabled with a non-physical disability" and indicated that her mental health condition does not allow her to effectively participate in a telephonic hearing. Motion at 4. The Complainants also stated that Binnie Zied's "health would be in jeopardy" if she had to attend a hearing and noted her age of ninety-seven as a factor that prohibits her physical attendance at a hearing. *Id.* at 3. The Summary Judgment Motion contained thirteen attachments.

³ The ALJ noted that the Summary Judgment Motion was not filed with the Commission. Accordingly, the ALJ filed the motion with the Secretary's Bureau on November 10, 2015, and provided a copy to PECO's counsel.

On November 2, 2015, PECO filed a Motion to File Response to Complainants' Motion for Summary Judgment *Nunc Pro Tunc*. PECO also filed a Response to the Complainants' Summary Judgment Motion on November 2, 2015. In its Response, PECO disputed any settlement between the Parties and denied that the Company removed the meter at the service address without notice. PECO averred that there were several genuine issues of material fact pending in this case which would make summary judgment inappropriate. The Respondent contended that an in-person hearing was required to assess the credibility of witnesses and was necessary because of the amount of witnesses and the number of documents potentially required for it to effectively advocate the matter.

In the Order Denying Motion for Summary Judgment dated November 17, 2015 (November 2015 Order), the ALJ concluded that the documents presented by the Complainants did not excuse their attendance because, as listed Complainants in this case, they are responsible for the allegations made in the Complaint and bear the burden of proof concerning the allegations. The ALJ stated that the Complainants' filings contain material questions of fact, including whether PECO's actions toward the Complainants constituted fraudulent conduct; whether the removal and replacement of the meter at the service address complied with the Commission's Rules and Regulations; whether PECO and the Complainants reached a settlement; and whether the Complainants' bills for electric service were correct. *Id.* at 7. The ALJ provided the Complainants with the following five options for proceeding with the Complaint:

- (1) by agreeing to mediation;
- (2) by agreeing to settlement negotiations;
- (3) through a telephonic evidentiary hearing;
- (4) through an in-person hearing; or
- (5) by withdrawing the Complaint and proceeding in the appropriate federal or municipal court.

Id. at 7-8. The ALJ determined that, because material issues of fact were present, summary judgment was not appropriate. Accordingly, the ALJ directed the Complainants to inform the ALJ and the Respondent regarding their choice for presenting the Complaint based on the five options provided above. *Id.* at 8.

On December 22, 2015, the Complainants filed a Petition for Interlocutory Review and Answer to Material Question (December 2015 Petition). The Complainants requested interlocutory Commission review and answer to the following material question:

Whether in the Commonwealth of Pennsylvania in order to be in compliance with the Americans with Disabilities Act of 1990, [42 U.S.C. §§ 12101-12213, specifically] § 12132, an in-person hearing can be waived by a self-represented individual and/or individuals who are impaired by permanent non-physical disabilities, which include but are not limited to, communication difficulties, and/or by a ninety-seven year-old individual who suffers from health problems, allowing the merits of a complaint to be heard based solely on the paperwork submitted as an alternative form of communication/accommodation request to either the disabilities in question and/or the age and/or physical health of that elderly self-represented complainant.

The Complainants requested that the Commission answer the material question in the affirmative. December 2015 Petition at 2.

By Order entered April 21, 2016 (*April 2016 Order*), we granted the December 2015 Petition and answered the material question in the affirmative, in part. In addition to the five procedural options provided by the ALJ in the November 2015 Order, we provided the Complainants with an additional accommodation option. We stated the following:

Consistent with Section 5.412 of our Regulations, the Parties may submit written testimony and accompanying exhibits,

including direct testimony by the Complainants and rebuttal testimony by PECO, instead of presenting oral testimony during a hearing. We note, however, that any written testimony and exhibits submitted by the Parties will still be subject to the procedural rules regarding admissibility and cross-examination of the sponsoring witness. 52 Pa. Code § 5.412(c). The ALJ has the authority to establish the schedule and directives for the filing and authentication of written testimony and exhibits and for cross-examination by other Parties. To the extent that the Parties reach settlements and/or stipulate to facts or to the authenticity of documents, 52 Pa. Code §§ 5.232, 5.234, or admit to facts, 52 Pa. Code § 5.350, this may reduce the necessity for oral presentation during an in-person or telephonic hearing.

April 2016 Order at 10. We returned this matter to the OALJ and directed the Complainants to provide in writing to the ALJ and counsel for the Respondent their choice on how to proceed with their Complaint based on the six options that were provided. *Id.* at 11.

On May 5, 2016, the Complainants submitted a written response in which they elected to have the materials previously filed with their Complaint serve as their written testimony, specifically, the August 24, 2015 Complaint and the September 15, 2015, and October 7, 2015 submissions. While the Complainants' previous filings did not comply with the form for written testimony, as set forth in 52 Pa. Code § 5.412(e), by Order dated May 10, 2016 (May 10, 2016 Order), the ALJ waived the form requirement for written testimony in order to secure a just, speedy, and less expensive determination consistent with 52 Pa. Code § 1.2. Additionally, the ALJ determined that the paperwork submitted by the Complainants would not be admitted into the record as evidence because there were exhibits and testimony that must first be established as reliable and verifiable. Therefore, the ALJ found that there was a need for an evidentiary hearing. The ALJ stated that, pursuant to the *April 2016 Order* and 52 Pa. Code § 5.412(c), a telephonic hearing would be scheduled,

unless the Complainants notified the ALJ that they preferred an in-person hearing. May 10, 2016 Order at 3.

On May 18, 2016, the Complainants filed a Motion for the Recusal of ALJ Jones (Recusal Motion). The Complainants averred that the ALJ abused her discretion by forcing the Complainants to choose between a telephonic hearing or an in-person hearing, which the Complainants contended violated the language of the *April 2016 Order*. The Complainants also averred that the ALJ has used the term "alleged" in identifying one of the Complainant's, Mindy Zied's, disabilities in the ALJ's Orders when the disabilities were factually established. The Complainants argued that the ALJ's Orders are inaccurate or do not rely on the factual record. The Complainants stated that the ALJ omitted the Complainants' November 15, 2015 letter that suggested, based on the conduct of employees of the Respondent, that the Complainants were forced to file a Complaint with the PUC, and, therefore, did not voluntarily file the instant Complaint. The Complainants stated that ALJ Jones chose out of bias to rule against an accommodation for them.

By Order dated May 23, 2016 (May 23, 2016 Order), ALJ Jones denied the Recusal Motion. Initially, the ALJ explained that disqualification of a presiding officer is governed by Section 5.482 of the Commission's Regulations, 52 Pa. Code § 5.482. The ALJ found that the Complainants did not provide an affidavit as required by Section 5.482(a). The ALJ stated that only those facts that are contained in an affidavit and have been alleged with particularity will be weighed as evidence in support of the motion. May 23, 2016 Order at 9 (citing *United States v. Thomas*, 299 F. Supp. 494, 499 (E.D. Missouri 1968)). The ALJ, nevertheless, considered the merits of the Complainants' averments in the Recusal Motion. The ALJ stated that, to be disqualifying, personal bias must result in an opinion on the merits of a case that is not supported by the record. May 2016 Order at 9 (citing *United States v. Grinnell Corp.*, 384 U.S. 563, 86 S. Ct. 1698 (1966)). The ALJ found that she complied with the *April 2016 Order*, and the

Complainants failed to show that she had not complied. Additionally, the ALJ found that the Complainants failed to demonstrate factual support for a claim that the ALJ was personally biased toward or against any Party in this proceeding or that this proceeding has been prejudiced by the ALJ under Section 5.482(a). May 23, 2016 Order at 10. Accordingly, the ALJ did not recuse or disqualify herself from presiding over this proceeding. *Id.* at 11.

By Hearing Notice dated June 2, 2016, the ALJ scheduled a telephonic hearing for July 19, 2016.

On June 2, 2016, the Complainants filed a second Petition for Interlocutory Review and Answer to Material Question (June 2016 Petition), as well as a Brief in Support of the Petition. The Complainants requested interlocutory Commission review and answer to the following material questions:

(1) When an Affidavit which was presented by self-represented parties and which was contained as an exhibit in a Motion requesting an Administrative Law Judge's recusal that [contained the following]: (1) separate numbered paragraphs; (2) the date it was signed and handwritten signatures of both parties; [and] (3) a statement that said that the contents of said Affidavit were verified as being true and that statement contained language that the contents of that affidavit were being made subject to the penalties of perjury, as defined in the second criteria of Pa. R.C.P. 76 (Definitions), and where those self-represented individuals never had their identities or signatures questioned prior to the submission of said Motion, whether that Affidavit/Declaration which complies with 28 U.S.C. § 1746 (Unsworn declarations under penalty of perjury), should have been addressed as well as admitted into the record by the Administrative Law Judge whose recusal had been requested?

(2) Based upon the entire content of the Affidavit, pursuant to 52 Pa. Code § 5.482(a), submitted on May 18, 2016, and in

accordance with the law, in order for the Complainants to obtain a fair and just ruling in [this proceeding], whether there was an adequate showing set forth in their Motion and Affidavit against Administrative Law Judge Angela T. Jones to warrant the disqualification of ALJ Jones from hearing [this case]?

The Complainants requested that the Commission answer the material questions in the affirmative. June 2016 Petition at 2.

On June 13, 2016, PECO submitted its Rebuttal Testimony. On June 16, 2016, the Complainants filed a Motion objecting to PECO's service of the Rebuttal Testimony.

By Order entered on September 15, 2016 (*September 2016 Order*), we answered the material questions presented by the Complainants in the June 2016 Petition in the negative and returned the matter to the OALJ. We stated that interlocutory review was necessary for the limited purpose of clarifying our *April 2016 Order* and the ALJ's Orders in this proceeding. We explained the following:

In the *April 2016 Order*, based on Section 5.412 of our Regulations, 52 Pa. Code § 5.412, we allowed the Parties to submit written testimony and accompanying exhibits, instead of presenting oral testimony during a hearing. However, in order to protect the due process rights of all Parties, we could not, and did not, eliminate a hearing altogether. As we noted in the Order, written testimony and exhibits submitted by the Parties will still be subject to the procedural rules regarding admissibility and cross-examination of the sponsoring witness, consistent with 52 Pa. Code § 5.412(c). We stated, "[b]ecause there are material issues of fact present, we cannot waive the Parties' rights to cross-examination or prohibit the Parties from responding to arguments made by each other. See, *Hess v. Pa. PUC*, 107 A.3d 246, 266 (Pa. Cmwlth. 2014)." *April 2016 Order* at 11. We noted that the Parties may reduce the need for oral presentation during a hearing by reaching settlements and/or stipulating to facts or to the

authenticity of documents, *id.* at 10, and we encourage the Parties to do so. Our intent in the Order was to provide an accommodation for the Complainants that was consistent with our Procedural Regulations, while protecting all Parties' rights to due process and a fair hearing. We, therefore, conclude that the ALJ's determination that it was necessary to schedule an evidentiary hearing was compliant with the *April 2016 Order*. The ALJ was also accommodating to the Complainants in waiving our form requirement for written testimony in the May 10, 2016 Order.

April 2016 Order at 13-14.

By Hearing Notice dated November 17, 2016, a telephonic hearing was scheduled for January 11, 2017.

As previously discussed, the Complainants filed the instant Motion on December 23, 2016. PECO filed an Answer to the Motion on January 5, 2017. On January 8, 2017, the Complainants filed a Reply to PECO's Answer.⁴

By Secretarial Letter issued January 10, 2017, the Commission waived the thirty-day period set forth in 52 Pa. Code § 5.633 pertaining to certification of interlocutory orders to provide adequate time to address the Complainants' Motion. By Order dated January 10, 2017, the ALJ stayed the telephonic hearing scheduled for January 11, 2017, pending the Commission's decision on the Motion.

⁴ Neither Section 5.572 nor 5.633 of our Regulations permit a reply to PECO's Answer. Accordingly, we will not consider the merits of the Complainants' Reply to PECO's Answer.

Discussion

The Complainants' Motion and PECO's Answer

In the Motion, the Complainants state that they are making a "renewed disability accommodation request." Specifically, the Complainants aver that the November 17, 2016 Hearing Notice, which scheduled a telephonic hearing for January 11, 2017, is inadequate to meet the disability needs of both Complainants. The Complainants assert that they have continually informed the OALJ and the Commission that they have disabilities that include communication difficulties and have requested permission to resolve the issues in the Complaint proceeding against PECO through written submissions only. The Complainants also assert that the OALJ has failed to comply with the Complainants' requests and to accommodate their impairments and disabilities.

The Complainants request that, if the Commission denies their "renewed disability accommodation request," then the Commission certify to the Commonwealth Court of Pennsylvania the following question:

Whether in the Commonwealth of Pennsylvania in order to be in compliance with the Americans with Disabilities Act of 1990, [42 U.S.C. §§ 12101-12213, specifically] § 12132, an in-person or telephonic hearing can be waived by a self-represented individual and/or individuals who are impaired by permanent non-physical disabilities, which include but are not limited to, communication difficulties, and/or by a ninety-eight year-old individual who not only suffers from health problems, but cannot hear via telephone, allowing the merits of a complaint to be heard based solely on the paperwork submitted, as an alternative form of communication/accommodation request to either the

disabilities in question and/or the age and/or physical health of that elderly self-represented complainant.

Motion at 3.

The Complainants also describe the prior accommodation requests that they have made to the OALJ and the Commission, including the following: the October 7, 2015 "Motion for an Immediate Decision/Summary Judgment" and "Brief in Lieu of Hearing," which the ALJ treated as a Motion for Summary Judgment; the May 5, 2016 written response, in which the Complainants elected to have the materials previously filed with their Complaint serve as their written testimony, specifically, the August 24, 2015 Complaint and the September 15, 2015, and October 7, 2015 submissions; and the December 2015 Petition. The Complainants further describe a decision by an Administrative Law Judge of the Pennsylvania Department of Human Services that permitted Mindy Zied to proceed on written briefs in lieu of appearing for an administrative hearing against the Pennsylvania Department of Agriculture. The Complainants cite to provisions of the ADA and the Pennsylvania Administrative Code in support of their accommodation request. The Complainants have included fourteen attachments in support of their request.

In its Answer, PECO avers that the Complainants have not demonstrated that they have a disability within the meaning of the ADA and that they have not presented any exhibits to show they are "disabled" within the meaning of the statute. Answer at 2, 3 (citing 42 U.S.C. §§ 12102(1)(A) and 12131(2)). PECO states that, assuming the Complainants have demonstrated a disability within the meaning of the ADA, the Commission has offered reasonable accommodations to the Complainants under the ADA by permitting them to participate by telephone and pre-filed written testimony. Answer at 5 (citing 28 C.F.R. § 35.150(a)). PECO respectfully submits that the Complainants have not

described anything in their Motion that would prohibit them from participating telephonically and, as such, their Motion should be denied. Answer at 6.

Disposition

Initially, we note that the Complainants are requesting two forms of relief in the Motion. First, the Complainants are making a “renewed disability accommodation request.” We consider this request to be a Petition for Rescission or Amendment of our prior decision in the *April 2016 Order*, which we clarified in the *September 2016 Order*, regarding hearing accommodations for the Complainants.⁵ Second, the Complainants request that, if we deny their “renewed disability accommodation request,” then we certify their accommodation request question, which was specifically addressed in the *April 2016 Order*, to the Commonwealth Court of Pennsylvania. We consider this portion of the Motion to be a Motion for Certification of Interlocutory Order pursuant to 52 Pa. Code § 5.633. We will address each request separately herein.

Petition for Rescission or Amendment

Upon review, we find that the Complainants have not satisfied the standards for rescission or amendment of our *April 2016 Order* and *September 2016 Order*. The Code establishes a party’s right to seek relief following the issuance of our decisions pursuant to Subsections 703(f) and (g), 66 Pa. C.S. § 703(f) and § 703(g), relating to rehearings, as well as the rescission and amendment of orders. Such requests for relief must be consistent with Section 5.572 of our Regulations, 52 Pa. Code § 5.572, relating to petitions for relief following the issuance of a decision.

⁵ Such petitions may be filed at any time pursuant to the requirements of Section 703(g) of the Code, 66 Pa. C.S. § 703(g).

A petition to modify or rescind a Commission decision may only be granted judiciously and under appropriate circumstances, because such an action results in the disturbance of orders. *City of Pittsburgh v. Pennsylvania Department of Transportation*, 490 Pa. 264, 416 A.2d 461 (1980). Additionally, we recognize that while a petition under Section 703(g) may raise any matter designed to convince us that we should exercise our discretion to amend or rescind a prior decision, at the same time “[p]arties . . ., cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them.” *Duick v. Pennsylvania Gas and Water Company*, 56 Pa. P.U.C. 553 (Order entered December 17, 1982) (quoting *Pennsylvania Railroad Co. v. Pennsylvania Public Service Commission*, 179 A. 850, 854 (Pa. Super. 1935)). Such petitions are likely to succeed only when they raise “new and novel arguments” not previously heard or considerations which appear to have been overlooked or not addressed by the Commission. *Duick* at 559.

We have addressed the Complainants’ request for hearing accommodations on two separate occasions, in the *April 2016 Order* and *September 2016 Order*, and have decided to permit the Parties to submit written testimony and accompanying exhibits instead of presenting oral testimony during a hearing. The complaint proceeding is a contested proceeding, and the Complainants have the burden of showing, by a preponderance of the evidence, that PECO is responsible for the problem described in the Complaint. 66 Pa. C.S. § 332(a); *Samuel J. Lansberry, Inc. v. Pa. PUC*, 578 A.2d 600 (Pa. Cmwlth. 1990), *alloc. denied*, 529 Pa. 654, 602 A.2d 863 (1992). Accordingly, as we indicated in the *April 2016 Order*, to ensure that the proceeding is conducted fairly and the due process rights of all Parties are protected, we cannot eliminate a hearing altogether under the state and federal Constitutions, the Code or our Procedural Regulations. We stated, “[b]ecause there are material issues of fact present, we cannot waive the Parties’ rights to cross-examination or prohibit the Parties from responding to arguments made by each other.” *April 2016 Order* at 11. We also encouraged the Parties to reduce the need for oral presentation during a hearing by reaching settlements and/or

stipulating to facts or to the authenticity of documents. *Id.* at 10. The ALJ has been following the procedures set forth in our Orders. We find that, under the circumstances, we have offered reasonable accommodations to the Complainants by permitting a telephonic hearing and the submission of pre-filed written documents. The Complainants have not made any new or novel arguments that would compel us to exercise our discretion to amend or rescind the *April 2016 Order* or the *September 2016 Order*. For these reasons, we shall deny the Petition portion of the Motion.

Motion for Certification of Interlocutory Order

As previously discussed, the Complainants have asked us to certify to the Commonwealth Court of Pennsylvania the following question:

Whether in the Commonwealth of Pennsylvania in order to be in compliance with the Americans with Disabilities Act of 1990, [42 U.S.C. §§ 12101-12213, specifically] § 12132, an in-person or telephonic hearing can be waived by a self-represented individual and/or individuals who are impaired by permanent non-physical disabilities, which include but are not limited to, communication difficulties, and/or by a ninety-eight year-old individual who not only suffers from health problems, but cannot hear via telephone, allowing the merits of a complaint to be heard based solely on the paperwork submitted, as an alternative form of communication/accommodation request to either the disabilities in question and/or the age and/or physical health of that elderly self-represented complainant.

Motion at 3.

Certification of interlocutory orders is governed by Section 5.633 of our Regulations, 52 Pa. Code § 5.633. Section 5.633(a) provides the following:

(a) When the Commission has made an order which is not a final order, a party may by motion request that the

Commission find, and include the findings in the order by amendment, that the order involves a controlling question of law as to which there is a substantial ground for difference of opinion and that an immediate appeal to Commonwealth Court from the order may materially advance the ultimate termination of the matter. The motion shall be filed within 10 days after service of the order, and is procedurally governed by § 5.103(a)-(c) (relating to hearing motions). Unless the Commission acts within 30 days after the filing of the motion, the motion will be deemed denied.

Of course, requesting that Commission certify an interlocutory order is only the first step in a complex process of seeking appellate review of such an order. *See*, Pa. R.A.P. 1311(b). *See also*, *Commonwealth of Pennsylvania v. McMurren*, 945 A.2d 194 (Pa. Super. Ct. 2008) (for a detailed discussion of the appellate procedures that apply to appeals from interlocutory orders).

Upon review, we shall deny the Complainants' Motion for Certification as late-filed. The Motion was filed well after the ten day time frame set forth in Section 5.633(a), as it was filed more than three months from the service date of the *September 2016 Order* and more than eight months from the service date of the *April 2016 Order*. Although 52 Pa. Code § 1.2 gives us the authority to overlook defects of procedure that do not affect the substantive rights of other parties, particularly in proceedings involving *pro se* complainants, we have strictly enforced this deadline in the past. *See, e.g., Consolidated Communications Enterprise Services, Inc. v. Omnipoint Communications, Inc.*, Docket No. C-2010-2210014 (Order entered April 12, 2012) (denying a motion for certification of interlocutory order that was filed fifteen days late without considering the merits of the motion). The appellate courts have also taken a strict view of the filing time frames for certification of interlocutory orders. The courts have determined that a lower tribunal cannot entertain a late certification request, because to do so would be at odds with the intent and purpose of permitting interlocutory review of an order -- to materially advance the ultimate termination of the matter. *McMurren*, 945 A.2d at 197; *see also, Mente Chevrolet v. Swoyer*, 710 A.2d 632 (Pa. Super. Ct. 1998) (quashing a petition for

review when a request for certification of an interlocutory order in the trial court was rendered untimely). Based on the applicable legal precedent, we shall deny the Motion for Certification portion of the Motion.

Conclusion

For the reasons set forth above, we shall deny the Complainants' Motion and return this matter to the OALJ, consistent with the discussion in this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

1. That the Motion filed by Mindy Jaye Zied and Binnie A. Zied on December 23, 2016, is denied.
2. That this matter is returned to the Office of Administrative Law Judge for such proceedings as may be necessary, consistent with this Opinion and Order.

BY THE COMMISSION,



Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: April 6, 2017

ORDER ENTERED: April 6, 2017

PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PA 17120

Mindy Jaye Zied and
Binnie A Zied

v.

PECO Energy Co.

Public Meeting – April 6, 2017

2520474-OSA

Docket No: P-2015-2520474

P-2015-2500342

STATEMENT OF CHAIRMAN GLADYS M. BROWN

I strongly support providing any reasonable accommodation necessary to ensure that the parties appearing before this Commission are afforded due process and are able to have their cases heard. This includes providing Telecommunications Relay Service for the deaf and hearing impaired, offering interpreters for non-English speakers to the extent that the interpreters are available, and conducting telephonic hearings for those who are not able to attend in person.

The instant case is unusual in that one of the Complainants, Mindy Zied, is unable to attend the hearing in person due to medical issues and her age. The Complainants state that Mindy Zied also cannot participate in a telephonic hearing because of her disability. Our April 2016 and September 2016 Orders in this case permitted the Parties to submit written testimony and accompanying exhibits, instead of presenting oral testimony during a hearing to minimize the need for a telephonic hearing. We encouraged the Parties to stipulate to facts and the authenticity of documents to streamline the process. However, in order to protect the due process rights of the Parties, we did not eliminate the possibility of a hearing being required for cross-examination or to challenge exhibits. (April 2016 Order at 10).

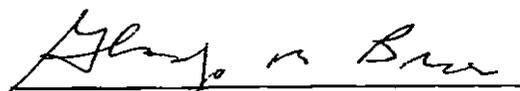
The presiding ALJ has determined that the paperwork submitted by the Complainants, in lieu of testimony, requires verification for authenticity and has scheduled a telephonic hearing for that purpose. The Complainants have renewed their request that this entire proceeding be handled on paper.

I believe that we have extended reasonable accommodations to the Complainants sufficient to afford them the opportunity to participate and have their case heard. However, the Commission cannot extend such accommodation to the point where it treads on the opposing party's right to due process. A party's right to cross-examination is a fundamental tenet of due process. In Pennsylvania, administrative due process rights include the fundamental right to cross-examine witnesses, inspect documents, and offer evidence in explanation or rebuttal. *Hartnett, Jr. v. Bell Atlantic-Pennsylvania, Inc.*, Docket No. C-00945707, 1994 Pa. PUC LEXIS 57 (October 19, 1994); *Shenandoah Suburban Bus Lines v. PUC*, 355 Pa. 521, 50 A.2d 301, 305 (1947).

Accordingly, I support denying the Complainants' request.

April 6, 2017

Date



Gladys M. Brown, Chairman

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APR 10 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT B

NO METERS ON WALL

JUNE 13, 2014
STILL NO METER
RETURNED BY
PECO SINCE
MARCH 23, 2014



RECEIVED

APR 10 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT C
PECO BILLING STATEMENTS



Emergency and Repairs: 1-800-841-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: BINNIE A ZIED
 Account Number: 53972-00307
 Phone Number: 215-934-7909
 Service Address: 1948 KENTWOOD ST, PHILADELPHIA

Billing Summary

Bill Date		07/30/2014
Thank you for your payment of \$600.00		
Thank you for your payment of \$3.60		
Thank you for your payment of \$360.00		
Thank you for your payment of \$285.00		
Thank you for your payment of \$285.00		
Budget bill charges from previous bill		\$399.00
Budget bill charges from previous bill		\$360.00
Budget bill charges from previous bill		\$116.40
Budget bill settlement		\$-1,514.43
Total Other Charges		\$-639.03
Current Period Charges		
Electric	\$455.42	
Budget billing amount		\$-1,514.43
Total New Charges	\$455.42	
Total Amount Due on 08/21/2014		\$0.00
Your remaining excess credit is \$639.03		

General Information

Next scheduled meter reading: August 25, 2014
 PECO, 2301 Market St, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-494-4000 before the due date.
 Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7
- www.peco.com/ebill - Go paperless; receive and pay your bill
- www.peco.com/service - Start, stop and transfer your service
- www.peco.com/SmartIdeas - Save energy and money

Message Center

Estimated Meter Reading
 Corrected Bill
 New charges contain estimated total state taxes of \$32.97, including \$26.87 for State Gross Receipts Tax.
 Your electric price to compare is \$0.0977 per kWh. This may change in March, June, September and December. For more information and supplier offers visit www.PAPowerSwitch.com and www.oca.state.pa.us.
 Your Total Account Balance of \$-639.03 includes your Total Amount Due and all other Arrangement/Agreement balances that are on this account.
 Credit balance on this bill will be applied to your next standard bill.

When paying in person, please bring the entire bill.

(continued on next page)

Return only this portion with your check made payable to PECO. Please write your account number on your check.



- Check here to enroll in Power Pay automatic account debit and complete form on reverse side.
- Check here to pledge a donation to MEAF and complete form on reverse side.

53972 0030 70000 0000

9388 1 AV 0.378 2338000000019042 038 01 6X069Q 07/31/2014
 BINNIE A ZIED
 1948 KENTWOOD ST
 PHILADELPHIA PA 19116-3942



Account Number 53972-00307
 Payment Receipt Stamp

Payment Amount

Please pay this amount by 08/21/2014 \$0.00

00000455420000000000

PECO - PAYMENT PROCESSING
 PO BOX 37629
 PHILADELPHIA PA 19101-0629



539720030700000000042330000009



Emergency and Repairs: 1-800-841-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

2

Name: BINNIE A ZIED
 Account Number: 53972-00307
 Phone Number: 215-934-7909
 Service Address: 1948 KENTWOOD ST, PHILADELPHIA

Billing Summary

Bill Date		07/31/2014
Excess credit		\$-639.03
Total Other Charges		\$-639.03
Current Period Charges		
Electric	4028 133.94	\$772.97
Total New Charges		\$772.97
Total Amount Due on 08/22/2014		\$133.94

Pd
8/4/2014

4028 133.94

General Information

Next scheduled meter reading: August 26, 2014
 PECO, 2301 Market St, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-494-4000 before the due date.
 Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7**
- www.peco.com/ebill - Go paperless: receive and pay your bill
 - www.peco.com/service - Start, stop and transfer your service
 - www.peco.com/SmartIdeas - Save energy and money
 - Pay by phone with credit/debit card at 1-877-432-9384 (\$2.35 fee)

Message Center

Estimated Meter Reading
 Corrected Bill
 New charges contain estimated total state taxes of \$55.94, including \$45.60 for State Gross Receipts Tax.
 Your electric price to compare is \$0.0877 per kWh. This may change in March, June, September and December. For more information and supplier offers visit www.PAPowerSwitch.com and www.oca.state.pa.us
 This bill for electric service covers an extended period of time. Our normal bill period is 26 to 35 days.

EXH. 101

Bill
Adams
Customer
relations



Emergency and Repairs: 1-800-841-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

3

Name: BINNIE A ZIED
 Account Number: 53972-00307
 Phone Number: 215-934-7909
 Service Address: 1948 KENTWOOD ST, PHILADELPHIA

Billing Summary

Bill Date	08/01/2014
Charges from previous bill	\$133.94
Total Other Charges	\$133.94

Current Period Charges

Electric	\$237.04
Total New Charges	\$237.04
Total Amount Due on 08/25/2014	\$370.98

General Information

Next scheduled meter reading: August 25, 2014
 PECO, 2301 Market St, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-494-4000 before the due date.
 Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

Customer Self Service - Manage Your Account 24/7

- www.peco.com/ebill - Go paperless: receive and pay your bill
- www.peco.com/service - Start, stop and transfer your service
- www.peco.com/SmartIdeas - Save energy and money
- Pay by phone with credit/debit card at 1-877-432-9384 (\$2.35 fee)

Message Center

Corrected Bill
 New charges contain estimated total state taxes of \$17.16, including \$13.99 for State Gross Receipts Tax.
 Your electric price to compare is \$0.0858 per kWh. This may change in March, June, September and December. For more information and supplier offers visit www.PAPowerSwitch.com and www.oca.state.pa.us.

When paying in person, please bring the entire bill.

(continued on next page)

Return only this portion with your check made payable to PECO. Please write your account number on your check.



- Check here to enroll in Power Pay automatic account debit and complete form on reverse side.
- Check here to pledge a donation to MEAF and complete form on reverse side.

To pay by phone call 1-877-432-9384.
 A convenience fee will apply.

53972 0030 70000 0000

9799 1 AV 0.378 9799/009799/019629 033 01 GXG6K3 1 08022014

BINNIE A ZIED
 1948 KENTWOOD ST
 PHILADELPHIA PA 19116-3942



Account Number
53972-00307

Payment Receipt Stamp

Payment Amount

Please pay this amount by 08/25/2014

\$370.98

00000237040000013394

PECO - PAYMENT PROCESSING
 PO BOX 37629
 PHILADELPHIA PA 19101-0829



539720030700003709842370370982



Emergency and Repairs: 1-800-841-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000.

Name: **BINNIE A ZIED**
 Account Number: **53972-00307**

Meter Information

Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Usage
				Previous	Present			
06/13	117139091	General Service	Tot kWh	43897 Estimate	44822 Estimate	925	1	925
06/25	124750776	General Service	Tot kWh	0 Actual	649 Actual	649	1	649

Total kWh Used **1,574**

Electric Residential Heating Service - Current Period Detail

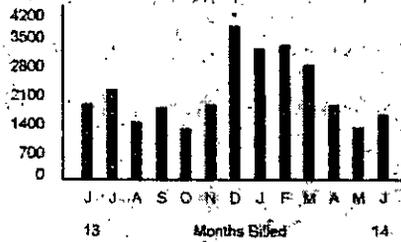
Service 05/22/2014 to 06/25/2014 - 34 days

Customer charge				\$7.13
Generation Charges	1,574 kWh	X	\$0.07860	123.72
Transmission Charges	1,574 kWh	X	0.00720	11.33
Distribution Charges	1,574 kWh	X	0.06040	95.07
State Tax Adjustment				-0.21

Total Current Charges

\$237.04

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	1,574	46.2	34	72
Last Month	1,282	43.5	29	61
Last Year	1,812	60.4	30	71

Avg kWh per Month	2,158
Total Annual kWh Usage	25,905

DO NOT MAIL THIS PORTION WITH YOUR PAYMENT



An Exelon Company

Emergency and Repairs: 1-800-841-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

5

Name: BINNIE A ZIED
Account Number: 53972-00307
Phone Number: 215-934-7909
Service Address: 1948 KENTWOOD ST, PHILADELPHIA

Billing Summary

Bill Date	08/04/2014
Charges from previous bill	\$370.98
Total Other Charges	\$370.98
Current Period Charges	
Electric	\$257.19
Total New Charges	\$257.19
Total Amount Due on 08/26/2014	\$628.17

General Information

Next scheduled meter reading: August 26, 2014
PECO, 2301 Market St, Philadelphia, PA 19103-1380. If you have any questions or concerns, please call 1-800-494-4000 before the due date.
Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

- Customer Self Service - Manage Your Account 24/7**
- www.peco.com/ebill - Go paperless; receive and pay your bill
 - www.peco.com/service - Start, stop and transfer your service
 - www.peco.com/SmartIdeas - Save energy and money
 - Pay by phone with credit/debit card at 1-877-432-8384 (\$2.35 fee)

Message Center

Corrected Bill
New charges contain estimated total state taxes of \$18.62, including \$15.17 for State Gross Receipts Tax.
Your electric price to compare is \$0.0858 per kWh. This may change in March, June, September and December. For more information and supplier offers visit www.PAPowerSwitch.com and www.oca.state.pa.us.

When paying in person, please bring the entire bill.

(continued on next page)

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company

- Check here to enroll in Power Pay automatic account debit and complete form on reverse side.
- Check here to pledge a donation to MEAF and complete form on reverse side.

To pay by phone call 1-877-432-8384. A convenience fee will apply.

53972 0030 70000 0000

10252 1 AV 0.378 10252010252020610 035 01 6XGR0 1 08052014
BINNIE A ZIED
1948 KENTWOOD ST
PHILADELPHIA PA 19116-3942

Account Number
53972-00307

Payment Receipt Stamp

Payment Amount

Please pay this amount by 08/26/2014 \$628.17

PECO - PAYMENT PROCESSING
PO BOX 37629
PHILADELPHIA PA 19101-0629

0000025749000037098



539720030700006281742380628172

6

Name: BINNIE A ZIED
Account Number: 53972-00307

Meter Information

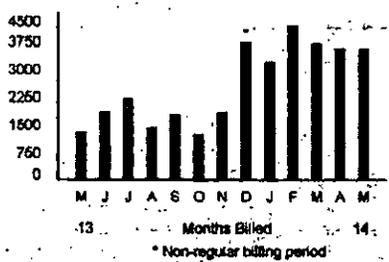
Read Data	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Usage
				Previous	Present			
05/22	117138091	General Service	Tot kWh	46149 Estimate	49673 Estimate	3524	1	3524

Total kWh Used 3,524

Electric Residential Heating Service - Current Period Detail Service 04/23/2014 to 05/22/2014 - 29 days

Customer charge				\$7.13
Generation Charges	3,524 kWh	X	\$0.07970	280.86
Transmission Charges	3,524 kWh	X	0.00800	28.19
Distribution Charges	3,524 kWh	X	0.04100	144.48
State Tax Adjustment				-0.32
Total Current Charges				\$460.34

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	3,524	121.8	29	61
Last Month	3,535	121.8	29	61
Last Year	1,262	43.5	29	61

Avg kWh per Month	2,650
Total Annual kWh Usage	31,918



DO NOT MAIL THIS PORTION WITH YOUR PAYMENT



Emergency and Repairs: 1-800-841-4141. This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment. For all other business, call 1-800-494-4000

Name: **BINNIE A ZIED**
 Account Number: **53972-00307**

7

Meter Information

Read Date	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Usage
				Previous	Present			
06/13	117138091	General Service	Tot kWh	49673 Estimate	49673 Actual	0	1	0
05/25	124755776	General Service	Tot kWh	0 Actual	616 Estimate	616	1	616

Total kWh Used 616

Electric Residential Heating Service - Current Period Detail

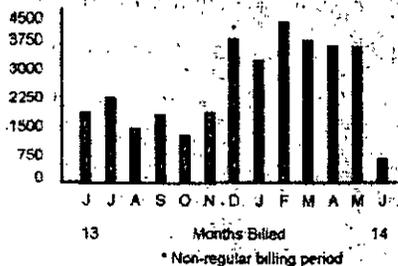
Service 05/22/2014 to 06/25/2014 - 34 days

Customer charge				\$7.13
Generation Charges	616 kWh	X	\$0.07860	48.42
Transmission Charges	616 kWh	X	0.00720	4.44
Distribution Charges	616 kWh	X	0.06040	37.21
State Tax Adjustment				-0.09

Total Current Charges

\$97.11

13-Month Usage (Total kWh)



Your Usage Profile

Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	616	18.1	34	72
Last Month	3,524	121.5	29	61
Last Year	1,812	60.4	30	71

Avg kWh per Month	2,580
Total Annual kWh Usage	30,723

DO NOT MAIL THIS PORTION WITH YOUR PAYMENT.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

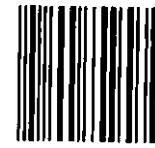
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PRESS FIRMLY TO SEAL



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* Domestic only

TO:
ROSEMARY CHIA LOTIA

~~Gladys M. Brown, Chairwoman of~~
**The PA Public Utility Commission
Commonwealth of PA
P. O. Box 3265
Harrisburg, PA 17105-3265**

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