



An Exelon Company

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

Direct Dial: 215-841-6841

July 27, 2017

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

**RE: Vilma DeMarco v. PECO Energy Company**  
**PUC Docket No.: C-2017-2613087**

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 stylized flourish at the end.

Shawane Lee  
Counsel for PECO Energy Company

SL/ab

cc: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>VILMA DEMARCO</b>	:	
<b>Complainant</b>	:	
<b>v.</b>	:	<b>DOCKET NO. C-2017-2613087</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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**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 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.

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  
PECO Energy Company  
2301 Market Street, S-23  
Philadelphia, PA 19103

Dated at Philadelphia, PA, July 27, 2017.



---

Shawane L. Lee  
PECO Energy Company  
2301 Market Street, S-23  
Philadelphia, PA 19103  
(215) 841-6841  
[Shawane.Lee@exeloncorp.com](mailto:Shawane.Lee@exeloncorp.com)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>VILMA DEMARCO</b>	:	
<b>Complainant</b>	:	
<b>v.</b>	:	<b>DOCKET NO. C-2017-2613087</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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**PRELIMINARY OBJECTION OF RESPONDENT,  
PECO ENERGY COMPANY**

Respondent, PECO Energy Company (“PECO Energy”), pursuant to 52 Pa. Code § 5.101(a)(4) respectfully petitions this Honorable Commission to dismiss the instant Complaint as legally insufficient.

1. On July 7, 2017, PECO Energy was served with a formal complaint filed by Vilma DeMarco (hereafter “Complainant”). A copy of the Complaint is attached hereto as Exhibit “1”.
2. In her Complaint, the Complainant states that she has a tenant at a rental property at 3633 Berry Avenue, Drexel Hill, PA.
3. The Complainant states that her tenant left owing six months of rent and she purposely left the air conditioner running when she was not there.
4. The Complainant states that her tenant on the second floor made the bill. She did not use the electricity and should not have to pay for it.
5. The Complainant requests that PECO remove her tenant’s bill from her name.
6. PECO Energy simultaneously filed an Answer and the instant Preliminary Objection.

7. Pursuant to 52 Pa. Code § 5.101, preliminary objections may be filed against a complaint and dismissed for legal insufficiency. 52 Pa. Code § 5.101(a)(4).

8. Commission procedure regarding the disposition of preliminary objections is similar to that utilized in Pennsylvania civil procedure.<sup>1</sup>

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

10. A complaint must be able to recover under the law to survive a preliminary objection.<sup>3</sup>

11. All of the non-moving party's averments must be taken as true for the sake of deciding the preliminary objection.<sup>4</sup>

12. The court does not, however, need to accept, "unwarranted inferences from facts, argumentative allegations, or expressions of opinions."<sup>5</sup>

13. 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.

14. 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.2<sup>nd</sup> 593 (Pa. Commw. Ct. 2003), petition for allowance of appeal denied, 836 A.2d 123 (Pa. 2003).

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

<sup>2</sup> 2006 Pa. PUC Lexis 111, \*7.

<sup>3</sup> *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").

<sup>4</sup> *Id.* at 7-8.

<sup>5</sup> *Feingold v. McNulty*, 2009 Phila. Ct. Com. Pl LEXIS 167, \*3.

15. 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.

16. The Commission has held that a landlord must pay the utility for any account balance, including arrearages, once a foreign load or wiring has been found. 66 Pa. C.S. §§ 1529.1(a), (c); and Ace Check Cashing Inc. v. Phila. Gas Works, Final Order, (May 21, 2010). See also Santos v. Metro. Edison Co., No. C-00967757 (Pa. P.U.C. Aug. 7, 1997).

17. The Complainant is the owner of the rental property at issue. See Exhibit "1".

18. The Complainant avers that she is being held responsible for her tenant's balance that was transferred to her. The Complainant disputes responsibility for the balance transferred to her arising from the foreign wiring condition. See Complaint at Exhibit "1".

19. As previously explained by the Legislature and this Commission, upon discovering the existence of a foreign load a public utility is required to list the account, including any arrearages, in the name of the landlord. 66 Pa. C.S. §§ 1529.1(a), (c). See also Santos v. Metro. Edison Co., No. C-00967757 (Pa. P.U.C. Aug. 7, 1997). The landlord is responsible for paying the utility bills until the foreign load is corrected. Santos at 16. Once the foreign load is corrected by the landlord and verified by the utility, the utility will place the account back in the name of the tenant and the arrearage, if any, will remain the landlord's responsibility. Id. To the extent any dispute regarding the financial responsibility of the parties exists, that is a matter to be resolved in the Court of Common Pleas as it is outside the Commission's jurisdiction. Edmund v. Corazzini v. UGI Penn Natural Gas, Inc., No. F-2009-2101282, Opinion and Order adopted July 15, 2010 at 7.

20. The Complainant does not allege that the property is not a rental property or that she is not responsible for the property.

21. The Complainant does not allege that PECO Energy incorrectly determined a foreign wiring condition at her property.

22. The Complainant does not allege that PECO Energy delayed investigating her tenant's foreign wiring concerns.

23. The Complainant does not allege that PECO Energy transferred an incorrect amount to her account.

24. The Complainant does not disagree that foreign wiring was found. Indeed the foreign wiring condition was corrected by the Complainant on July 27, 2016.

25. The Complainant does not allege that PECO Energy delayed their field investigation to verify the foreign wiring had been corrected.

26. The Complainant's formal complaint simply alleges that she should not be held responsible for her tenant's balance arising from the foreign wiring condition.

27. As previously explained by the Legislature and this Commission, upon discovering the existence of a foreign load a public utility is required to list the account, including any arrearages, in the name of the landlord. 66 Pa. C.S. §§ 1529.1(a), (c). See also Santos v. Metro. Edison Co., No. C-00967757 (Pa. P.U.C. Aug. 7, 1997). The landlord is responsible for paying the utility bills until the foreign load is corrected. Santos at 16. Once the foreign load is corrected by the landlord and verified by the utility, the utility will place the account back in the name of the tenant and the arrearage, if any, will remain the landlord's responsibility. Id. To the extent any dispute regarding the financial responsibility of the parties exists, that is a matter to be resolved in the Court of Common Pleas as it is outside the Commission's jurisdiction. Edmund v. Corazzini v. UGI Penn Natural Gas, Inc., No. F-2009-2101282, Opinion and Order adopted July 15, 2010 at 7.

28. In the case at bar, PECO Energy properly transferred the tenant's utility account, including arrearages, to the Complainant's name.

29. PECO Energy's actions are consistent with Pennsylvania law.

30. The PUC is not the forum for the Complainant to raise what is essentially a landlord tenant dispute, regarding the foreign wiring balance that should be attributable to her as opposed to the amount attributable to her tenants pursuant to a lease agreement between the parties.

31. As stated in Edmund v. Corazzini, *supra* that is a matter to be resolved in the Court of Common Pleas as it is outside the Commission's jurisdiction.

32. Because the Complaint relates to a dispute about the assignment of financial responsibility for a foreign load in a building she owns, this complaint should be dismissed as a matter of law.

33. Accordingly, PECO Energy requests that the Commission dismiss the Complaint for legal insufficiency.

### **REQUEST FOR RELIEF**

WHEREFORE, for the reasons set forth above, PECO Energy Company respectfully requests that your Honorable Commission summarily dismiss the Complainant's Complaint.

Respectfully submitted,



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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**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>VILMA DEMARCO</b>	:	
<b>Complainant</b>	:	
<b>v.</b>	:	<b>DOCKET NO. C-2017-2613087</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

**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: July 27, 2017



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Shawane L. Lee

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>VILMA DEMARCO</b>	:	
<b>Complainant</b>	:	
<b>v.</b>	:	<b>DOCKET NO. C-2017-2613087</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

**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:

Vilma DeMarco  
38 Lenape Way  
Honey Brook, PA 19344

Dated at Philadelphia, Pennsylvania, July 27, 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



**PENNSYLVANIA**  
PUBLIC UTILITY COMMISSION

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Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

eFiling Confirmation	
Docket Number:	C-2017-2613087
Description:	Vilma DeMarco v. PECO Energy Company Answer to Formal Complaint
Transmission Date:	7/27/2017 11:50:43 AM
Filed On:	7/27/2017 11:50:43 AM
eFiling Confirmation Number:	1686329

**Uploaded File List**

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

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, P.O. Box 3285, Harrisburg, PA a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

**No paper submission is necessary for filings under 250 pages.**

Legal Department  
2301 Market Street / S23-1  
Philadelphia, PA 19101-3699

Direct Dial: 215-841-6841

**July 27, 2017**

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

**RE: Vilma DeMarco v. PECO Energy Company  
PUC Docket No.: C-2017-2613087**

**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,**



**Shawnee Lee  
Counsel for PECO Energy Company**

**SL/sb  
Enclosure**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**VILMA DEMARCO**  
Complainant  
v.

DOCKET NO. C-2017-2613067

**PECO ENERGY COMPANY**  
Respondent

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**ANSWER OF RESPONDENT,  
PECO ENERGY COMPANY**

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On July 7, 2017, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Vilma DeMarco (hereafter "Complainant"). Pursuant to 52 Pa. Code § 5.61, PECO Energy responds to the Complaint and states:

1. Admitted
2. Admitted.
3. Admitted.
4. Denied. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the complaint. In her Complaint, the Complainant disputes the amount of the bill her tenants did not pay before the bill was transferred into her name after a foreign wiring condition was found. The Complainant states that she did not use the electricity and should not have to pay for it. The Complainant states that her tenant left owing six months of rent and she purposely left the air conditioner running when she was not there. The Complainant requests that PECO remove her tenant's bill from her name.

PECO Energy's records reveal that the Complainant owns the property located at 3633 Berry Avenue, Apartment A, Drexel Hill, PA. The Complainant has a tenant, Traci Smith, who established service at the premises in Apartment A. See Account Activity Statement, attached

hereto as Exhibit "1". The Complainant has another tenant, Carolyn Miller, who established service at the premises in Apartment B. See Account Activity Statement, attached hereto as Exhibit "2".

On June 8, 2016, Ms. Smith and Ms. Miller contacted PECO to complain of high bills at their residence. Accordingly, on June 16, 2016, a PECO Energy technician visited the property and found foreign wiring. Specifically, the technician found that the common garage light, the light over the common area basement sink, and a light in the first floor storage area was connected to Ms. Miller's meter. PECO also found there were two basement lights, a common area entry light and outlets in the common area basement connected to Ms. Smith's meter.

On June 20, 2016, PECO connected service in the Complainant's name for Apartment A effective June 16, 2016, and established a new account under account number 15496-05068. See Account Activity Statement, attached hereto as Exhibit "3". PECO connected service in the Complainant's name for Apartment B effective June 16, 2016, and established a new account under account number 18591-00263. See Account Activity Statement, attached hereto as Exhibit "4".

PECO sent correspondence to the Complainant on June 17, 2016, advising that foreign wiring had been found in Apartment A. See Correspondence dated 6/17/16, attached hereto as Exhibit "5". PECO sent correspondence to the Complainant on June 17, 2016, advising that foreign wiring had been found in Apartment B. See Correspondence dated 6/17/16, attached hereto as Exhibit "6". Ms. Smith's balance in the amount of \$77.83 was transferred into the Complainant's name under account number 15496-05068. See Exhibit "3". Ms. Miller's account balance in the amount of \$983.56 was transferred into the Complainant's name under account number 18591-00263. See Exhibit "4".

On June 21, 2016, PECO sent a Utility Company Report to Ms. Smith advising her that foreign wiring had been found and her account was transferred to her landlord's name effective June 16, 2016. See Correspondence dated 6/21/16, attached hereto as Exhibit "7". On June 21, 2016, PECO sent a Utility Company Report to Ms. Miller advising her that foreign wiring had been found and her account was transferred to her landlord's name effective June 16, 2016. See Correspondence dated 6/21/16, attached hereto as Exhibit "8".

On June 22, 2016, the Complainant contacted PECO and advised that she had corrected the foreign wiring condition. Accordingly, on July 27, 2016, PECO sent a technician to the premises to verify that foreign wiring had been corrected. The technician established a Public Lighting account in the Complainant's name under account number 03390-71313.

On August 18, 2016, PECO sent a Utility Company Report to the Complainant advising her that the foreign wiring had been corrected and the company established a public lighting account in her name. See Correspondence dated 8/18/16, attached hereto as Exhibit "9".

On September 1, 2016, the Complainant filed an informal complaint with the Bureau of Consumer Services ("BCS") at case number 003473046, disputing the foreign load charges transferred to her. See Case Details Report #003473046, attached hereto as Exhibit "10". On January 6, 2017, the BCS issued a Decision Report, dismissing the case as follows:

**DECISION ISSUED. ON 6/17/16 THE COMPANY DISCOVERED ELECTRIC FOREIGN LOAD AT 3633 BERRY AVE, DREXEL HILL, PA. ON 7/27/16 THE COMPANY VERIFIED THAT THE FOREIGN LOAD WAS CORRECTED. VILMA DEMARCO IS RESPONSIBLE FOR THE BALANCE OF 77.83 THAT WAS TRANSFERRED TO HER FROM 3633 BERRY AVE, APT A, DREXEL HILL, PA FOR TENANT TRACI SMITH. VILMA DEMARCO IS RESPONSIBLE FOR THE BALANCE OF 983.56 THAT WAS TRANSFERRED TO HER FROM 3633 BERRY AVE, APT B, DREXEL HILL, PA FOR TENANT CAROLYN MILLER. VILMA DEMARCO IS RESPONSIBLE FOR ALL ELECTRIC BILLING AT 3633 BERRY AVE, DREXEL HILL, PA FROM 6/16/2016 THROUGH 7/27/2016. THIS INFORMAL COMPLAINT IS DISMISSED.**

See BCS Decision Report #003473046, attached hereto as Exhibit "11".

The Complainant's balance is \$2,022.90. See Account Activity Statement, attached hereto as Exhibit "12". The Complainant is responsible for the charges incurred from Unit A in the amount of \$312.46 and Unit B in the amount of \$1,214.61, which transferred into the Complainant's account number 42050-22031 for service at 38 Lenape Way. See Exhibit "12". PECO Energy avers that the company properly determined there was a foreign load condition at the Complainant's rental property and transferred the service and charges into the Complainant's name consistent with 66 Pa. C.S. §§ 1529.1(a), (c); and Acc Check Cashing Inc. v. Phila. Gas Works, Final Order, (May 21, 2010). Upon discovering the existence of a foreign load a public utility is required to list the account, including any arrearages, in the name of the landlord. 66 Pa. C.S. §§ 1529.1(a), (c). See also Santos v. Metro. Edison Co., No. C-00987757 (Pa. P.U.C. Aug. 7, 1997). The landlord is responsible for paying the utility bills until the foreign load is corrected. Santos at 16. Once the foreign load is corrected by the landlord and verified by the utility, the utility will place the account back in the name of the tenant and the arrearage, if any, will remain the landlord's responsibility. Id. To the extent any dispute regarding the financial responsibility of the parties exists, that is a matter to be resolved in the Court of Common Pleas as it is outside the Commission's jurisdiction. Edmund v. Corazzini v. UGI Penn Natural Gas, Inc., No. F-2009-2101282, Opinion and Order adopted July 15, 2010 at 7.

5. Denied.
6. Admitted.
7. Admitted.

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

**Respectfully Submitted,**



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

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VILMA DEMARCO  
Complainant  
v.

DOCKET NO. C-2017-2613087

PECO ENERGY COMPANY  
Respondent

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VERIFICATION

I, Shawane 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: July 27, 2017

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Shawane L. Lee

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VILMA DEMARCO  
Complainant  
v.

DOCKET NO. C-2017-2613087

PECO ENERGY COMPANY  
Respondent

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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:

Vilma DeMarco  
38 Lenape Way  
Honey Brook, PA 19344

Dated at Philadelphia, Pennsylvania, July 27, 2017.



---

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  
Shawane.Lee@exeloncorp.com

**EXHIBIT "1"**





**EXHIBIT "2"**



**EXHIBIT "3"**



**EXHIBIT "4"**

Account Number: 183310003  
 Account Name: VALMA COTLANDO  
 Account Status: OPEN  
 Meter ID Group: 11

Service Address  
 8333 STONE AVE #79  
 OAKTON HILL, PA 15044

Send To:  
 VALMA COTLANDO  
 20 LEDGERS WAY  
 HERSHEY BLDG, PA 17033  
 (717) 942-3033 EXT

Current Bal: \$134.00  
 Initial Payer: \$0.00  
 Balance Due: \$0.00

Account Balance: \$0.00

Credit Amount: \$0.00  
 Request Payment: \$0.00  
 Request Co-Paid: \$0.00  
 Q40 Pre-pays via Account: \$0.00  
 Payment Agreement Balance: \$0.00

Phone:  
 ELECTRIC ESSENTIAL SERVICES

Transaction ID	Transaction Type	Order Number	Posting Period	Start	Posting Type	Category	Code	Amount	Amount	Balance	Due Date	Due Date	Due Date
09/27/2015	ELECTRIC SERVICE												
09/19/2015	STANDARD												
09/17/2015	ELECTRIC SERVICE		09/16/2015 - 09/16/2015	15007	ACTUAL	RESIDENTIAL	000	\$134.00	\$134.00	\$134.00	09/16/2015	09/16/2015	09/16/2015
09/02/2015	ELECTRIC SERVICE		09/01/2015 - 09/01/2015	15007	ACTUAL	RESIDENTIAL	000	\$0.00	\$0.00	\$134.00	09/01/2015	09/01/2015	09/01/2015
04/27/2015										\$134.00			

5

**EXHIBIT "5"**



June 17, 2016

Vilma DeMarco  
38 Lonape Way  
Honey Brook, Pa 19344

Regarding: 3633 Berry Ave  
Apt A  
Drexel Hill, Pa 19344

Dear Ms. DeMarco:

On 6-16-16 a PECO field technician visited the above referenced property in response to a high bill complaint. The technician found 2 basement lights and outlets in common basement and the common entry light wired to 1<sup>st</sup> floor meter #122136486. This is known as foreign wiring. Please have your electrician check for any additional foreign wiring that may not have been detected at the time of the field visit.

When PECO identifies foreign wiring, Pennsylvania State Law requires the electric service to be transferred into the name of the landlord, until the wiring is properly corrected. (Per Section 1529.1(b) of the Pennsylvania Public Utility Code, 66 Pa. C.S. 1529.1)

Please be advised that the electric service for the accounts in question will be transferred into your name effective immediately. If any of the current tenant's balance due is attributable to the found foreign wiring the entire balance will be transferred into your name as well. The service can only go back into your tenants name if you have your electrician correct the wiring for each apartment.

If you have completed the repairs, or have any questions regarding this matter, please telephone 215-841-6594.

Cordially,

Mary McQuilkin  
Customer Field Operations

**EXHIBIT "6"**



381 Market Street  
NO 3  
Philadelphia PA 19107

June 17, 2016

Vilma DeMarco  
38 Leape Way  
Honey Brook, Pa 19344

Regarding: 3633 Berry Ave  
Apt B  
Drexel Hill, Pa 19344

Dear Ms. DeMarco:

On 6-16-16 a PECO field technician visited the above referenced property in response to a high bill complaint. The technician found common garage light and light over common basement sink and the light in the 1<sup>st</sup> floor storage area wired to 2<sup>nd</sup> floor meter# 122133257. This is known as foreign wiring. Please have your electrician check for any additional foreign wiring that may not have been detected at the time of the field visit.

When PECO identifies foreign wiring, Pennsylvania State Law requires the electric service to be transferred into the name of the landlord, until the wiring is properly corrected. (Per Section 1529.1(b) of the Pennsylvania Public Utility Code, 66 Pa. C.S. 1529.1)

Please be advised that the electric service for the accounts in question will be transferred into your name effective immediately. If any of the current tenant's balance due is attributable to the found foreign wiring the entire balance will be transferred into your name as well. The service can only go back into your tenants name if you have your electrician correct the wiring for each apartment.

If you have completed the repairs, or have any questions regarding this matter, please telephone 215-841-6594.

Cordially,

Mary McQuilkin  
Customer Field Operations

**EXHIBIT "7"**



**UTILITY COMPANY REPORT**  
Reporte De La Compania Utilidades

<b>Date:</b> 8/21/16	<b>Prepared By:</b> PORTELLI, ANTHONY
-------------------------	--

<b>Name:</b> TRACI SMITH
<b>Service Address:</b> 3833 BERRY AVE APT A DREXEL HILL PA 19026
<b>Post Office:</b> DREXEL HILL PA 19026
<b>Account Number:</b> 15433-03033

<b>Phone Home:</b> 610-717-2305	<b>Phone Work:</b>
<b>Mailing Address:</b> 3833 BERRY AVE APT A DREXEL HILL PA 19026	

**Problem As You Described It**

On 08/08/16 you contacted our office regarding your PECO bill.

**Our Response**

On 08/16/16 a PECO field technician visited the above property in response to a high bill complaint. The technician found that the two (2) basement lights, the outlets in the common basement, and the common entry light are connected to your meter # 122138486. This is known as foreign wiring.

When PECO identifies foreign wiring, Pennsylvania State Law requires the electric service be transferred into the name of the landlord, until the wiring is properly corrected. (Per Section 1529.1(b) of the Pennsylvania Public Utility Code, 68 Pa. C.S. 1529.1) Please be advised that the electric for the account in question was transferred into your landlord's name effective 08/16/16. Also, please be advised that your gas service under gas meter # 015587638 will remain under your name.

The balance on your account is \$11.04 as of 06/21/16. The amount due by 07/07/16 to avoid delinquency is \$11.04.

The investigation is being closed at this time. If you have any further questions, or need payment arrangements please call our Financial Care Center at 1-888-480-1533.

Cordially  
Mary McQuilken  
High Bill Field

**EXHIBIT "8"**



**UTILITY COMPANY REPORT**  
Reporte De La Compania Utilidades

Date: 8/21/16	Prepared By: PORTELLI, ANTHONY
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Name: CAROLYN MILLER
Service Address: 3638 BERRY AVE *APT B DREXEL HILL PA 19028
Post Office: DREXEL HILL PA 19028
Account Number: 19391-00245

Phone Home: 800-254-6665	Phone Work:
Mailing Address: 3638 BERRY AVE APT B DREXEL HILL PA 19028	

**Problem As You Described It**

On 08/08/16 you contacted our office regarding your PECO bill.

**Our Response**

On 08/16/16 a PECO field technician visited the above property in response to a high bill complaint. The technician found that the common garage light, the light over the common basement sink, and the light in the 1<sup>st</sup> floor's storage area are connected to your meter # 122133257. This is known as foreign wiring.

When PECO identifies foreign wiring, Pennsylvania State Law requires the electric service be transferred into the name of the landlord, until the wiring is properly corrected. (Per Section 1529.1(b) of the Pennsylvania Public Utility Code, 66 Pa. C.S. 1529.1) Please be advised that the electric for the account in question was transferred into your landlord's name effective 08/16/16.

The balance on your account is \$3,037.77 as of 08/21/16. The amount due by 07/08/16 to avoid delinquency is \$3,037.77.

The investigation is being closed at this time. If you have any further questions, or need payment arrangements please call our Financial Care Center at 1-888-480-1533.

Cordially  
Mary McQuillen  
High Bill Field

**EXHIBIT "9"**



**UTILITY COMPANY REPORT**  
Reporte De La Compania Utilidades

<b>Name:</b> VILMA DEMARCO
<b>Service Address:</b> 3833 BERRY AVE, PUB LTG DREXEL HILL PA 19028
<b>Post Office:</b> HONEY BROOK PA 19344
<b>Account Number:</b> 03390-71313

<b>Date:</b> 8/18/16	<b>Prepared By:</b> PORTELLI, ANTHONY
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<b>Phone Home:</b> 610-842-2035	<b>Phone Work:</b>
<b>Mailing Address:</b> 38 LENAPE WAY HONEY BROOK PA 19344	

**Problem As You Described It**

On 07/22/16 you contacted our office regarding your PECO bill.

**Our Response**

On 07/27/16 we visited your property for a high bill investigation. As a result of the foreign wiring being corrected at the property, we have setup a Public Lighting account in your name. The account number for this property is 03390-71313 with the address of 3833 BERRY AVE, PUB LTG DREXEL HILL PA 19028 under electric meter # 121833291. Please be advised that you be billed on this meter moving forward.

The balance on your account is \$22.78 as of 08/18/16. The amount due by 09/08/16 to avoid delinquency is \$22.78.

The investigation is being closed at this time. If you have any further questions, or need payment arrangements please call our Financial Care Center at 1-888-480-1533.

Cordially  
Dave Voigtsberger  
High Bill Field



**UTILITY COMPANY REPORT**  
Reporte De La Compania Utilidades

<b>Name:</b> VILMA DEMARCO
<b>Service Address:</b> 3833 BERRY AVE *APT A DREXEL HILL PA 19028
<b>Post Office:</b> HONEY BROOK PA 19344
<b>Account Number:</b> 15499-09088

<b>Date:</b> 8/18/16	<b>Prepared By:</b> PORTELLI, ANTHONY
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<b>Phone Home:</b> 610-642-2085	<b>Phone Work:</b>
<b>Mailing Address:</b> 58 LENAPE WAY HONEY BROOK PA 19344	

**Problem As You Described It**

On 07/22/16 you contacted our office stating that the foreign wiring has been corrected at the property.

**Our Response**

On 07/27/16 a PECO field technician visited the above property in response to a high bill complaint. The technician found that the foreign wiring has been corrected associated with electric meter # 122138488.

When PECO identifies that foreign wiring has been corrected, Pennsylvania State Law requires the electric service be transferred back into the name of the tenant. (Per Section 1529.1(b) of the Pennsylvania Public Utility Code, 66 Pa. C.S. 1529.1) Please be advised that the electric for the account in question was transferred back into your tenant's name Traci Smith effective 07/27/16.

The balance on your account is \$312.46 as of 08/18/16. The amount due by 09/08/16 to avoid delinquency is \$312.46.

The investigation is being closed at this time. If you have any further questions, or need payment arrangements please call our Financial Care Center at 1-888-480-1533.

Cordially  
Dave Volgsberger  
High Bill Field

**EXHIBIT "10"**



July 27, 2017

Case Details Report

BCS Case #: 003473046  
Customer Name: VILMA DEMARCO  
Service Address: 38 LENAPE WAY

BCS Bill Account #: 1859100283

Mailing Address: HONEY BROOK, PA 19344

Home Phone: (610) 942-2095  
Business Phone: 0-  
Business name: SME  
Alternate contact:

Date Case Opened: 2016-09-01  
PAR Case: N  
Investigator Name: BCS CASE POOL  
Investigator Phone: (717) 787-0000  
Service class: R  
Previous case #:

Date Cut Off: 9999-12-31

Universal Service: N  
Contact Type: TELEPHONE  
Amount in Advance: \$0.00

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

Complaint Reason:  
BILLING DISPUTES (# 18)

Customer Problem Description:  
CUSTOMER STATES SHE IS BEING CHARGED \$1214.61 FOR FOREIGN LOAD  
CUSTOMER REQUEST THE COMPANY REMOVE HER NAME OFF UTILITY BILL.

Company Position:  
08/31/2016 PECO STATES CALL THE PUC

**EXHIBIT "11"**

July 27, 2017

## BCS Decision Report

BCS Case #: 003473046  
Customer Name: VILMA DEMARCO  
Service Address: 3633 BERRY AVE

Open Date: 2016-09-01

BCS Bill Account #: DREXEL HILL, PA 19026  
1859100283  
Violation Type: NO  
Decision Type: W  
Investigator Name: TIM CLARK

Previous Case #:  
Chapter Type:  
Section / Rate:

Decision Issued Date: 2017-01-06  
Case Closed Date: 2017-01-06

### Letter Description:

EGW PAR W/COMPLEX DISPUTE/NO PAYMENT AGREEMENT/LEVEL 1

Total Balance:	\$367.98	Balance Date:	2016-09-30
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payments:	\$0.00	Final Bill Monthly Payment:	\$0.00
Plus Arrears Payment:	\$0.00	End of Month Payment:	\$0.00
Current Monthly Payment:	\$0.00		
Payment Terms:			

### PAR Description:

#### Resolution Description:

DECISION ISSUED. ON 6/17/16 THE COMPANY DISCOVERED ELECTRIC FOREIGN LOAD AT 3633 BERRY AVE, DREXEL HILL, PA. ON 7/27/16 THE COMPANY VERIFIED THAT THE FOREIGN LOAD WAS CORRECTED. VILMA DEMARCO IS RESPONSIBLE FOR THE BALANCE OF 77.83 THAT WAS TRANSFERRED TO HER FROM 3633 BERRY AVE, APT A, DREXEL HILL, PA FOR TENANT TRACI SMITH. VILMA DEMARCO IS RESPONSIBLE FOR THE BALANCE OF 983.56 THAT WAS TRANSFERRED TO HER FROM 3633 BERRY AVE, APT B, DREXEL HILL, PA FOR TENANT CAROLYN MILLER. VILMA DEMARCO IS RESPONSIBLE FOR ALL ELECTRIC BILLING AT 3633 BERRY AVE, DREXEL HILL, PA FROM 6/16/2016 THROUGH 7/27/2016. THIS INFORMAL COMPLAINT IS DISMISSED.

**EXHIBIT "12"**



