

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
HARRISBURG, PA 17120**

**Robin Callahan**  
v.  
**PECO Energy Company**

**Public Meeting held November 8, 2017  
2535479 – OSA  
C-2016-2535479**

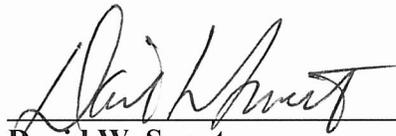
**STATEMENT OF COMMISSIONER DAVID W. SWEET**

The matter before us is the Initial Decision of Administrative Law Judge Eranda Vero finding that this Commission is barred from granting a request for a payment arrangement to Complainant Robin Callahan.

The facts are that Complainant was granted two payment arrangements for her arrearage in 2007 and 2008, but those were for balances which were not paid but were later discharged in bankruptcy.<sup>1</sup> ALJ Vero found that a balance discharged in bankruptcy does not erase the default of a prior Commission-issued PAR, and therefore, the customer is not eligible for another payment arrangement on a subsequent arrearage.

While this customer has been the recipient of multiple payment arrangements, only two of them were issued by this Commission. Under the restrictions of Chapter 14, the Commission is barred from issuing additional payment arrangements if the customer defaults on a Commission-issued payment arrangement. I agree with the ALJ that when a payment arrangement is paid off, the clock starts again and the new balance is eligible for a new payment arrangement.<sup>2</sup> I also agree that a discharge in bankruptcy which erases the arrearage that was the subject of a payment arrangement does not have the effect of erasing the customer's default on the Commission-issued payment arrangement. Accordingly, the decision of the ALJ is the correct one.

**November 8, 2017**  
**DATE**

  
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**David W. Sweet**  
**Commissioner**

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<sup>1</sup> Tr. 17.

<sup>2</sup> Tr. 20.