

Kenneth Groschopp  
3437 Mill Road  
Collegeville, PA 19426  
April 19, 2017

Pennsylvania Public Utility Commission

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

Reference: Kenneth Groschopp v PECO Energy Company, PUC Docket No: C-2017-2594740

Ms. Chiavetta

I am writing to address the response that PECO provided to the above-referenced complaint. The response that was provided on March 27, 2017 included references to numerous legal precedents and PUC Statements of Position that helped to clarify the interpretation of the laws that govern issues related to foreign wiring in a residential rental environment. However, I would like to respectfully suggest that a hearing is still warranted in this matter, based on the information provided below.

There are two issues related to this complaint that do not appear to be addressed in the response –Both items have a material bearing on the amount that has been assessed, as well as PECO’s conduct during the investigation and remediation of the foreign wiring issue.

**Issue 1:**

The first issue relates to the corrective action that PECO requires for remediation of foreign wiring concerns. All communication from PECO on this topic suggested that the only option for remediation of the foreign wiring issue was through the installation of a common-area meter, with all common-area utilities to be re-wired to the common-area meter. At the time that this guidance was provided, the PECO technician was aware that the common-area wiring consisted of a single light fixture which was wired to the tenant’s meter. The requirement to install a common-area meter was reiterated throughout the remediation period, and was eventually completed, at a cost of \$1,585. However, the PECO response to my complaint references Santos v Metro Edison Co (No C-00967757) to confirm the legal basis for the transfer of liability to a landlord upon discovery of foreign wiring. While the judgment does confirm the legal position on the transfer of liability, there is additional language in the PUC Statement of Policy that was issued in 1998 (52 PA, Code CH 69). In this Statement of Policy, the PUC appears to acknowledge the financial hardship that could result from the requirement to install a common-area meter in situations where the foreign load could be considered “minimal”. For convenience, the exact language in this Statement of Policy is provided here.

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*"Such a strict interpretation of the law has proven harsh for small building owners who have been forced to rewire or replumb an entire building to separately meter such things as hall lights, an electric fan on a furnace, a water pump, and the like, to remove foreign load from an individual dwelling unit. This can be onerous where a building owner has already rewired a building to provide an individual meter for each dwelling unit. The Commission's Bureau of Consumer Services (BCS) has employed in its informal proceedings a policy whereunder a dwelling unit would be considered to be individually metered where only minimal foreign load is registered by that unit's meter. Under this policy, wiring and piping for a unit would not need to be reconfigured to remove foreign load where, after a reasonable investigation of all circumstances, the foreign load was found to be minimal. Also, under this policy, where after a reasonable investigation the amount of foreign load is found to be minimal, the utility or BCS may determine that the account does not need to be transferred into the building owner's name. A customer who did not want to be responsible for the foreign load could file civil suit against the building owner or could file a formal Commission complaint against the utility". (Page 5498 of Pennsylvania Bulletin, Vol 28, No 44, October 31, 1998).*

The language that the PUC included in this update seems to indicate that a landlord could be permitted to allow a minimal load to remain on a tenant's meter, provided that the load was agreed to be minimal, that the load was adequately disclosed to the tenant, and the tenant explicitly accepted financial responsibility for the additional utility costs that could result from the foreign load.

If this interpretation of the SOP is accurate, it seems that PECO may be considered responsible to provide landlords with all options that are available in remediation of a foreign wiring issue. Given the authority that PECO has been provided in adjudicating matters of foreign wiring, there should be an expectation that they will provide appropriate options in remediating issues that have been reported. The fact that all communication from PECO directed to the installation of a common-area meter has effectively increased the overall cost of this issue by \$1,585.

**Issue 2:**

The second issue that requires clarification on this matter is the calculation of the outstanding balance. The account balance was submitted as part of the evidentiary material. The statement indicates the transfer of the balance of \$5,439.05. The calculation of this balance is not clear, and requires a response from PECO. While the tenant that generated these charges was severely deficient in remitting timely payments, the statement does reveal several payments that were made throughout the course of the service. The application of these payments is not clear, as there are numerous charges on the statement that were not incurred in the generation of electricity. An alternate view of the activity in this statement may place the outstanding balance at \$4,533.18 (Exhibit 1, attached). While the collection efforts by PECO on this account were not effective, it seems that the application of payments received was advantageous to PECO, and resulted in the largest balance being transferred at the time that the foreign wiring was detected.

On this issue, I would request a detailed explanation as to the application of payments which resulted in the calculation of the \$5,439.05 balance.

I respectfully request the opportunity to present this information to representatives of the PUC for clarification.

Pennsylvania Public Utility Commission

April 19, 2017

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Sincerely,

A handwritten signature in black ink, appearing to read "K. Groschopp", written in a cursive style.

Kenneth Groschopp

Owner, 1015 DeKalb Street, Norristown, PA 19401

Enclosure

cc: Darren Cassel (co-owner), Shawane L. Lee

Account Number: 5185771050  
 Account Name: DARRYL BENNETT  
 Account Status: FINAL  
 Meter Bill Group: 10

Service Address:  
 1015 DEKALB ST 2ND FR  
 NORRISTOWN, PA 19401

Mail To:  
 DARRYL BENNETT  
 2ND FR 1015 DEKALB ST  
 NORRISTOWN, PA 19401  
 (215) 668-0377 Ext:

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Current Bill: \$62.35  
 Billed Prior: \$5,882.58  
 Balance Due: \$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

Account Balance: \$0.00

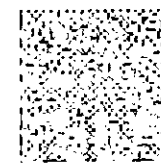
Rates:  
 XCAP OPT D1 ELECTRIC RESIDENTIAL HEATING SVC

Account Transaction Activity

Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Cd	KWH	KW	CCF	Transaction Amount	Balance Forward	Current Charges	Amt Due	Bill Due Dt	Total Balance	Heating Degree Days	Budget Bill Deferred Amt
09/11/2013		PAYMENT								-5100.00							
09/12/2013	ELECTRIC SERVICE		08/31/2013 - 09/11/2013	566	ACTUAL	121011413	224	0		\$37.17	\$0.00	\$29.92	\$29.92	10/04/2013	\$29.92		\$0.00
10/14/2013	ELECTRIC SERVICE		09/11/2013 - 10/11/2013	1360	ACTUAL	121011413	794	0		\$114.28	\$30.28	\$193.03	\$223.31	11/05/2013	\$223.31		\$0.00
11/12/2013	ELECTRIC SERVICE		10/11/2013 - 11/11/2013	3282	ACTUAL	121011413	1922	0		\$86.87	\$225.38	\$332.84	\$558.22	12/04/2013	\$558.22	314	\$0.00
12/11/2013	ELECTRIC SERVICE		11/11/2013 - 12/10/2013	5909	ACTUAL	121011413	2627	0		\$116.13	\$564.10	\$394.70	\$958.80	01/02/2014	\$958.80	651	\$0.00
01/14/2014	ELECTRIC SERVICE		12/10/2013 - 01/13/2014	10157	ACTUAL	121011413	4248	0		\$176.64	\$970.60	\$625.26	\$1,595.86	02/05/2014	\$1,595.86	1,028	\$0.00
02/17/2014	ELECTRIC SERVICE		01/13/2014 - 02/14/2014	14151	ACTUAL	121011413	3994	0		\$166.50	\$1,617.04	\$588.47	\$2,205.51	03/11/2014	\$2,205.51	1,158	\$0.00
03/13/2014	ELECTRIC SERVICE		02/14/2014 - 03/13/2014	17309	ACTUAL	121011413	3158	0		\$410.08	\$2,205.51	\$410.08	\$2,615.59	04/04/2014	\$2,615.59	811	\$0.00
04/11/2014	ELECTRIC SERVICE		03/13/2014 - 04/11/2014	20131	ACTUAL	121011413	2822	0		\$370.06	\$2,681.76	\$370.06	\$3,051.82	05/05/2014	\$3,051.82	604	\$0.00
05/13/2014		PAYMENT								-1550.00							
05/13/2014	ELECTRIC SERVICE		04/11/2014 - 05/13/2014	21555	ACTUAL	121011413	1424	0		\$190.25	\$2,963.53	\$190.25	\$3,153.78	06/04/2014	\$3,153.78	208	\$0.00
06/11/2014	ELECTRIC SERVICE		05/13/2014 - 06/11/2014	21944	ACTUAL	121011413	389	0		\$63.95	\$6.46	\$180.92	\$180.92	07/03/2014	\$180.92		\$0.00
07/11/2014	ELECTRIC SERVICE		06/11/2014 - 07/11/2014	22716	ACTUAL	121011413	772	0		\$119.89	\$2,898.98	\$119.89	\$3,018.87	08/04/2014	\$3,018.87		\$0.00
07/31/2014		PAYMENT								-597.00							
08/06/2014		PAYMENT								-141.84							
08/13/2014	ELECTRIC SERVICE		07/11/2014 - 08/13/2014	23599	ACTUAL	121011413	883	0		\$136.09	\$2,839.88	\$136.09	\$2,975.97	09/04/2014	\$2,975.97		\$0.00
09/11/2014	ELECTRIC SERVICE		08/13/2014 - 09/10/2014	24439	ACTUAL	121011413	840	0		\$57.75	\$0.00	\$264.84	\$264.84	10/03/2014	\$264.84		\$0.00
10/10/2014	ELECTRIC SERVICE		09/10/2014 - 10/09/2014	24999	ACTUAL	121011413	560	0		\$30.03	\$3,115.40	\$81.83	\$3,197.23	11/04/2014	\$3,197.23		\$0.00
10/22/2014		PAYMENT								\$0.00							
11/11/2014		PAYMENT								\$0.00							
11/12/2014	ELECTRIC SERVICE		10/09/2014 - 11/11/2014	27067	ACTUAL	121011413	2068	0		\$91.73	\$20.30	\$283.02	\$303.32	12/04/2014	\$303.32	283	\$0.00
12/11/2014	ELECTRIC SERVICE		11/11/2014 - 12/10/2014	30573	ACTUAL	121011413	3506	0		\$150.56	\$3,552.71	\$478.74	\$4,031.45	01/02/2015	\$4,031.45	663	\$0.00
01/15/2015	ELECTRIC SERVICE		12/10/2014 - 01/13/2015	34867	ACTUAL	121011413	4294	0		\$184.40	\$4,090.79	\$564.85	\$4,655.64	02/06/2015	\$4,655.64	947	\$0.00
02/13/2015	ELECTRIC SERVICE		01/13/2015 - 02/12/2015	39144	ACTUAL	121011413	4277	0		\$183.70	\$4,723.46	\$593.86	\$5,317.32	03/10/2015	\$5,317.32	1,001	\$0.00
03/16/2015	ELECTRIC SERVICE		02/12/2015 - 03/13/2015	43357	ACTUAL	121011413	4213	0		\$181.06	\$5,317.32	\$585.09	\$5,902.41	04/07/2015	\$5,902.41	473	\$0.00
04/14/2015	ELECTRIC SERVICE		03/13/2015 - 04/13/2015	46006	ACTUAL	121011413	2649	0		\$116.47	\$6,064.65	\$370.51	\$6,435.16	05/06/2015	\$6,435.16	606	\$0.00
04/27/2015	ELECTRIC SERVICE		04/13/2015 - 04/24/2015	46426	ESTIMATE	121011413	470	0		\$19.95	\$5,902.41	\$592.98	\$6,495.39	05/19/2015	\$6,495.39	57	\$0.00
05/12/2015	ELECTRIC SERVICE		04/24/2015 - 05/12/2015	46920	ACTUAL	121011413	494	0		\$50.10	\$0.00	\$50.10	\$0.00	06/03/2015	\$50.10	32	\$0.00
06/04/2015		PAYMENT								-50.10							
06/11/2015	ELECTRIC SERVICE		05/12/2015 - 06/11/2015	47789	ACTUAL	121011413	869	0		\$99.95	\$0.00	\$99.95	\$99.95	07/06/2015	\$99.95		\$0.00
07/13/2015	ELECTRIC SERVICE		06/11/2015 - 07/13/2015	49155	ACTUAL	121011413	1366	0		\$170.17	\$101.45	\$170.17	\$271.62	08/04/2015	\$271.62		\$0.00
08/11/2015	ELECTRIC SERVICE		07/13/2015 - 08/11/2015	50239	ACTUAL	121011413	1084	0		\$129.42	\$275.67	\$129.42	\$405.09	09/02/2015	\$405.09		\$0.00
08/20/2015		PAYMENT								-271.75							
09/10/2015	ELECTRIC SERVICE		08/11/2015 - 09/10/2015	51412	ACTUAL	121011413	1173	0		\$145.04	\$135.28	\$145.04	\$280.32	10/02/2015	\$280.32		\$0.00
09/18/2015		PAYMENT								-155.00							
10/14/2015	ELECTRIC SERVICE		09/10/2015 - 10/14/2015	52489	ACTUAL	121011413	1077	0		\$114.32	\$147.50	\$114.32	\$261.82	11/05/2015	\$261.82		\$0.00
10/26/2015		PAYMENT								-150.00							
11/09/2015	ELECTRIC SERVICE		10/14/2015 - 11/09/2015	53716	ACTUAL	121011413	1227	0		\$108.42	\$111.82	\$108.42	\$220.24	12/01/2015	\$220.24	190	\$0.00
12/10/2015	ELECTRIC SERVICE		11/09/2015 - 12/10/2015	57128	ACTUAL	121011413	3412	0		\$376.75	\$225.23	\$376.75	\$601.98	01/04/2016	\$601.98	477	\$0.00
01/13/2016	ELECTRIC SERVICE		12/10/2015 - 01/13/2016	60791	ACTUAL	121011413	3663	0		\$402.27	\$610.94	\$402.27	\$1,013.21	02/04/2016	\$1,013.21	600	\$0.00
02/12/2016	ELECTRIC SERVICE		01/13/2016 - 02/12/2016	64755	ACTUAL	121011413	3964	0		\$455.88	\$1,028.20	\$455.88	\$1,484.08	03/08/2016	\$1,484.08	887	\$0.00
03/14/2016	ELECTRIC SERVICE		02/12/2016 - 03/14/2016	67859	ACTUAL	121011413	3104	0		\$331.50	\$1,484.08	\$331.50	\$1,815.58	04/05/2016	\$1,815.58	682	\$0.00
04/13/2016	ELECTRIC SERVICE		03/14/2016 - 04/13/2016	70173	ACTUAL	121011413	2314	0		\$229.38	\$1,864.21	\$229.38	\$2,093.59	05/05/2016	\$2,093.59	429	\$0.00
05/16/2016	ELECTRIC SERVICE		04/13/2016 - 05/14/2016	70443	ACTUAL	121011413	270	0		\$26.49	\$2,123.83	\$26.49	\$2,150.32	06/07/2016	\$2,150.32	230	\$0.00
06/06/2016	ELECTRIC SERVICE		05/14/2016 - 06/03/2016	70443	ACTUAL	121011413	0	0		\$5.62	\$5,882.58	\$62.35	\$5,944.93	06/28/2016	\$5,944.93		\$0.00

\$ 4,533.18

Pearson VUE  
C/O Dasher Inc.  
PO Box 1652  
Harrisburg PA 17105-1652



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