



An Exelon Company

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November 20, 2017

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

**RE: Jody Myers v. PECO Energy Company  
PUC Docket No. F-2015-2516189**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *Motion of PECO Energy Company to Dismiss the Formal Complaint as Moot* 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, sweeping underline.

Shawane Lee  
Counsel for PECO Energy Company

SL/alb  
Enclosure

cc: Honorable Darlene D. Heep

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JODY MYERS**

**Complainant**

v.

**PECO ENERGY COMPANY**

**Respondent**

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**DOCKET NO. F-2015-2516189**

**MOTION OF PECO ENERGY COMPANY  
TO DIMISS THE FORMAL COMPLAINT AS MOOT**

PECO Energy Company ("PECO"), hereby requests that the formal complaint filed by the Complainant, Jody Myers be dismissed as moot because Complainant is no longer a customer of PECO Energy Company and an AMI meter has been installed at the former Myers residence at 824 Scholl Road and states the following:

1. On November 30, 2015, the Complainant filed a formal complaint with the Public Utility Commission stating she does not want a smart meter installed on her home. The Complainant states she fears the meter will cause harm and she does not consent to installation.
2. On December 21, 2015, PECO filed an Answer with New Matter and Preliminary Objection to Complainant's formal complaint requesting dismissal as a matter of law. PECO argues in its Preliminary Objection that pursuant to Act 129 it is not permissible for the Complainant to "opt out" of meter installation.
3. PECO was served with the Complainant's response to the company's Preliminary Objection on January 6, 2016. In her response, the Complainant alleges that PECO's AMI meters cause fires, health risks, radiation exposure, increase billing and spy on customers.

4. On August 8, 2016, Administrative Law Judge Dennis Buckley issued an Order, permitting PECO to file amended Preliminary Objections in lieu of the Order issued by the Commission in Susan Kreider v. PECO, P-2015-2495064 (Order entered September 3, 2015).

5. On August 26, 2016, PECO filed amended Preliminary Objections to the Complainant's formal complaint.

6. PECO's records indicate that Ms. Myers finalized service at 824 Scholl Road on January 29, 2016, and she is no longer a PECO customer in the company's service territory.

7. PECO's records indicate there is a new customer residing at 824 Scholl Road and the AMI meter has been installed.

8. As the Complainant is no longer a PECO customer and the AMI meter has been installed for a new customer at the service address, PECO avers that the Complainant's formal complaint is moot.

9. PECO has been unable to reach the Complainant by telephone to discuss whether she would like to withdraw the formal complaint.

10. PECO does not have a forwarding address for Ms. Myers on file and all correspondence sent to the Complainant at the service address is returned by the post office as undeliverable.

11. PECO avers that the AMI meter has been installed at the service address and the Complainant no longer has service or resides there.

12. PECO, therefore, respectfully requests that the Commission dismiss the Complainant's formal complaint objecting to the installation of the AMI meter as moot.

**WHEREFORE, PECO requests that this Honorable Commission dismiss the Complainant's formal complaint as moot or in the alternative issue an Order requesting that the Complainant state her intent to prosecute the complaint.**

**Respectfully Submitted,**



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**Ward Smith  
Shawane L. Lee  
Counsel for PECO Energy Company  
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Fax: 215.568.3389  
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**BEFORE THE  
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**JODY MYERS**

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**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.



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Shawane L. Lee

Date: November 20, 2017

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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 Motion in the above matter upon all interested parties by mailing and emailing a copy, properly addressed and postage prepaid to:

Jody Myers  
824 Scholl Road  
Pottstown, PA 19465

Administrative Law Judge Darlene Davis Heep  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
Via Email



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Shawane.Lee@exeloncorp.com

Dated at Philadelphia, Pennsylvania, November 20, 2017.