



An Exelon Company

Legal Department
2301 Market Street / S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Direct Dial: 215-841-6841

May 8, 2017

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

RE: Alice Yarborough v. PECO Energy Company
PUC Docket No.: C-2017-2601054

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *Preliminary Objection of Respondent, PECO Energy Company* with regard to the matter referenced above.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a long horizontal flourish extending to the right.

Shawane Lee
Counsel for PECO Energy Company

SL/ab

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALICE YARBOROUGH	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2017-2601054
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

NOTICE TO PLEAD

To: Alice Yarborough

Pursuant to 52 Pa. Code §§ 5.101 and 5.62(c), you are hereby notified that, if you do not file a written response denying or correcting the enclosed Preliminary Objection within 10 days from service of this notice, a ruling may be entered against you. Your response must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Shawane L. Lee, and where applicable, the Administrative Law Judge presiding over the issue.

Failure to respond to this Motion could result in the dismissal of your case.

File with:
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

With a copy to:
Shawane L. Lee, Esquire
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated: May 8, 2017



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103
Tel. (215) 841-6841
Fax. (215) 568-3389
shawane.lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALICE YARBOROUGH	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2017-2601054
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

PRELIMINARY OBJECTION

PECO Energy Company ("PECO"), pursuant to 52 Pa. Code §5.101(a)(1), respectfully requests that your Honorable Commission dismiss the instant complaint and hold that the Commission is without jurisdiction to order payment arrangements to any utility customer who is a debtor in an active Chapter 13 Bankruptcy case, for the reasons set forth below.

I. Introduction

1. This case involves the question of whether the Commission has jurisdiction to order a payment arrangement for a utility customer who has an active Chapter 13 Reorganization Bankruptcy case pending. As explained below, the mere pendency of a Chapter 13 Bankruptcy case for the debtor/customer automatically preempts the Commission from establishing any payment arrangement with the utility, regardless of the specifics of the debtor/customer's case. When a Chapter 13 Bankruptcy is pending, the Bankruptcy Court has exclusive jurisdiction of all property of the debtor, and therefore, the Commission has no jurisdiction to issue an order which affects the debtor's property, such as an order directing the debtor to make payments to a utility company.

II. Procedural History

2. Complainant, Alice Yarborough (“Complainant”) filed a formal complaint against PECO on or about April 27, 2017. Ms. Yarborough’s formal complaint requests a payment agreement. A copy of Complainant’s Formal Complaint is attached hereto as Exhibit “1”.

3. Specifically, the Complainant alleges in her complaint “I would like a payment agreement.” In her request for relief, the Complainant states “I would like a chance to make an agreement or payment arrangements.”

4. PECO filed an Answer with New Matter and Notice to Plead to the formal complaint on May 8, 2017. A copy of PECO’s Answer and New Matter is attached hereto as Exhibit 2.

5. Pursuant to 52 Pa. Code § 5.101, preliminary objections may be filed against a complaint and dismissed for lack of Commission jurisdiction. 52 Pa. Code § 5.101(a)(1).

6. Commission procedure regarding the disposition of preliminary objections is similar to that utilized in Pennsylvania civil procedure.¹

7. In deciding preliminary objections, the Public Utility Commission must determine, based on the factual pleadings of the petitioner, if relief or recovery is possible.²

8. A complaint must be able to recover under the law to survive a preliminary objection.³

9. All of the non-moving party’s averments must be taken as true for the sake of deciding the preliminary objection.⁴

¹ *Equitable Small Transportation Interveners v. Equitable Gas Co.*, 1994 Pa.PUC LEXIS 69, Docket No. C-00935435 (July 18, 1994)

² 2006 Pa. PUC Lexis 111, *7.

³ *Milliner v. Enck*, 709 A.2d 417, 418 (Pa. Super. Ct. 1998) (“preliminary objection should be sustained only where it appears with certainty that, upon the facts averred, the law will not allow the plaintiff to recover”).

⁴ *Id.* at 7-8.

10. The court does not, however, need to accept, “unwarranted inferences from facts, argumentative allegations, or expressions of opinions.”⁵

11. Section 703 of the Public Utility Code, 66 Pa. C.S.A. § 703(b) provides that the Commission may dismiss any complaint without a hearing of, in its opinion, a hearing is not necessary to the public interest.

12. A hearing is required only when there is a disputed question of fact, and is not required to resolve questions of law. Dee-Dee Cab, Inc. v. Pa. Pub. Util. Comm’n, 817 A.2nd 593 (Pa. Commw. Ct. 2003), petition for allowance of appeal denied, 836 A.2d 123 (Pa. 2003).

13. Here, there are no genuine issues of fact and PECO Energy is entitled to judgment as a matter of law with respect to all of the allegations in the Complaint.

14. The U.S. Bankruptcy courts have exclusive jurisdiction over the Complainant’s assets. All claims against a debtor, including claims arising subsequent to the filing of a petition, are to be adjusted and paid in accordance with the plan required by Chapter 13. Thus, the Complainant filing a petition for personal bankruptcy has preempted the Commission from establishing any payment schedule with respect to amounts owed by the Complainant to PECO. See Michelle Chavous v. PECO Energy Company, Docket No. F-2010-2215680 (Final Order entered Dec. 20, 2011).

15. Because the pleadings in this case demonstrate that the Commission has no subject matter jurisdiction over the Complainant’s payment agreement as she has an active Chapter 13 bankruptcy. Therefore, pursuant to 52 Pa. Code §5.101(a)(1), the Commission should grant PECO’s Preliminary Objections.

⁵ Feingold v. McNulty, 2009 Phila. Ct. Com. PI LEXIS 167, *3.

III. Statement of Undisputed Facts

16. Complainant filed for Chapter 13 Bankruptcy on November 26, 2014 in the Eastern District of Pennsylvania. The Complainant's Chapter 13 Bankruptcy was assigned Docket No. 14-19354. A copy of the docket for the Complainant's Chapter 13 bankruptcy case, confirming the filing date and docket number, is attached hereto as Exhibit "3".

17. According to the Complainant's Bankruptcy Docket, William C. Miller has been appointed the bankruptcy Trustee in connection with the Complainant's Chapter 13 reorganization. See Exhibit "3".

18. According to the Bankruptcy Docket, the Complainant's bankruptcy case is active and has not been discharged. See Exhibit "3".

IV. Legal Argument

19. The Commission lacks subject matter jurisdiction over the Complainant's request for payment terms on her PECO account balance because she has filed a Chapter 13 bankruptcy petition and her petition is still active.

20. The Commission has only duties, powers, responsibilities and jurisdiction as were expressly or by necessary implication given to it by the Legislature. Rogoff v. The Buncher Company, 395 Pa. 477, 151 A.2d 83 (1959); Western Pennsylvania Water Company, 10 Pa. Commw. 533, 311 A.2nd 390 (1973). The commission must act within, and cannot exceed, its jurisdiction. City of Pittsburgh v. Pa. P.U.C., 157 Pa. Super. 595, 43 A.2d 348 (1945). Jurisdiction may not be conferred by the parties where none exists. Roberts v. Martorano, 427 Pa. 581, 235 A.2d 602 (1967).

21. The Commission lacks jurisdiction to issue an Order affecting a customer's assets when that customer has an active Chapter 13 Bankruptcy case. In the case of Anyawu v.

Philadelphia Electric Company, 55 Pa. P.U.C. 221 (1981), the Commission dismissed a complaint seeking an amortized payment agreement by a debtor in a Chapter 13 bankruptcy, finding that: “[T]he Complainant’s filing of a petition for personal bankruptcy has pre-empted this commission from establishing any payment schedule with respect to any amounts owed by the Complainant to the Respondent. Accordingly, we must dismiss this complaint for lack of subject matter jurisdiction.” The Commission reiterated this principle in the case of Benjamin v. Equitable Gas Company, PA PUC Docket No. C-20032180 (Order entered January 20, 2005). In that case, the Commission also determined that it lacked subject matter jurisdiction over a customer’s complaint, explaining: “As provided by § 1471 of Title 28, United States Code (28 U.S.C. § 1471), a United States District Court and its Bankruptcy Court has jurisdiction over all civil proceedings arising under Title 11, and the Bankruptcy Court has exclusive jurisdiction of all property of the debtor, wherever located, as of the commencement of the proceeding.”

22. In the case of Borlak v. Columbia Gas Company of Pennsylvania, Docket No. C-2008-2064344, (Order entered July 6, 2009), the Commission stated “...[t]he Bankruptcy Court has exclusive jurisdiction over the Complainant’s property and the Commission cannot order a payment arrangement.” See also, Smith v. Equitable Gas Company, 1996 Pa. PUC LEXIS 192 (1996) (“The Commission did not have jurisdiction over the bulk of the issues raised by the Complainant.”); Hodge v. Equitable Gas Company, 1997 Pa. PUC LEXIS 76 (1997) (“Any motions or petitions pertaining to deposits, including requests for a lesser deposit must be brought before the Bankruptcy Court”); Mattson v. PECO Energy Company, Docket No. F-00349372, Order entered Sept. 23, 1998 and Saunders v. PECO Energy Company, Docket No. F-00433998, Order entered June 25, 1999).

23. The Chapter 13 preemption results from the bankruptcy court's exclusive control over all of the debtor's income and assets. Under 28 U.S.C. § 1471, no other agency or authority – including the Commission – has the authority to issue an order that affects the disposition of the debtor's income or assets, because after the filing of a Petition, the Bankruptcy Court has exclusive jurisdiction over the disposition of the debtor's assets. See Benjamin v. Equitable Gas Company, PA PUC Docket No. C-20032180 (Order entered January 20, 2005).

24. Under Section 1306(2) of the Bankruptcy Code, the debtor's Bankruptcy estate includes the debtor's "earnings from services performed by the debtor after the commencement of the case but before the case is closed, dismissed, or converted to a case under chapter 7, 11, or 12 of this title, whichever occurs first." In other words, all of the debtor's income during the pendency of the Chapter 13 Bankruptcy case is considered part of the estate that is subject to the exclusive control of the Bankruptcy Trustee.

25. A Commission Order imposing a payment agreement would violate the Bankruptcy Code's exclusive jurisdiction over a debtor's assets. An Order by the Commission fixing a monthly payment arrangement by the customer necessarily impacts the debtor's Chapter 13 proceeding. Such an Order by the Commission binds the debtor to dispose of his or her assets, i.e., it binds the debtor to use a portion of the assets to pay the utility company. This would be a clear violation of the Bankruptcy Court's exclusive jurisdiction over the debtor's assets.

26. It must be noted that the specifics of the Commission-ordered payment arrangement are irrelevant to the determination of jurisdiction. The mere pendency of a Chapter 13 Bankruptcy case for the debtor/customer automatically pre-empts the Commission from establishing a payment arrangement with a utility, regardless of the specifics of the

debtor/customer's Bankruptcy Plan or income. Any Commission decision about the debtor's assets are to be spent would result in a per se violation of the Bankruptcy Code. Therefore, once it is proven that a customer has an active Chapter 13 Bankruptcy cases, the Commission's inquiry into a possible payment arrangement should end there, and the case should be dismissed for lack of subject matter jurisdiction.

27. In the present case, PECO has supplied a publicly available record in the form of a docket which clearly shows that the Complainant has an active Chapter 13 Bankruptcy. Therefore, the inquiry should end there, and in accordance with the precedent referenced above, the Commission should recognize that it is pre-empted from ordering a payment arrangement in connection with the Complainant's unpaid post-petition PECO account.

28. PECO respectfully requests that the Commission issue an Order dismissing the Complainant's formal complaint for lack of subject matter jurisdiction.

REQUEST FOR RELIEF

WHEREFORE, for all of the reasons stated herein, PECO respectfully requests that the Commission deny Complainant, Ms. Yarborough's request for a payment agreement, and confirm that the Commission is without jurisdiction to order payment arrangements to utility customers who are debtors in active Chapter 13 Bankruptcy cases.

Respectfully submitted,



Shawane L. Lee
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALICE YARBOROUGH	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2017-2601054
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Preliminary Objection upon the party listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

VIA First Class Mail
Alice Yarborough
353 East Chelton Avenue, 1st Floor Apartment
Philadelphia, PA 19140



Shawane L. Lee

DATED: May 8, 2017

EXHIBIT 1

Botak, Amy:(PECO)

From: eServe@pa.gov
Sent: Thursday, April 27, 2017 3:20 PM
To: Lee, Shawane L.:(PECO)
Cc: Botak, Amy:(PECO)
Subject: [EXTERNAL] PA PUC eServe Notice

Importance: High

Dear Shawane L Lee,

A(n) Formal Complaint has been served in this proceeding. This document is docketed as **C-2017-2601054**.
You may view this document at
Formal Complaint

You are receiving this email because you are a(n) **Respondent** for this case and have agreed to be served electronically. By selecting electronic service (eService), you have agreed that this notification constitutes valid service. Electronic service of any and all documents will be in place of paper service.

Thank You,
Public Utility Commission
Commonwealth of Pennsylvania

** Please do not respond to this automatically generated email.*

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

Filing this form begins a legal proceeding and you will be a party to the case. If you do not wish to be a party to the case, consider filing an informal complaint.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name Alice Yarcorough

Street/P.O. Box 353 E. Chelton Ave Apt # 7L-1

City Philadelphia State PA Zip 19140

County Philadelphia

Telephone Number(s) Where We Can Contact You During the Day:

(215) 686-3153 (home) (267) 237-3271 (mobile)

E-mail Address (optional): amy2jazz@gmail.com

Utility Account Number (from your bill) 13408-07099

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name _____ RECEIVED

Street/P.O. Box _____

City _____ State _____ Zip APR 22 2017

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

PECO - Philadelphia Electric Company

3. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- ELECTRIC WASTEWATER/SEWER
 GAS TELEPHONE/TELECOMMUNICATIONS (local, long distance)
 WATER MOTOR CARRIER (e.g. taxi, moving company, limousine)
 STEAM HEAT *radiator's*

4. Reason for Complaint

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. Your complaint may be dismissed without a hearing if you do not provide specific information.

- The utility is threatening to shut off my service or has already shut off my service.
- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.
- Other (explain).

The radiator's are ran thru Electric digital gadget, and the front door has 1 inch gap, where air comes thru my apt, making the digital work extra, while I'm at work. The landlord claims its energy sufficient, not true. My bill is too high. Its only me, and I'm at work during the day.

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

I would like a chance to make an agreement or payment arrangements; I can't afford to move. Due to my being away for treatment at a rehabilitation center in Miami for 2 months; it set me back. I just sent away my income tax; and it's only me. I've made numerous calls, and the PECO was very informative at times; yet I receive conflicting information. My apt is not energy efficient, and needs weatherization. My goal is to get back on track, pay off my utility and look for a better ~~efficient~~ ^{Efficient} habitat. While I was away I was able to save my 2 pay checks to pay my rent. I was out of work from Feb, March, and April. Yet my job let me back to work, took me off medical leave, so I can go back to work. I employ the commission to give me a chance, it's been a ruff road to recovery, but I'm doing my best. I would be appreciative in what ever services you can provide, all I wanted PECO to do was help me out. I'm not on welfare, I'm where those person get help every year; and sometimes it's not fair to working people. I barely make it with my paychecks.

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. **Protection From Abuse (PFA)**

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES
NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. **Prior Utility Contact**

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES
NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES
NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

I spoke to PECO several times. Every time I did the medical cert form; they rejected it. The facility I was at has been in service for over 30 years called Transair.
(PECO) they sent me response back, saying the Dr's ID number was not verifiable. This cause me + had me very frustrated. when I ask the PECO rep to speak to our facilitator they refused + said they don't have to talk to them.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (if known) _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

9. **Verification and Signature**

You must sign your complaint. Individuals filing a Formal Complaint **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink**. If you do not sign the Formal Complaint, the PUC **will not accept it**.

Verification:

1 Alice Yarborough, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Alice Yarborough (Signature of Complainant) April 17, 2017 (Date)

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not signed** by one of these individuals, the PUC **will not accept it**.

10. **Two Ways to File Your Formal Complaint**

Electronically. You must create an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/efiling/default.aspx>.

Note: If you are appealing your Bureau of Consumer Services (BCS) decision, you must file your formal complaint by mail.

Mail. Mail the completed form with your original signature and any attachments, by certified mail, first class mail, or overnight delivery to this address:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

Note: Formal Complaints sent by fax or e-mail 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 Formal Complaint for your records.



Fax Server

RECEIVED 03/15/2017 01:35PM
3/15/2017 1:28:05 PM PAGE 2/003 Fax Server

REQUEST FOR MEDICAL CERTIFICATION

Page 1 of 2

REQUEST FOR MEDICAL CERTIFICATION
(Solicitud De Un Certificado Médico)



Dear Physician, Physician Assistant, or Nurse Practitioner:

Electric and/or gas service could be shut off at the service address below unless you certify that the individual listed on this form has an illness or condition that would be aggravated by the absence of utility service. If the electric and/or gas service has already been shut off, this certification will be used to reconnect service due to the medical necessity.

All requested information on this form must be completed for this medical certificate to be valid. Please note that certification is only accepted from a licensed physician, physician assistant, or nurse practitioner.

TO BE COMPLETED BY THE COMPANY		
Account No:	13408-07089	Meeting Date: Wed Mar 15 2017
Customer Name & Service Address:	ALICE YARBOROUGH 353 E CHELTEN AVE, 1ST FL FRONT PHILADELPHIA PA 19144 self	Address: PECO Energy Company Medical Certificate Verification Dept. 4275 Bridge View Drive North Charleston SC, 29405
	04/28/1957	Phone: 1-888-480-1533 Fax: 1-800-690-2788

Is your service off?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
----------------------	--------------------------------------	--------------------------

TO BE COMPLETED BY THE CUSTOMER	
Name of Seriously Ill Person:	Alice Yarborough
Address of Seriously Ill Person:	353 E. Cheltenham Ave 1st FL Bay Front Phila, PA 19144
Relationship to the Customer:	Self
Home Phone Number:	215-237-6271
Mobile Phone (Optional):	

*If provided, PECO will send you an application status update via text message. Message and data rates may apply.

TO BE COMPLETED BY LICENSED PHYSICIAN, PHYSICIAN ASSISTANT OR NURSE PRACTITIONER	
Please indicate your title: <input checked="" type="checkbox"/> Physician <input type="checkbox"/> Physician Assistant <input type="checkbox"/> Nurse Practitioner	
Physician/PANP Name:	Dr. Stephen Kahn License Number: PAE 33517A
Office Address:	1928 E. 154th St Wilmington 38162
Office Phone #	305 949-9001



Fax Server

RECEIVED 03/15/2017 01:35PM
3/15/2017 1:28:06 PM PAGE 3/003 Fax Server

REQUEST FOR MEDICAL CERTIFICATION

Page 2 of 2

I certify that in my professional opinion the above patient is ill and that this condition would be aggravated by the absence of electric and/or gas service. This certificate is valid for the expected length of the illness, up to a maximum of 30 days unless it is renewed.

(Physician, Physician Assistant, or Nurse Practitioner Signature)

DATE:

3/17/17

It is your duty as a customer to arrange to make payments on all bills.



CITY OF PHILADELPHIA

POLICE DEPARTMENT
Headquarters, Franklin Square
Philadelphia, Pennsylvania 19106

RICHARD ROSS
Commissioner

March 29, 2017

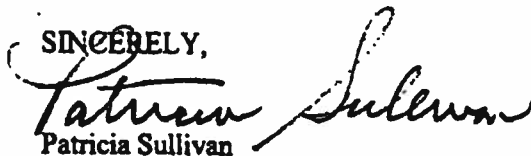
RE: Alice Yarborough
SS# _____
PR# 229215

TO WHOM IT MAY CONCERN:

THIS IS TO VERIFY THAT THE ABOVE NAMED EMPLOYEE HAS BEEN PLACED ON FAMILY MEDICAL LEAVE OF ABSENCE WITHOUT PAY FROM FEBRUARY 16, 2017 TO APRIL 24, 2017. EMPLOYEE LAST DAY OF WORK WAS JANUARY 24, 2016. HER EXPECTED RETURN DATE TO WORK IS APRIL 24, 2017.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT PATRICIA SULLIVAN AT 215-686-3373.

SINCERELY,


Patricia Sullivan
Clerk III
Police Personnel Unit

TRANSITIONS RECOVERY PROGRAM

A Commitment to Self: Mind, Body and Spirit

Date: 3/23/2017

Completed all levels of Care

RE: Alice Yarborough

Please allow this letter to serve as verification that the above referenced patient has completed all clinically recommended levels of care on 3/23/2017 . The patient has successfully completed all treatment plan goals and objectives and continues to follow our clinical recommendations. The patient was admitted on 2/7/2017

Transitions Recovery Program is an established, licensed facility accredited by JCAHO, and licensed by the Department of Children and Families in both psychiatric illnesses and addiction. The mission of Transitions is to meet the therapeutic needs of adults by offering a supportive, therapeutic, and comprehensive program of rehabilitation delivered within a continuum of care. Transitions belief is that chemical dependency is a treatable illness, and that recovery and remission of symptoms can occur with the proper treatment. The focus of the program is on psychosocial rehabilitation using education, counseling, behavior management and peer support to introduce and reinforce abstinence, and move the patient into a productive lifestyle with ongoing involvement in Twelve Step programs of recovery.

The patients prognosis for ongoing recovery is good pending continued compliance with treatment recommendations and that they maintain abstinence from mind and/or mood altering substances. Please feel free to contact the patients primary therapist, at the facility with any questions or concerns. The patients primary therapist is Tanya Parnes

Sincerely,



Marian Bach, LMHC, CAP
Clinical Director



You are logged in as ALICE YARBOROUGH

[Home](#) > [Claims](#) > [Claims Listing](#)

Claims Listing: Medical Claims

[Learn More About Your Claim Listing and Paying Claims Online](#)

To view other claims, change the selections below and click "Update".

MEMBER ALICE (You)	CLAIM TYPE Medical	DATES Last 365 Days	Update
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[Download Claims](#) [Need Help?](#)

Date of Service	Member	Provider/Facility	Status	Claim Amount	Paid by Plan	You May Pay
03/20/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$3,285.00	\$ 384.00	\$ 60.00 Details
03/13/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$3,285.00	\$ 576.00	\$ 120.00 Details
03/06/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$3,285.00	\$ 576.00	\$ 120.00 Details
03/01/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$2,190.00	\$ 384.00	\$ 60.00 Details
02/27/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$1,085.00	\$ 182.00	\$ 40.00 Details
02/22/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$2,190.00	\$ 384.00	\$ 60.00 Details
02/19/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$3,690.00	\$ 644.00	\$ 0.00 Details
02/16/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$5,385.00	\$ 1,146.00	\$ 120.00 Details
02/12/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$7,160.00	\$ 1,528.00	\$ 160.00 Details
02/09/17	ALICE (You)	QUEST DIAGNOSTICS	Completed	\$74.25	\$ 8.49	\$ 0.00 Details
02/08/17	ALICE (You)	STEPHEN KAHN	Completed	\$600.00	\$ 450.00	\$ 0.00 Details
02/07/17	ALICE (You)	TRANSITION RECOVERY PROGRAM	Completed	\$8,975.00	\$ 1,910.00	\$ 200.00 Details
02/02/17	ALICE (You)	SUMMER HOUSE	Completed	\$11,250.00	\$ 4,288.00	\$ 500.00 Details
07/12/16	ALICE (You)	JOHN F. KENNEDY MEDICAL GROUP	Completed	\$6.00	\$ 0.00	\$ 6.00

MONEY ORDER

Number: 95394
Extra Address: Credit Union Room 1400
Account: XXXXXX8919
Name: YARBOROUGH, ALICE
Effective Date: 03/24/17
Post Date: 03/24/17
Teller: 0285
Purpose:
Dollar Amount: 700.00

*march 2017
rent*

MONEY ORDER

Number: 95393
Extra Address: Credit Union Room 1400
Account: XXXXXX8919
Name: YARBOROUGH, ALICE
Effective Date: 03/24/17
Post Date: 03/24/17
Teller: 0285
Purpose:
Dollar Amount: 700.00

*Feb, 2017
rent*

CITY OF PHILADELPHIA**Earnings and Deductions**

11-NB-41-64

229215

YARBOROUGH

ALICE YARBOROUGH
353 E CHELTEN AVE 1ST FL
PHILADELPHIA PA 19144

CHECK SERIAL NUMBER
PAY PERIOD ENDING
DATE PAYABLE

4548815
04-08-2017
04-13-2017

REGULAR GROSS	281.31
ADJUSTMENTS	0.00
PREMIUM PAY / OT	0.40
POLICE STRESS	0.00
TOTAL GROSS EARNINGS	281.71
FEDERAL TAX	2.50
F.I.C.A.	17.16
MEDICARE TAX	4.01
CITY WAGE TAX	10.79
STATE TAX	8.49
UNEMPLOYMENT COMPENSATION TAX	0.19
CURRENT NON-TAXED PENSION CONTRI.	7.90
MEDICAL DEDUCTION	0.00
UNION DUES	28.00
UNION POLITICAL DEDUCTION	4.00

YTD GROSS PAY	5,332.19
YTD W-2 GROSS	5,016.16
YTD FEDERAL TAX	486.52
YTD F.I.C.A.	320.88
YTD MEDICARE TAX	75.08
YTD CITY TAX	209.73
YTD STATE TAX	165.07
YTD UNEMPLOYMENT COMPENSATION TAX	3.77

PENSION PLAN	Y
YTD NON TAXED PENSION	181.03
YTD TAXED PENSION	0.00
LTD NON TAXED PENSION	5,442.89
LTD TAXED PENSION	0.00

REGULAR EARNINGS DETAIL		
EARNINGS TYPE	TIME	
RATE 1 PAY - 002/00	(DAYS/16THS)	281.31

REGULAR EARNINGS TOTAL	281.31	
EXCEPTION EARNINGS TYPE	TIME	
R1-H 1 3RD SHIFT 001.00 (HOURS)		0.40

EXCEPTION EARNINGS TOTAL	0.40
--------------------------	------

SPECIAL COMP:	0
VACATION :	1 11/16
SICK :	1 4/16
REGULAR COMP:	0
HOLIDAY COMP:	1
ANNUAL LEAVE:	0

NET PAY	178.87
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STATEMENT OF EARNINGS AND DEDUCTIONS

CITY OF PHILADELPHIA
Earnings and Deductions

11-NB-41-64

229215

YARBOROUGH

ALICE YARBOROUGH
353 E CHELTEN AVE 1ST FL
PHILA. PA 19144

PAY PERIOD ENDING
DATE PAYABLE

02-12-2017
02-17-2017

REGULAR GROSS 1,308.55
ADJUSTMENTS 0.00
PREMIUM PAY / OT 0.00
POLICE STRESS 0.00
TOTAL GROSS EARNINGS 1,308.55

FEDERAL TAX 130.29
F.I.C.A. 78.84
MEDICARE TAX 18.44
CITY WAGE TAX 51.55
STATE TAX 40.57
UNEMPLOYMENT COMPENSATION TAX 0.93

CURRENT NON-TAXED PENSION CONTRI. 38.46
MEDICAL DEDUCTION 80.00
UNION DUES 28.00
UNION POLITICAL DEDUCTION 4.00

YTD GROSS PAY 5,070.48
YTD W-2 GROSS 4,747.35
YTD FEDERAL TAX 484.02
YTD F.I.C.A. 303.82
YTD MEDICARE TAX 71.05
YTD CITY TAX 188.94
YTD STATE TAX 156.58
YTD UNEMPLOYMENT COMPENSATION TAX 3.58

PENSION PLAN Y
YTD NON TAXED PENSION 153.13
YTD TAXED PENSION 0.00
LTD NON TAXED PENSION 5,434.79
LTD TAXED PENSION 0.00

REGULAR EARNINGS DETAIL
EARNINGS TYPE TIME
RATE 1 PAY - 010/00 (DAYS/16THS) 1,308.55

REGULAR EARNINGS TOTAL 1,308.55
EXCEPTION EARNINGS TYPE TIME

EXCEPTION EARNINGS TOTAL 0.00

SPECIAL COMP: 0
VACATION : 1 11/18
SICK : 1 4/18
REGULAR COMP: 0
HOLIDAY COMP: 1
ANNUAL LEAVE: 0

NET PAY 884.47

STATEMENT OF EARNINGS AND DEDUCTIONS

02/23/2017

CITY OF PHILADELPHIA

EMPLOYER NUMBER	DATE PAYABLE		
	MO	DAY	YEAR
229215	02	17	2017

Deposit
on account for:

**DIRECT DEPOSIT
NON-NEGOTIABLE**

DEPOSIT AMOUNT
*****884.47

ALICE YARBOROUGH
353 E CHELTEN AVE 1ST FL
PHILA. PA 19144

NON-NEGOTIABLE

CITY OF PHILADELPHIA
Earnings and Deductions

11-NB-41-64

229215

YARBOROUGH

ALICE YARBOROUGH
383 E CHELTEN AVE 1ST FL
PHILA. PA 19144

PAY PERIOD ENDING
DATE PAYABLE

01-29-2017
02-03-2017

REGULAR GROSS 1,143.23
ADJUSTMENTS 0.00
PREMIUM PAY / OT 2.00
POLICE STRESS 0.00
TOTAL GROSS EARNINGS 1,148.23

FEDERAL TAX 104.58
F.I.C.A. 87.80
MEDICARE TAX 18.88
CITY WAGE TAX 44.67
STATE TAX 35.18
UNEMPLOYMENT COMPENSATION TAX 0.80

CURRENT NON-TAXED PENSION CONTRI. 34.59
MEDICAL DEDUCTION 50.00
UNION DUES 28.00
UNION POLITICAL DEDUCTION 4.00

YTD GROSS PAY 3,783.93
YTD W-2 GROSS 3,515.28
YTD FEDERAL TAX 383.73
YTD F.I.C.A. 224.88
YTD MEDICARE TAX 82.81
YTD CITY TAX 147.39
YTD STATE TAX 118.01
YTD UNEMPLOYMENT COMPENSATION TAX 2.85

PENSION PLAN Y
YTD NON TAXED PENSION 113.87
YTD TAXED PENSION 0.00
LTD NON TAXED PENSION 8,385.33
LTD TAXED PENSION 0.00

REGULAR EARNINGS DETAIL
EARNINGS TYPE TIME
RATE 1 PAY - 008/12 (DAYS/16THS) 1,143.23

REGULAR EARNINGS TOTAL 1,143.23
EXCEPTION EARNINGS TYPE TIME
R1-H 1 3RD SHIFT 008.00 (HOURS) 2.00

EXCEPTION EARNINGS TOTAL 2.00

SPECIAL COMP: 0
VACATION : 11 11/18
SICK : 1 4/18
REGULAR COMP: 0
HOLIDAY COMP: 1
ANNUAL LEAVE: 0

NET PAY 759.65

STATEMENT OF EARNINGS AND DEDUCTIONS

09/07/2012 10:32:12

CITY OF PHILADELPHIA

EMPLOYEE NUMBER	DATE PAYABLE		
	MO	DAY	YEAR
229215	02	03	2017

Deposit
on account for:

**DIRECT DEPOSIT
NON-NEGOTIABLE**

DEPOSIT AMOUNT
*****759.65

ALICE YARBOROUGH
383 E CHELTEN AVE 1ST FL
PHILA. PA 19144

NON-NEGOTIABLE

State Farm



STATE FARM PAYMENT PLAN

PO Box 44110
Jacksonville FL 32231-4110

AT1 9155 1207-0617-13 38
009155 0007 6986-FA3F

YARBOROUGH, ALICE
353 E CHELTEN AVE
PHILADELPHIA PA 19144-5751

CANCELLATION NOTICE NON-PAYMENT OF PREMIUM

ACCOUNT NUMBER	1207-0617-13
Monthly Account	
NOTICE SENT	DUE BEFORE
MAR 7, 2017	MAR 26, 2017
	AMOUNT DUE
	\$338.14

THIS IS THE ONLY CANCELLATION NOTICE YOU WILL RECEIVE.



We noticed one or more of your payments has been late. Please pay this notice timely to avoid a lapse in coverage. As always, you can contact your agent with questions or to discuss additional billing and payment options at State Farm.

POLICY CANCELLATION INFORMATION

State Farm Mutual Automobile Insurance Company

NAME	POLICY NUMBER	DESCRIPTION	CANCEL DATE	BALANCE DUE
YARBOROUGH, ALICE	285 2000-D29-38A	2003 BUICK	MAR 26, 2017	\$300.98

State Farm Fire and Casualty Company

NAME	POLICY NUMBER	DESCRIPTION	CANCEL DATE	BALANCE DUE
YARBOROUGH, ALICE	78-CZ-L771-9	HOMEOWNERS	APR 13, 2017	\$31.16

We have not received the payments required to keep these policies in force. In accordance with the cancellation provisions, your policies identified in this notice are hereby canceled effective 12:01 A.M. standard time on the cancellation date specified due to non-payment of the premium.

We welcome the opportunity to provide your future insurance protection. Should you wish to reinstate these policies, please forward your payment immediately. Payment prior to the date and time of cancellation will reinstate your policies. If paid after that date and time, you will be informed whether your policies have been reinstated and if so, the exact date and time of reinstatement. There is no coverage between the date and time of cancellation and the date and time of reinstatement.

ACCOUNTHOLDER COPY

SEE REVERSE SIDE FOR IMPORTANT INFORMATION

Agent Madalions Ins and Fin Svcs Inc
Telephone 215-549-4900

51 5487 8208

Account # 1207-0617-13
Prepared Date MAR 6 2017



PHILADELPHIA GAS WORKS

Gas Leak Emergencies: 215-235-1212
Billing & General Information (English & Espanol): 215-235-1000
Access Your Account Online: www.pgworks.com

Page: 1 of 4
Billing Date: Mar 22, 2017
Account Number: 0696462970

MONTHLY STATEMENT

From Feb 21, 2017 thru Mar 21, 2017 (28 Days)

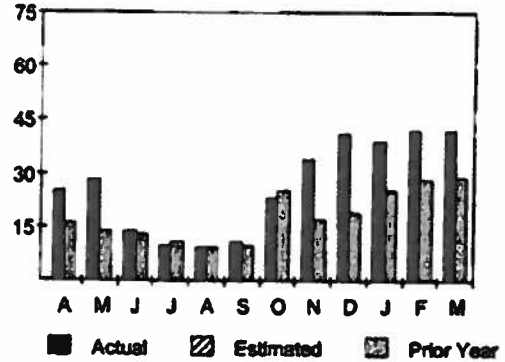
ALICE YARBOROUGH
353 E CHELTEN AVE, 1F
PHILA PA 19144-5751

Billing Summary

Past Due Amount \$321.04
Current Charges \$72.15
Adjustments \$4.68

Total Amount Due By
Apr 17, 2017 **\$397.87**

Energy Usage Information



- Average daily temperature 43.2 °F.
- Your average daily cost is \$2.58 compared to \$1.94 last year.
- For the last 12 months:
 - Your total usage is 318 Ccf.
 - Your average monthly usage is 26.5 Ccf.

Philadelphia Gas Works (PGW) has filed a request with the Pennsylvania Public Utility Commission (PUC) to increase distribution base rates for residential, commercial and industrial customers.

Visit pgworks.com to learn more about PGW's first base rate request in 8 years, and what it means for customers.

PGW provides Customer Service Center locations near you to pay your bill, apply for assistance programs, turn gas on or off, or learn more about PGW programs and services. For a list of locations and hours of operation, visit www.pgworks.com under Contact Us ->Our Locations or call 215-235-1000.

Questions or Complaints about your bill? Please call us before the due date at 215-235-1000, or write to: PGW P.O. Box 3500, Phila., PA 19122-0030

Please return this portion with your payment.

Write your account number on your check or money order made payable to Philadelphia Gas Works



Place "X" in box for address corrections. Print corrections on reverse side.

Account Number: 0696462970
Due Date: Apr 17, 2017
Please Pay: \$397.87

Amount Enclosed: \$

029819 000004061



ALICE YARBOROUGH
353 E CHELTEN AVE # 1F
PHILA PA 19144-5751



Philadelphia Gas Works
P.O. Box 11700
Newark, NJ 07101-4700

0006964629708000000000397877

EXHIBIT 2



PENNSYLVANIA
PUBLIC UTILITY COMMISSION

CONSUMERINFO UTILITY&INDUSTRY FILING&RESOURCES ABOUTPUC CONTACTUS

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eFiling Successfully Transmitted



Your filing has been electronically received. Upon review of the filing for conformance with the Commission's filing requirements, a notice will be issued acknowledging such compliance and assigning a Docket Number. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

Print this page for your records. The date filed on will be the current day if the filing occurs on a business day before or at 4:30 PM Harrisburg, PA time. It will be the next business day if the filing occurs after 4:30 PM Harrisburg, PA time or on weekends or holidays.

If your filing exceeds 250 pages, you are required to submit one paper copy of the filing within 3 business days of submitting the electronic filing. This paper copy can be mailed to: Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120 . Please print a copy of this page and attach it to the paper copy of your filing as the first page.

eFiling Confirmation	
Docket Number:	C-2017-2601054
Description:	Alice Yarborough v. PECO Energy Company Answer to Formal Complaint
Transmission Date:	5/8/2017 3:40:24 PM
Filed On:	5/8/2017 3:40:24 PM
eFiling Confirmation Number:	1676519

Uploaded File List

File Name	Document Class	Document Type
Yarborough - Answer.pdf	Communication	Answer to Formal Complaint



An Exelon Company

Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19101-8699

Direct Dial: 215-841-6841

May 8, 2017

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

RE: Alice Yarborough v. PECO Energy Company
PUC Docket No.: C-2017-2601054

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy's Answer to Formal Complaint*.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a stylized flourish at the end.

Shawane Lee
Counsel for PECO Energy Company

SL/ab
Enclosure

cc: **Scheduling Recommendation: Call of the Docket**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

ALICE YARBOROUGH

Complainant

v.

PECO ENERGY COMPANY

Respondent

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DOCKET NO. C-2017-2601054

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§ 5.101 and 5.62(c), you are hereby notified that, if you do not file a written response denying or correcting the enclosed **NEW MATTER** of PECO Energy Company within 20 days from service of this notice, a decision may be rendered against you. All pleadings, such as a Reply to **NEW MATTER**, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Shawane L. Lee, and where applicable, the Administrative Law Judge presiding over the issue.

File with:

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

With a copy to:

Shawane L. Lee, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, May 8, 2017



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
215-841-6841
Shawane.lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALICE YARBOROUGH	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2017-2601054
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On April 27, 2017, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Alice Yarborough, hereafter ("Complainant") in the above captioned docket.

Pursuant to 52 Pa. Code § 5.61, PECO responds to the Complaint and states:

1. Admitted.
2. Admitted.
3. Admitted.
4. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant complaint.

In her formal complaint, Complainant states that her apartment is not energy efficient. The Complainant states that she has been on medical leave. The Complainant requests a payment agreement and says she can barely make it with her pay checks. PECO Energy avers that the Complainant has an active Chapter 13 bankruptcy; therefore, the Public Utility Commission has no jurisdiction to give the Complainant a payment agreement.

The Complainant established an account for electric service at 3421 North 21st Street, 3rd Floor, Philadelphia, PA under account number 77889-36020. See Account Activity Statement, attached hereto as Exhibit "1".

On May 20, 2014, the Complainant filed an informal complaint with the Bureau of Consumer Services ("BCS") at case number 003240969, requesting a payment agreement on her \$966.50 balance. At the time, the Complainant reported a monthly gross income of \$2,583.33 for one adult in the household. See Case Details Report #003240969, attached hereto as Exhibit "2". The BCS issued a Level 3 payment agreement on the Complainant's \$966.50 balance. Under the agreement, the Complainant was to pay a budget bill of \$19.00 per month plus a monthly arrears payment of \$81.00. See BCS Decision Report #003240969, attached hereto as Exhibit "3".

On November 26, 2014, the Complainant filed for Chapter 13 bankruptcy in the Eastern District of at docket number 14-19354. See Bankruptcy Docket Attached hereto as Exhibit "4". On January 23, 2015, PECO removed \$766.99 from the Complainant's account to a non-service bankruptcy account. The Complainant's bankruptcy is still active. The Complainant discontinued service at 3421 North 21st Street, 3rd Floor effective January 13, 2015.

The Complainant established service at 353 East Cheltenham Avenue, 1st Floor Front, Philadelphia, PA under account number 13408-07099 effective April 17, 2015. See Account Activity Statement, attached hereto as Exhibit "5".

On March 29, 2017, the Complainant filed an informal complaint with the BCS at case number 003508142, requesting a payment agreement for a significant change in circumstance to prevent service termination. The Complainant stated that she was on unpaid medical leave. See

Case Details Report #003508142, attached hereto as Exhibit "6". The BCS decision is still pending.

The Complainant has a balance of \$618.61. See Exhibit "5". PECO Energy avers that the Complainant is not entitled to another payment agreement as she has an active Chapter 13 bankruptcy.

5. Denied.

6. Admitted.

7. Denied.

8. Denied. PECO is without knowledge or information sufficient to form a belief as to the truth of this averment and, therefore, such allegation is deemed denied.

9. Paragraph 9 is a Verification and Signature to which no response is required.

10. Paragraph 10 contains information regarding Filing, to which no response is required.

NEW MATTER OF RESPONDENT, PECO ENERGY COMPANY

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 5.62(b), further responds to the Complaint and states:

1. On November 26, 2017, the Complainant filed for Chapter 13 bankruptcy in the Eastern District of Pennsylvania under docket number 14-19354.
2. PECO set aside \$766.99 of Pre-Bankruptcy arrears in a non-service account and assessed a \$70.00 bankruptcy deposit. See Exhibit "1".
3. The Complainant has an active Chapter 13 bankruptcy petition pending. See Bankruptcy Docket, attached hereto as Exhibit "4".

4. Accordingly, the Commission does not have jurisdiction over the Complainant's request for a payment agreement.

5. The U.S. Bankruptcy courts have exclusive jurisdiction over the Complainant's assets. All claims against a debtor, including claims arising subsequent to the filing of a petition, are to be adjusted and paid in accordance with the plan required by Chapter 13. Thus, the Complainant filing a petition for personal bankruptcy has preempted the Commission from establishing any payment schedule with respect to amounts owed by the Complainant to PECO Energy. See Michelle Chavous v. PECO Energy Company, Docket No. F 2010-2215689 (Final Order entered Dec. 20, 2011).

6. The Complainant's payment agreement request should be dismissed for lack of subject matter jurisdiction.

7. The Complainant must seek relief from the bankruptcy courts.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALICE YARBOROUGH

Complainant

v.

PECO ENERGY COMPANY

Respondent

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DOCKET NO. C-2017-2601054

VERIFICATION

I, Shawane L. Lee, hereby declare that I am counsel for 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: May 8, 2017

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALICE YARBOROUGH
Complainant

v.

PECO ENERGY COMPANY
Respondent

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:
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:
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DOCKET NO. C-2017-2601054

CERTIFICATE OF SERVICE

I, Shawane L. Lee, 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:

Alice Yarborough
353 East Cheltenham Avenue, Apartment 1st Floor
Philadelphia, PA 19140

Dated at Philadelphia, Pennsylvania, May 8, 2017



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

EXHIBIT "1"

Account Number: 7788936020
 Account Name: ALICE YARBOROUGH
 Account Status: FINAL
 Meter Bill Group: 10

Service Address:
 3421 N 21ST ST 3RD FL
 PHILADELPHIA, PA 19144

Mail To:
 ALICE YARBOROUGH
 353 EAST CHELTON AVENUE FIRST FLOOR
 PHILADELPHIA, PA 19144
 (215) 380-2557 Ext:

Current Bill: \$21.24
 Billed Prior: \$32.23
 Balance Due: \$0.00

Account Balance: \$0.00

Credit Amount: \$0.00
 Deposit Requested: \$0.00
 Deposit On-Hand: \$0.00
 CAP Pre-program Arrears: \$0.00
 Payment Agreement Balance: \$0.00

Rates:
 ELECTRIC RESIDENTIAL SERVICE

Account Transaction Activity

Transaction DT	Product Type	Qualif Source	Billing Period	Read	Reading Type	Meter Equip-Ct	6789	679	679	CCF	Transac Amount	Balance Forward	Current Charge	Amnt Due	Bill Due DT	Total Balance	Minimum Usage Chgs	Usage In Arrear
12/23/2013	CONNECTION CHARGE - STANDARD										\$6.00							
01/10/2014		PAYMENT																
01/15/2014	ELECTRIC SERVICE		12/20/2013 - 01/14/2014	316	ACTUAL	121043132	223	0			\$40.90	\$0.00	\$40.90	\$40.90	02/06/2014	\$40.90	715	\$0.00
01/27/2014	TRANSFER DEBIT	FROM 59690-73019									\$738.99							
02/12/2014	ELECTRIC SERVICE		01/14/2014 - 02/12/2014	568	ACTUAL	121043132	252	0			\$46.63	\$779.29	\$46.63	\$825.92	03/06/2014	\$825.92	1,058	\$0.00
02/13/2014	LATE PAYMENT CHARGE										\$0.61							
03/11/2014	LATE PAYMENT CHARGE										\$12.22							
03/13/2014	ELECTRIC SERVICE		02/12/2014 - 03/13/2014	808	ACTUAL	121043132	240	0			\$42.36	\$838.75	\$42.36	\$881.11	04/04/2014	\$881.11	888	\$0.00
04/09/2014	LATE PAYMENT CHARGE										\$12.86							
04/11/2014	ELECTRIC SERVICE		03/13/2014 - 04/11/2014	964	ACTUAL	121043132	156	0			\$30.20	\$869.97	\$30.20	\$924.17	05/05/2014	\$924.17	604	\$0.00
05/12/2014	LATE PAYMENT CHARGE										\$13.31							
05/12/2014	ELECTRIC SERVICE		04/11/2014 - 05/12/2014	1112	ACTUAL	121043132	148	0			\$29.02	\$897.40	\$29.02	\$966.50	06/03/2014	\$966.50	216	\$0.00
05/22/2014		PUC PAYMENT AGREEMENT - BCS 3240969																
05/30/2014		PAYMENT																
06/11/2014	BUDGET BILLING										-\$368.90							
06/11/2014	PUC AGREEMENT										-\$80.54							
06/11/2014	ELECTRIC SERVICE		05/12/2014 - 06/11/2014	1266	ACTUAL	121043132	154	0			\$19.00							
07/08/2014	BILL OUT DPA										\$80.54							
07/08/2014	LATE PAYMENT CHARGE										\$29.61	\$0.00	\$19.00	\$19.00	07/03/2014	\$29.61		\$10.61
07/10/2014		PAYMENT AGREEMENT																
07/11/2014		PAYMENT																
07/11/2014	BUDGET BILLING										-\$885.96							
07/11/2014	PUC AGREEMENT										-\$19.00							
07/11/2014	ELECTRIC SERVICE		06/11/2014 - 07/11/2014	1520	ACTUAL	121043132	254	0			\$19.00							
08/07/2014		PAYMENT									\$80.54							
08/11/2014	BUDGET BILLING										\$44.71	\$0.29	\$99.54	\$99.83	08/04/2014	\$135.65		\$35.82
08/11/2014	PUC AGREEMENT										-\$100.00							
08/11/2014	ELECTRIC SERVICE		07/11/2014 - 08/11/2014	1781	ACTUAL	121043132	261	0			\$19.00							
09/08/2014	BILL OUT DPA										\$80.54							
09/09/2014	LATE PAYMENT CHARGE										\$45.23	\$0.00	\$99.37	\$99.37	09/02/2014	\$161.42		\$62.05
09/10/2014	BUDGET BILLING										\$724.82							
09/10/2014	ELECTRIC SERVICE		08/11/2014 - 09/10/2014	2023	ACTUAL	121043132	242	0			\$11.62							
09/22/2014		PAYMENT									\$19.00							
09/22/2014		PAYMENT AGREEMENT									\$41.66	\$835.87	\$19.00	\$854.87	10/02/2014	\$939.58		\$84.71
10/07/2014	LATE PAYMENT CHARGE										-\$100.00							
10/09/2014	BUDGET BILLING										-\$724.82							
10/09/2014	PUC AGREEMENT										\$0.28							
10/09/2014	ELECTRIC SERVICE		09/10/2014 - 10/09/2014	2179	ACTUAL	121043132	156	0			\$38.00							
10/20/2014		PAYMENT									\$80.54							
11/07/2014	BUDGET BILLING										\$29.39	\$30.27	\$118.54	\$148.81	10/31/2014	\$224.91		\$76.10
11/07/2014	PUC AGREEMENT										-\$148.91							
11/07/2014	ELECTRIC SERVICE		10/09/2014 - 11/07/2014	2328	ACTUAL	121043132	149	0			\$38.00							
12/08/2014	BILL OUT DPA										\$80.54							
12/08/2014	LATE PAYMENT CHARGE										\$28.39	\$0.00	\$118.44	\$118.44	12/01/2014	\$184.93	213	\$66.49
12/10/2014	BUDGET BILLING										\$563.80							
12/10/2014	ELECTRIC SERVICE		11/07/2014 - 12/10/2014	2491	ACTUAL	121043132	163	0			\$1.78							
12/10/2014	ELECTRIC SERVICE		11/07/2014 - 12/10/2014	2491	ACTUAL	121043132	163	0			\$31.72	\$684.02	\$38.00	\$722.02	01/02/2015	\$782.23	733	\$60.21
01/13/2015	BUDGET BILLING										\$31.72	\$684.02	\$38.00	\$722.02	01/02/2015	\$782.23	733	\$60.21
											\$38.00							

Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Ct	WSP	WY	CD	Transaction Amount	Balance Forward	Current Charges	Amnt Due	Est Due Dt	Total Balance	Waiting Degree Days	Unpaid Bill Deferral Amt
01/13/2015	(CANCELED) - ELECTRIC SERVICE		12/10/2014 - 01/13/2015	2647	ACTUAL	121043132	156										
01/23/2015		LATE PAYMENT CHARGE								\$30.72	\$722.02	\$38.00	\$760.02	02/04/2015	\$812.95	947	\$52.93
01/23/2015		Bankruptcy Docket 14-19354								-\$1.78							
01/23/2015	BUDGET BILLING									-\$766.98							
01/23/2015	CANCELED - ELECTRIC SERVICE BUDGET BILLING		12/10/2014 - 01/13/2015	2647	ACTUAL	121043132	156			\$60.21							
01/23/2015	ELECTRIC SERVICE		12/10/2014 - 01/13/2015	2647	ACTUAL	121043132	156	0		-\$38.00	\$0.00	\$44.18	\$44.18	02/17/2015	\$44.18	947	\$0.00
02/12/2015	DEPOSIT									\$30.72	\$0.00	\$44.18	\$44.18	02/17/2015	\$44.18	947	\$0.00
02/12/2015	ELECTRIC SERVICE		01/13/2015 - 02/12/2015	2813	ACTUAL	121043132	166	0		\$70.00							
02/18/2015		PAYMENT								-\$32.23	\$0.00	\$146.41	\$146.41	03/06/2015	\$146.41	1,001	\$0.00
03/12/2015	ELECTRIC SERVICE		02/12/2015 - 03/12/2015	2909	ACTUAL	121043132	96	0		-\$44.18							
04/17/2015		PAYMENT								\$21.24	\$32.23	\$21.24	\$53.47	04/06/2015	\$53.47	1,055	\$0.00
										-\$53.47							

EXHIBIT "2"



May 8, 2017

Case Details Report

BCS Case #: 003240969 **BCS Bill Account #:** 7788936020
Customer Name: ALICE YARBOROUGH
Service Address: 3421 N 21ST ST

Mailing Address: PHILADELPHIA, PA 19140

Home Phone: () -
Business Phone: (215) 686-3153
Business name: SM
Alternate contact: USE CELL BEFORE 3PM AND WORK NUMBER AFTER

Date Case Opened: 2014-05-20 **Date Cut Out:** 2014-05-23
PAR Case: Y
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-0000 **Universal Service:** N
Service class: R **Contact Type:** TELEPHONE
Previous case #: **Amount in Arrears:** \$926.00

Adults: 1
Children: 0
Children Ages:
Gross Income: \$2583.33
Miscellaneous Info:
USE CELL BEFORE 3PM AND WORK NUMBER AFTER

Complaint Reason:
ON - PAR NEEDED (# 61)

Customer Problem Description:
STRAIGHT PAR

Company Position:
05/16/2014 CO WANTS \$900 TO AVODI SHUT OFF

EXHIBIT "3"



May 8, 2017

BCS Decision Report

BCS Case #: 003240969 **Open Date:** 2014-05-20
Customer Name: ALICE YARBOROUGH
Service Address: 3421 N 21ST ST

BCS Bill Account #: PHILADELPHIA, PA 19140
7788936020 **Previous Case #:**
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: BUREAU OF
CONSUMER SERVICE

Decision Issued Date: 2014-05-23
Case Closed Date: 2014-05-21

Letter Description:
EGW STRAIGHT PAR/BUDGET + FOR LEVEL 2-4 HOUSEHOLDS

Total Balance:	\$966.50	Balance Date:	2014-05-21
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$19.00
Special Budget Payment:	\$100.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$81.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		
Payment Terms:	JULY 2014 BILL DUE DATE		

PAR Description:

Resolution Description:
LEVEL 3, BB 19.00 + 81.00 = 100.00 BEGINNING JULY 2014.

EXHIBIT “4”

14-19354-mdc Alice Yarborough
Case type: bk Chapter: 13 Asset: Yes Vol: v Judge: Magdeline D. Coleman
Date filed: 11/26/2014 Date of last filing: 11/17/2016 Plan confirmed: 09/10/2015

Case Summary

Office: Philadelphia
County: PHILADELPHIA-PA
Fee: Paid
Origin: 0
Previous term:

Filed: 11/26/2014

Terminated:

Debtor discharged:

Reopened:

Converted:

Debtor dismissed:

Confirmation hearing:

Joint: n
Original chapter: 13
Current chapter: 13

Nature of debt: consumer
Pending status: Awaiting Discharge ,Plan Confirmed

Trustee: United States	City: Philadelphia	Phone: (215) 597-4411	Email: USTPRegion03.PH.ECF@usdoj.gov
Trustee: WILLIAM C. MILLER	City: Philadelphia	Phone: 215-627-1377	Email: ecfemails@ph13trustee.com

Party 1: Yarborough, Alice (Debtor)
 SSN / ITIN: xxx-xx-3140

Atty: DAVID M. OFFEN **Represents party 1:** Debtor
Phone: (215) 625-9600
Email: dmo160west@gmail.com

Location of case files:
Volume: CS1
 The case file may be available.

PACER Service Center			
Transaction Receipt			
05/08/2017 11:57:01			
PACER Login:	pe0017:2612767:0	Client Code:	Elsa leung
Description:	Case Summary	Search Criteria:	14-19354-mdc
Billable Pages:	1	Cost:	0.10

EXHIBIT "5"

Account Number: 1340807099
 Account Name: ALICE YARBOROUGH
 Account Status: ACTIVE
 Meter Bill Group: 17

Service Address:
 353 E CHELTEN AVE, 1ST FL FRONT
 PHILADELPHIA, PA 19144

Mail To:
 ALICE YARBOROUGH
 1ST FL FRONT 353 E CHELTEN AVE
 PHILADELPHIA, PA 19144
 (267) 237-3271 Ext:

Current Bill: \$93.94
 Billed Prior: \$628.47
 Balance Due: \$618.61

Account Balance: \$618.61

Credit Amount: \$0.00
 Deposit Requested: \$0.00
 Deposit On-Hand: \$0.00
 CAP Pre-program Arrears: \$0.00
 Payment Agreement Balance: \$0.00

Rates:
 SUPPLIER ELECTRIC RESIDENTIAL HEATING SERVICE

Account Transaction Activity

Transaction Dt	Product Type	Credit/Source	Billing Period	Read	Reading Type	Meter Equip-Id	ICR#	ICW	OCF	Transaction Amount	Balance Forward	Current Charges	Amnt Due	Bill Due Dt	Total Balance	Missing Meters Days	Unmetered Am
04/17/2015	DEPOSIT																
04/22/2015	CONNECTION CHARGE - STANDARD									\$95.00							
04/22/2015	ELECTRIC SERVICE		04/17/2015 - 04/22/2015	14857	ACTUAL	121048724	31	0		\$6.00							
05/18/2015		PAYMENT								\$5.15	\$0.00	\$106.15	\$106.15	05/14/2015	\$106.15	11	\$0.00
05/21/2015	DEPOSIT									-\$106.15							
05/21/2015	ELECTRIC SERVICE		04/22/2015 - 05/21/2015	15074	ACTUAL	121048724	217	0		\$47.50							
06/15/2015		PAYMENT								\$34.85	\$0.00	\$82.35	\$82.35	06/12/2015	\$82.35	19	\$0.00
06/22/2015	DEPOSIT									-\$82.35							
06/22/2015	ELECTRIC SERVICE		05/21/2015 - 06/22/2015	15264	ACTUAL	121048724	190	0		\$47.50							
07/21/2015	LATE PAYMENT CHARGE									\$34.56	\$0.00	\$82.06	\$82.06	07/14/2015	\$82.06		
07/23/2015	ELECTRIC SERVICE		06/22/2015 - 07/23/2015	15472	ACTUAL	121048724	208	0		\$0.52							
08/14/2015	ELECTRIC SERVICE		07/22/2015 - 08/14/2015	15672	ACTUAL	121048724	200	0		\$37.17	\$82.56	\$37.17	\$119.75	08/14/2015	\$119.75		\$0.00
08/14/2015	ELECTRIC SERVICE		08/14/2015 - 08/14/2015	15724	ACTUAL	121048724	52	0		\$34.35	\$82.06	\$72.04	\$154.10	08/08/2015	\$154.10		\$0.00
08/25/2015	ELECTRIC SERVICE		07/22/2015 - 08/25/2015	15724	ACTUAL	121048724	200	0		\$34.35	\$82.06	\$72.04	\$154.10	09/08/2015	\$154.10		\$0.00
08/25/2015	ELECTRIC SERVICE		08/14/2015 - 08/25/2015	15724	ACTUAL	121048724	52	0		\$4.91	\$119.75	\$43.40	\$163.15	09/16/2015	\$163.15		\$0.00
08/25/2015	ALTERNATE ELEC SERVICE									\$4.91	\$119.75	\$43.40	\$163.15	09/16/2015	\$163.15		\$0.00
09/15/2015	LATE PAYMENT CHARGE									\$4.14							
09/22/2015	LATE PAYMENT CHARGE									\$1.08							
09/23/2015	LATE PAYMENT CHARGE									\$1.78							
09/23/2015	ELECTRIC SERVICE		08/21/2015 - 09/23/2015	15999	ACTUAL	121048724	215	0		\$0.49							
09/23/2015	ALTERNATE ELEC SERVICE									\$20.54	\$166.45	\$37.68	\$204.14	10/15/2015	\$204.14		\$0.00
10/20/2015	LATE PAYMENT CHARGE									\$17.15							
10/22/2015	ELECTRIC SERVICE		09/21/2015 - 10/22/2015	16193	ACTUAL	121048724	254	0		\$2.90							
10/22/2015	ALTERNATE ELEC SERVICE									\$18.07	\$206.44	\$38.34	\$244.78	11/13/2015	\$244.78	80	\$0.00
11/18/2015	LATE PAYMENT CHARGE									\$20.27							
11/23/2015	ELECTRIC SERVICE		10/20/2015 - 11/23/2015	16519	ACTUAL	121048724	326	0		\$2.87							
11/23/2015	ALTERNATE ELEC SERVICE									\$21.18	\$247.65	\$47.19	\$294.84	12/15/2015	\$294.84	237	\$0.00
12/22/2015	LATE PAYMENT CHARGE									\$26.01							
12/23/2015	ELECTRIC SERVICE		11/19/2015 - 12/23/2015	17244	ACTUAL	121048724	725	0		\$3.58							
12/23/2015	ALTERNATE ELEC SERVICE									\$39.20	\$298.42	\$97.05	\$395.47	01/19/2016	\$395.47	510	\$0.00
01/26/2016	LATE PAYMENT CHARGE									\$57.85							
01/27/2016	ELECTRIC SERVICE		12/21/2015 - 01/25/2016	18494	ACTUAL	121048724	1250	0		\$5.04							
01/27/2016	ALTERNATE ELEC SERVICE									\$68.40	\$400.51	\$168.14	\$568.65	02/18/2016	\$568.65	850	\$0.00
02/21/2016		PAYMENT								\$99.74							
02/23/2016	LATE PAYMENT CHARGE									-\$396.00							
02/26/2016	ELECTRIC SERVICE		01/25/2016 - 02/24/2016	19779	ACTUAL	121048724	1285	0		\$2.53							
02/26/2016	ALTERNATE ELEC SERVICE									\$72.51	\$175.16	\$175.05	\$350.23	03/21/2016	\$350.23	844	\$0.00
03/25/2016	ELECTRIC SERVICE		02/24/2016 - 03/23/2016	20650	ACTUAL	121048724	871	0		\$102.54							
03/25/2016	ALTERNATE ELEC SERVICE									\$51.97	\$350.23	\$147.60	\$497.83	04/18/2016	\$497.83	472	\$0.00
03/28/2016	LATE PAYMENT CHARGE									\$95.63							
04/04/2016		PAYMENT								\$5.16							
04/22/2016	ELECTRIC SERVICE		03/23/2016 - 04/21/2016	21420	ACTUAL	121048724	770	0		-\$199.31							
04/22/2016	ALTERNATE ELEC SERVICE									\$46.95	\$303.68	\$107.63	\$411.31	05/16/2016	\$411.31	338	\$0.00
04/25/2016	LATE PAYMENT CHARGE									\$4.48							
05/16/2016		PAYMENT								\$40.68							
05/24/2016	ELECTRIC SERVICE		04/21/2016 - 05/20/2016	21965	ACTUAL	121048724	545	0		-\$411.31							
05/24/2016	ALTERNATE ELEC SERVICE									\$35.69	\$4.48	\$78.63	\$83.11	06/15/2016	\$83.11	208	\$0.00
06/21/2016	LATE PAYMENT CHARGE									\$42.94							
06/22/2016	ELECTRIC SERVICE		05/20/2016 - 06/21/2016	22196	ACTUAL	121048724	231	0		\$1.18							
06/22/2016	ALTERNATE ELEC SERVICE									\$22.75	\$84.29	\$40.95	\$125.24	07/14/2016	\$125.24		\$0.00
07/19/2016	LATE PAYMENT CHARGE									\$18.20							
07/25/2016	ELECTRIC SERVICE		06/21/2016 - 07/21/2016	22468	ACTUAL	121048724	272	0		\$1.79							
07/25/2016	ALTERNATE ELEC SERVICE									\$26.99	\$127.03	\$48.42	\$175.45	08/16/2016	\$175.45		\$0.00
										\$21.43							

Transaction Dt	Product Type	Credit/Debit	Billing Period	Read	Reading Type	Water Supply Cd	EMR	EM	OCF	Transaction Amount	Balance Forward	Current Charge	Acct.Chrg	Bill Date Dt	Total Balance	Reading Degree Days	Unpaid Bill
08/22/2016	ELECTRIC SERVICE		07/21/2016 - 08/19/2016	22826	ACTUAL	121048724	358	0		\$32.85	\$175.45	\$61.07	\$236.52	08/13/2016	\$236.52		
08/22/2016	ALTERNATE ELEC SERVICE									\$28.21							\$0.00
08/23/2016	LATE PAYMENT CHARGE									\$2.51							
09/06/2016		PAYMENT								-\$175.45							
09/20/2016	LATE PAYMENT CHARGE									\$0.91							
09/21/2016	ELECTRIC SERVICE		08/19/2016 - 09/20/2016	23205	ACTUAL	121048724	379	0		\$34.30	\$64.49	\$64.16	\$128.65	10/13/2016	\$128.65		\$0.00
09/21/2016	ALTERNATE ELEC SERVICE									\$29.85							
10/18/2016	LATE PAYMENT CHARGE									\$1.87							
10/21/2016	ELECTRIC SERVICE		09/20/2016 - 10/20/2016	23472	ACTUAL	121048724	267	0		\$23.11	\$130.52	\$44.15	\$174.67	11/14/2016	\$174.67	13	\$0.00
10/21/2016	ALTERNATE ELEC SERVICE	PAYMENT								-\$21.04							
10/24/2016										-\$128.00							
11/18/2016	ELECTRIC SERVICE		10/20/2016 - 11/17/2016	24068	ACTUAL	121048724	596	0		\$38.33	\$46.67	\$85.29	\$131.96	12/12/2016	\$131.96	301	\$0.00
11/21/2016	ALTERNATE ELEC SERVICE									\$46.96							
11/21/2016	LATE PAYMENT CHARGE									\$0.60							
12/19/2016	LATE PAYMENT CHARGE									\$1.95							
12/21/2016	ELECTRIC SERVICE		11/17/2016 - 12/20/2016	25281	ACTUAL	121048724	1213	0		\$69.03	\$134.59	\$164.61	\$299.20	01/12/2017	\$299.20	746	\$0.00
12/21/2016	ALTERNATE ELEC SERVICE									\$85.58							
01/18/2017	LATE PAYMENT CHARGE									\$4.42							
01/26/2017	ELECTRIC SERVICE		12/20/2016 - 01/24/2017	26797	ACTUAL	121048724	1516	0		\$83.89	\$303.62	\$203.35	\$506.97	02/17/2017	\$506.97	915	\$0.00
01/26/2017	ALTERNATE ELEC SERVICE	DEPOSIT INTEREST								\$119.46							
02/22/2017	LATE PAYMENT CHARGE									-\$9.14							
02/27/2017	ELECTRIC SERVICE		01/24/2017 - 02/22/2017	28001	ACTUAL	121048724	1204	0		\$7.47							
02/27/2017	ALTERNATE ELEC SERVICE									\$68.31	\$503.30	\$163.19	\$668.49	03/21/2017	\$668.49	713	\$0.00
03/24/2017	ELECTRIC SERVICE		02/22/2017 - 03/23/2017	29034	ACTUAL	121048724	1033	0		\$94.88							
03/24/2017	ALTERNATE ELEC SERVICE									\$59.80	\$668.49	\$341.20	\$809.69	04/17/2017	\$809.69	645	\$0.00
03/28/2017	LATE PAYMENT CHARGE									\$81.40							
04/12/2017		DEPOSIT REFUND								\$9.80							
04/12/2017		DEPOSIT INTEREST								-\$190.00							
04/24/2017	ELECTRIC SERVICE		03/23/2017 - 04/21/2017	29626	ACTUAL	121048724	592	0		-\$1.02							
04/24/2017	ALTERNATE ELEC SERVICE									\$37.49	\$628.47	\$84.14	\$712.61	05/16/2017	\$712.61	300	\$0.00
04/28/2017		PAYMENT								\$46.65							
										-\$94.00							

EXHIBIT "6"



May 8, 2017

Case Details Report

BCS Case #: 003508142
Customer Name: ALICE YARBOROUGH
Service Address: 353 E CHELTON AVE
1ST FLOOR
PHILADELPHIA, PA 19144

BCS Bill Account #: 1340807099

Mailing Address:

Home Phone: () -
Business Phone: () -
Business name: SM
Alternate contact:

Date Case Opened: 2017-03-29
PAR Case: Y
Investigator Name: BCS CASE POOL
Investigator Phone: (717) 787-5468
Service class: R
Previous case #: 3240969

Date Cut Out: 2017-04-03

Universal Service: Y
Contact Type: TELEPHONE
Amount in Arrears: \$668.49

Adults: 1
Children: 0
Children Ages:
Gross Income: \$0.00
Miscellaneous Info:

Complaint Reason:
SCIC PAR (SIG. CHANGE IN CIRCUMSTANCE) (# 66)

Customer Problem Description:
CU HAS SCIC ON PRIOR PUC PAR 3240969. CU IS ON UNPAID MEDICAL LEAVE UNTIL APRIL 24TH. THE CELL PHONE NUMBER (267) 237 - 3271 HAS BEEN ALLOWED TO BE SHARED.

Company Position:
03/29/2017 CO WANTS 497.83 TO PREVENT SHUT OFF.

EXHIBIT 3

**U.S. Bankruptcy Court
Eastern District of Pennsylvania (Philadelphia)
Bankruptcy Petition #: 14-19354-mdc**

Assigned to: Judge Magdeline D. Coleman
Chapter 13
Voluntary
Asset

Date filed: 11/26/2014
Plan confirmed: 09/10/2015
Deadline for filing claims: 04/28/2015
Deadline for filing claims (govt.): 05/25/2015

Debtor

Alice Yarborough
353 East Cheltenham Avenue
Philadelphia, PA 19140
PHILADELPHIA-PA
SSN / ITIN: xxx-xx-3140

represented by **DAVID M. OFFEN**

The Curtis Center
601 Walnut Street
Suite 160 West
Philadelphia, PA 19106
(215) 625-9600
Email: dmo160west@gmail.com

Trustee

WILLIAM C. MILLER
Chapter 13 Trustee
1234 Market Street
Suite 1813
Philadelphia, PA 19107
215-627-1377

U.S. Trustee

United States Trustee
Office of the U.S. Trustee
833 Chestnut Street
Suite 500
Philadelphia, PA 19107
(215) 597-4411

Filing Date	#	Docket Text
11/26/2014	<u>1</u> (42 pgs)	Chapter 13 Voluntary Petition . Fee Amount \$310 Filed by Alice Yarborough. Government Proof of Claim Deadline: 05/25/2015. (OFFEN, DAVID) (Entered: 11/26/2014)
11/26/2014	<u>2</u> (2 pgs)	Chapter 13 Plan Filed by Alice Yarborough. (OFFEN, DAVID) (Entered: 11/26/2014)
11/26/2014	3	Matrix Filed. Number of pages filed: 4, Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 11/26/2014)

11/26/2014	<u>4</u>	Statement of Social Security Number Received. Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 11/26/2014)
11/26/2014	<u>5</u> (7 pgs)	Chapter 13 Statement of Current Monthly and Disposable Income (Form 22C) Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 11/26/2014)
11/26/2014	<u>6</u> (2 pgs)	Exhibit D - Debtor has received counseling and has attached required documents. Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 11/26/2014)
11/26/2014	<u>7</u> (1 pg)	Certificate of Credit Counseling Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 11/26/2014)
11/26/2014	<u>8</u> (4 pgs)	Employee Income Records Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 11/26/2014)
11/26/2014	<u>9</u> (1 pg)	Certificate of Service Filed by DAVID M. OFFEN on behalf of Alice Yarborough (related document(s) <u>2</u>). (OFFEN, DAVID) (Entered: 11/26/2014)
11/28/2014		Receipt of Voluntary Petition (Chapter 13)(14-19354) [misc,volp13a] (310.00) Filing Fee. Receipt number 15593534. Fee Amount \$ 310.00. (re: Doc# <u>1</u>) (U.S. Treasury) (Entered: 11/28/2014)
11/28/2014		WILLIAM C. MILLER added to case. (R., Yvette) (Entered: 11/28/2014)
12/09/2014	<u>10</u> (4 pgs)	Meeting of Creditors. The Debtor has filed a Plan. This Plan proposes payment to the trustee of \$250.00 per month for 60 months. Filed by WILLIAM C. MILLER. 341(a) meeting to be held on 1/28/2015 at 10:30 AM at b104 - Bourse Bldg #B104 Lower Level. Objection to Dischargeability of Certain Debts due: 3/29/2015. Proofs of Claims due by 4/28/2015. Government Proof of Claim Deadline: 05/25/2015. Confirmation Hearing scheduled 3/12/2015 at 9:30 AM at nix2 - Courtroom #2. (MILLER2, WILLIAM) (Entered: 12/09/2014)

12/12/2014	<u>11</u> (6 pgs)	BNC Certificate of Mailing - Meeting of Creditors. Number of Notices Mailed: (related document(s) (Related Doc # <u>10</u>)). No. of Notices: 17. Notice Date 12/12/2014. (Admin.) (Entered: 12/13/2014)
01/29/2015		Meeting of Creditors Held and Concluded on: 1/28/2015. (MILLER, WILLIAM) (Entered: 01/29/2015)
02/23/2015	<u>12</u> (3 pgs; 2 docs)	Objection to Confirmation of Plan Filed by WILLIAM C. MILLER (related document(s) <u>2</u>). (Attachments: # <u>1</u> Proposed Order)(MILLER2, WILLIAM) (Entered: 02/23/2015)
02/23/2015	<u>13</u> (2 pgs)	Certificate of Service Filed by WILLIAM C. MILLER2 on behalf of WILLIAM C. MILLER (related document(s) <u>12</u>). (MILLER2, WILLIAM) (Entered: 02/23/2015)
03/09/2015	<u>14</u> (7 pgs)	Amended Schedule(s), Schedule F - Creditors Holding Unsecured Nonpriority Claims, <i>Cornell and Francis Rochester Cornell and Francis Rochester Fee Amount \$30</i> Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 03/09/2015)
03/09/2015		Receipt of Schedules D,E,F - (for initial filing of individual schedules and amendments)(14-19354-mdc) [misc,schnew2] (30.00) Filing Fee. Receipt number 15938806. Fee Amount \$ 30.00. (re: Doc# <u>14</u>) (U.S. Treasury) (Entered: 03/09/2015)
03/12/2015	15	Confirmation Hearing Continued on <u>10</u> . Hearing scheduled 5/21/2015 at 09:30 AM at nix2 - Courtroom #2. (J., Christina) (Entered: 03/12/2015)
04/24/2015	<u>16</u> (1 pg)	Response to Objection to Confirmation of the Plan filed by Trustee WILLIAM C. MILLER Filed by Alice Yarborough (related document(s) <u>12</u>). (OFFEN, DAVID) (Entered: 04/24/2015)
04/29/2015	<u>17</u> (1 pg)	Notice of Change of Address Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 04/29/2015)
05/21/2015	18	Confirmation Hearing Continued on 15 . Hearing scheduled 8/6/2015 at 09:30 AM at nix2 - Courtroom #2. (J., Christina) (Entered: 05/22/2015)

06/01/2015	<u>19</u> (2 pgs; 2 docs)	Motion to Dismiss Case. see attached motion Filed by WILLIAM C. MILLER Represented by WILLIAM C. MILLER2 (Counsel). (Attachments: # <u>1</u> Proposed Order) (MILLER2, WILLIAM) (Entered: 06/01/2015)
06/01/2015	<u>20</u> (1 pg)	Notice of (related document(s): <u>19</u> Motion to Dismiss Case. see attached motion) Filed by WILLIAM C. MILLER. Hearing scheduled 8/6/2015 at 09:30 AM at nix2 - Courtroom #2. (MILLER2, WILLIAM) (Entered: 06/01/2015)
06/01/2015	<u>21</u> (1 pg)	Certificate of Service Filed by WILLIAM C. MILLER2 on behalf of WILLIAM C. MILLER (related document(s) <u>20</u> , <u>19</u>). (MILLER2, WILLIAM) (Entered: 06/01/2015)
08/03/2015	<u>22</u> (2 pgs)	Amended Chapter 13 Plan <i>and Certificare of Service</i> Filed by Alice Yarborough (related document(s) <u>2</u>). (OFFEN, DAVID) (Entered: 08/03/2015)
08/03/2015	<u>23</u> (2 pgs)	Amended Schedule J Filed by DAVID M. OFFEN on behalf of Alice Yarborough. (OFFEN, DAVID) (Entered: 08/03/2015)
08/06/2015	24	Confirmation Hearing Continued on 18 . Hearing scheduled 9/10/2015 at 09:30 AM at nix2 - Courtroom #2. (J., Christina) (Entered: 08/06/2015)
08/06/2015	25	Hearing Continued on <u>19</u> Motion to Dismiss Case Filed by WILLIAM C. MILLER Trustee. Hearing scheduled 9/10/2015 at 09:30 AM at nix2 - Courtroom #2. (J., Christina) (Entered: 08/06/2015)
09/10/2015	26	Trustee was duly appointed to serve as the Standing Trustee pursuant to Section 1302 of Title 11 U.S.C. A meeting of creditors has been held in this case pursuant to Section 341 of Title 11 U.S.C. and the meeting was concluded. The debtor(s) was/were examined by the Trustee and was/were available for examination by any creditor or party in interest. The Trustee examined the debtor(s) as to current income, monthly budget, real and personal exemptions claimed pursuant to Section 522 of Title 11 U.S.C. The Trustee is of the opinion that the latest Plan meets the requirements of Sections 1322 and 1325 of Title 11 U.S.C. and should be confirmed <i>09/10/2015</i> . (CHANDLER, JACQUELINE) (Entered: 09/10/2015)

09/10/2015	<u>27</u> (6 pgs; 5 docs)	Application for Compensation of <i>Counsel Fees</i> for DAVID M. OFFEN, Debtor's Attorney, Period: to, Fee: \$3,000.00, Expenses: \$. Filed by DAVID M. OFFEN Represented by Self(Counsel). (Attachments: # <u>1</u> Cert of Service # <u>2</u> Exhibit # <u>3</u> Notice # <u>4</u> Proposed Order) (OFFEN, DAVID) (Entered: 09/10/2015)
09/10/2015	28	Hearing Held on Motion to Dismiss Case. see attached motion Filed by WILLIAM C. MILLER.. (related document(s), <u>19</u>). WITHDRAWN. (W., Christine) (Entered: 09/11/2015)
09/10/2015	29	13 Confirmation Hearing Held and Concluded. Order entered confirming plan. (related document(s), 18 , 15). (W., Christine) (Entered: 09/11/2015)
09/10/2015	<u>30</u> (1 pg)	Order Confirming Chapter 13 Plan. (W., Christine) (Entered: 09/11/2015)
09/13/2015	<u>31</u> (2 pgs)	BNC Certificate of Mailing - Order Confirming Chapter 13 Plan. Number of Notices Mailed: (related document(s) (Related Doc # <u>30</u>)). No. of Notices: 1. Notice Date 09/13/2015. (Admin.) (Entered: 09/14/2015)
10/07/2015	<u>32</u> (1 pg)	Certificate of No Response to <i>Application for Compensation of Counsel Fees</i> Filed by DAVID M. OFFEN on behalf of Alice Yarborough (related document(s) <u>27</u>). (OFFEN, DAVID) (Entered: 10/07/2015)
10/15/2015	<u>33</u> (1 pg)	Order Granting Application For Compensation (Related Doc # <u>27</u>) Granting for DAVID M. OFFEN, fees awarded: \$3000.00, expenses awarded: \$0.00 (W., Christine) (Entered: 10/16/2015)
10/18/2015	<u>34</u> (2 pgs)	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>33</u>)). No. of Notices: 1. Notice Date 10/18/2015. (Admin.) (Entered: 10/19/2015)
08/10/2016	<u>35</u> (3 pgs; 2 docs)	Transfer of Claim Transfer Agreement 3001 (e) 2 Transferor: pheaa (Claim No. 3) To ECMC. Fee Amount \$25 To ECMC PO Box 16408 St. Paul, MN 55116-0408 Filed by ECMC. (Thor, Mai) (Entered: 08/10/2016)

08/10/2016		Receipt of Transfer of Claim(14-19354-mdc) [claims,trclm] (25.00) Filing Fee. Receipt number 17720501. Fee Amount \$ 25.00. (re: Doc# <u>35</u>) (U.S. Treasury) (Entered: 08/10/2016)
08/12/2016	<u>36</u> (2 pgs)	BNC Certificate of Mailing - Transfer of Claim. Number of Notices Mailed: (related document(s) (Related Doc # <u>35</u>)). No. of Notices: 1. Notice Date 08/12/2016. (Admin.) (Entered: 08/13/2016)
09/08/2016	<u>37</u> (2 pgs; 2 docs)	Motion to Dismiss Case for Failure to Make Plan Payments Filed by WILLIAM C. MILLER Represented by WILLIAM C. MILLER2 (Counsel). (Attachments: # <u>1</u> Proposed Order) (MILLER2, WILLIAM) (Entered: 09/08/2016)
09/08/2016	<u>38</u> (1 pg)	Notice of (related document(s): <u>37</u> Motion to Dismiss Case for Failure to Make Plan Payments) Filed by WILLIAM C. MILLER. Hearing scheduled 10/20/2016 at 09:30 AM at nix2 - Courtroom #2. (MILLER2, WILLIAM) (Entered: 09/08/2016)
09/08/2016	<u>39</u> (1 pg)	Certificate of Service Filed by WILLIAM C. MILLER2 on behalf of WILLIAM C. MILLER (related document(s) <u>37, 38</u>). (MILLER2, WILLIAM) (Entered: 09/08/2016)
10/20/2016	40	Hearing Continued on <u>37</u> Motion to Dismiss Case for Failure to Make Plan Payments Filed by WILLIAM C. MILLER Trustee . Hearing scheduled 11/17/2016 at 09:30 AM at nix2 - Courtroom #2. (J., Christina) (Entered: 10/21/2016)
11/17/2016	41	Hearing Held on <u>37</u> Motion to Dismiss Case for Failure to Make Plan Payments Filed by WILLIAM C. MILLER Trustee. Motion to dismiss withdrawn. (J., Christina) (Entered: 11/18/2016)

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