

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

Direct Dial: 215.841.6841

November 20, 2017

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

**RE: Jameeah Cherry v. PECO Energy Company**  
**PUC Docket No. C-2017-2626175**  
**PUC Docket No. C-2017-2633439**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Motion to Consolidate* 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,



Shawane Lee  
Counsel for PECO Energy Company

SL/alb  
Enclosure

cc: Honorable F. Joseph Brady

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JAMEEAH CHERRY

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2017-2626175  
DOCKET NO. C-2017-2633439

**NOTICE TO PLEAD**

Pursuant to 52 Pa. Code §§ 5.102, you are hereby notified that, if you do not file a written response denying or correcting the enclosed Motion to Consolidate of PECO Energy Company, within 20 days from service of this notice, a ruling may be entered against you. All pleadings 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, Esq.  
PECO Energy Company  
2301 Market Street, S-23  
Philadelphia, PA 19103

Dated at Philadelphia, PA, November 20, 2017.



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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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JAMEEAH CHERRY	:	
	:	
v.	:	DOCKET NO. C-2017-2626175
	:	DOCKET NO. C-2017-2633439
	:	
PECO ENERGY COMPANY	:	

**PECO ENERGY COMPANY’S MOTION TO CONSOLIDATE**

Respondent, PECO Energy Company (“PECO”), pursuant to 52 Pa. Code § 5.81(a) respectfully petitions this Honorable Commission to consolidate the matters of Jameeah Cherry, PECO Energy, the above referenced dockets because the two complaints contain the same allegations. In support of this request, PECO avers:

1. On or around September 25, 2017, PECO Energy was served with a Complaint filed by Complainant with the Pennsylvania Public Utility Commission (“PUC”) at Docket Number C-2017-2626175. A copy is attached as Exhibit “1”.
2. In the Complainant’s formal complaint, she checks the box “PECO is threatening to terminate or has terminated my service” and requests a payment agreement.
3. PECO filed an Answer to the Complainant’s formal complaint on October 10, 2017, stating that the Complainant’s formal complaint should be dismissed pursuant to 66 Pa.C.S. § 1405(c). A copy of the answer is attached as Exhibit “2” .
4. On November 13, 2017, PECO Energy was served with a Complaint filed by Complainant with the Pennsylvania Public Utility Commission (“PUC”) at Docket Number C-2017-2633439. A copy is attached as Exhibit “3”.

5. In the Complainant's second formal complaint, she ticks the box "PECO is threatening to terminate or has terminated my service" and requests a payment agreement.

6. Pursuant to 52 Pa. Code § 5.101(b), PECO timely filed an Answer to the Complainant's second formal complaint. A copy of the answer is attached as Exhibit "4".

7. PECO Energy avers that the Complaints make the same averments and essentially contain the same allegations – a request for a payment agreement for a threatened service termination.

8. These Complaints should be consolidated pursuant to 52 Pa. Code § 5.81 (a), which holds:

The Commission or presiding officer, with or without motion, may order proceedings involving a common question of law or fact to be consolidated. The Commission or presiding officer may make orders concerning the conduct of the proceeding as may avoid unnecessary costs or delay.

9. Both Complaints cover the same customer, address, and contain common questions of law and fact such that one hearing covering both Complaints will avoid unnecessary costs or delay to the Commission. Each Complaint relates to the same issues and facts, whether the Complainant is entitled to a payment agreement to stop a pending service termination.

10. The formal complaint at docket number C-2017-2626175 is scheduled for a Call of the Docket Hearing before Administrative Law Judge F. Joseph Brady on January 16, 2018.

11. Accordingly, the two Complaints should be consolidated and proceed to hearing on January 16, 2018, to save the time, resources and the expense of the parties and the Commission.

**WHEREFORE**, PECO Energy Company respectfully requests that this Honorable Commission issue an Order consolidating the complaints at docket numbers C-2017-2626175 and C-2017-2633439 as the Complaints are identical.

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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JAMEEAH CHERRY

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2017-2626175  
DOCKET NO. C-2017-2633439

**VERIFICATION**

I, Shawane L. Lee, hereby declare that I am an attorney representing 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: November 20, 2017

\_\_\_\_\_  
Shawane L. Lee

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JAMEEAH CHERRY

v.

PECO ENERGY COMPANY

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:

DOCKET NO. C-2017-2626175  
DOCKET NO. C-2017-2633439

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of PECO Energy Company's Motion to Consolidate in the above matter upon all interested parties by mailing a copy thereof, properly addressed and postage prepaid to:

Jameeah Cherry  
967 South 5<sup>th</sup> Street  
Philadelphia, PA 19147

Administrative Law Judge F. Joseph Brady  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
*Via Email*

Dated at Philadelphia, Pennsylvania, November 20, 2017



---

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

**EXHIBIT "1"**

**Botak, Amy:(PECO)**

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**From:** eServe@pa.gov  
**Sent:** Monday, September 25, 2017 11:23 AM  
**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-2017-2626175**.  
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 Jameeah Cherry \_\_\_\_\_

Street/P.O. Box 967 s 5<sup>th</sup> street \_\_\_\_\_ Apt # \_\_\_\_\_

City Philadelphia \_\_\_\_\_ State PA \_\_\_\_\_ Zip 19147 \_\_\_\_\_

County \_\_\_\_\_

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

( 267 ) 207-8590 \_\_\_\_\_ (home) ( ) \_\_\_\_\_  
(mobile)

E-mail Address (optional):

jvrcherry@Yahoo.com \_\_\_\_\_

Utility Account Number (from your

bill) \_\_7767020214 \_\_\_\_\_

**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 \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### 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 \_\_\_\_\_

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

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).

**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.**

**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.

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:**

*I Jameeah Cherry, 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).*

Jameeah Cherry                      9.25.17  
(Signature of Complainant)                      (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.

# **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 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.

**Print this page for your records.**



eFiling Confirmation	
Docket Number:	C-2017-2626175
Description:	Jameeah Cherry v. PECO Energy Company Answer to Formal Complaint
Transmission Date:	10/9/2017 10:17:14 AM
Filed On:	10/10/2017 8:00:00 AM
eFiling Confirmation Number:	1695158

### Uploaded File List

File Name	Document Class	Document Type
Jameeah Cherry_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 3265, Harrisburg, PA a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.



An Exelon Company

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

Direct Dial: 215-841-6841

October 9, 2017

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

**RE: Jameeah Cherry v. PECO Energy Company**  
**PUC Docket No.: C-2017-2626175**

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".

Shawane Lee  
Counsel for PECO Energy Company

SL/ab  
Enclosure

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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>JAMEEAH CHERRY</b>	:	
<b>Complainants</b>	:	
	:	
v.	:	<b>DOCKET NO. C-2017-2626175</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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**ANSWER OF RESPONDENT,**  
**PECO ENERGY COMPANY**

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On September 25, 2017, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Jameeah Cherry (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, the Complainant states that PECO is threatening to terminate her service and requests a payment arrangement. PECO Energy requests dismissal pursuant to 66 Pa. C.S. §1405(c).

The Complainant established service at 960 South 4<sup>th</sup> Street, Philadelphia, PA under account number 28188-86003. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant initially enrolled in PECO's Customer Assistance Program on April 1, 2009. The Complainant last recertified in the program on October 17, 2016, under PECO's CAP Fixed

Credit Option. The Complainant finalized service at 960 South 4<sup>th</sup> Street on February 17, 2017, and left an unpaid balance of \$354.71.

On February 17, 2017, the Complainant connected service at 967 South 5<sup>th</sup> Street, Philadelphia, PA under account number 77670-20214. The Complainant's CAP status transferred to her account on February 20, 2017. See Account Activity Statement, attached hereto as Exhibit "2". On March 20, 2017, the Complainant's \$354.71 balance from 960 South 4<sup>th</sup> Street transferred into her account.

On August 25, 2017, the Complainant filed an informal complaint with the Bureau of Consumer Services ("BCS") at case number 003557185, requesting a payment agreement to stop a service termination. See Case Details Report #003557185, attached hereto as Exhibit "2". On August 30, 2017, the BCS issued a Decision Report, dismissing the Complainant's informal complaint pursuant to 66 Pa. C.S. §1405(c). See BCS Decision Report 003557185, attached hereto as Exhibit "3".

The Complainant's balance is \$1,175.44. The Complainant's balance is entirely comprised of CAP arrears. The Complainant is not entitled to a PUC ordered payment agreement on her balance. 66 Pa.C.S. § 1405(c) provides that, "(c)ustomer assistance program rates shall be timely paid and shall not be the subject of payment agreements negotiated or approved by the commission." Consequently, pursuant to 66 Pa.C.S. § 1405(c), the PUC has no jurisdiction to give the Complainant a payment agreement on the CAP arrearage.

5. Denied.
6. Admitted
7. Admitted.

8. PECO Energy neither admits nor denies the allegations in paragraph 8. 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.

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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>JAMEEAH CHERRY</b>	:	
<b>Complainants</b>	:	
	:	
v.	:	<b>DOCKET NO. C-2017-2626175</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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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.



Date: October 9, 2017

\_\_\_\_\_  
Shawane L. Lee

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>JAMEEAH CHERRY</b>	:	
<b>Complainants</b>	:	
v.	:	<b>DOCKET NO. C-2017-2626175</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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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:

Jameeah Cherry  
967 South 5<sup>th</sup> Street  
Philadelphia, PA 19147

Dated at Philadelphia, Pennsylvania, October 9, 2017



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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

# **EXHIBIT “3”**

**Botak, Amy:(PECO)**

---

**From:** eServe@pa.gov  
**Sent:** Monday, November 13, 2017 10:01 AM  
**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-2017-2633439**.  
You may view this document at  
[Formal Complaint - Cherry](#)

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 Jameeah Cherry \_\_\_\_\_

Street/P.O. Box \_967 S, 5<sup>th</sup> Street \_\_\_\_\_ Apt # \_\_\_\_\_

City Philadelphia \_\_\_\_\_ State PA \_\_\_\_\_ Zip 19147 \_\_\_\_\_

County \_\_\_\_\_

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

(267) 207-8590 \_\_\_\_\_ (home) (\_\_\_\_\_) \_\_\_\_\_ (mobile)

E-mail Address

(optional): jvrcherry@yahoo.com \_\_\_\_\_

Utility Account Number (from your bill) \_0884169843 \_\_\_\_\_

**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 \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### 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.

\_\_PGW\_\_\_\_\_

3. **Type of Utility Service**

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

- |   |   |
|---|---|
| <input type="checkbox"/> ELECTRIC       | <input type="checkbox"/> WASTEWATER/SEWER                                     |
| <input checked="" type="checkbox"/> GAS | <input type="checkbox"/> TELEPHONE/TELECOMMUNICATIONS (local, long distance)  |
| <input type="checkbox"/> WATER          | <input type="checkbox"/> MOTOR CARRIER (e.g. taxi, moving company, limousine) |
| <input type="checkbox"/> STEAM HEAT     |   |

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).

**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.

**Help Get a Payment Arrangement**

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.

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:**

***I Jameeah Cherry, 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).***

*Jameeah Cherry*

\_\_\_\_\_  
11/12/2017

**(Signature of Complainant)**

**(Date)**

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**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.**

**EXHIBIT “4”**



**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 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.

Print this page for your records.



eFiling Confirmation	
Docket Number:	C-2017-2633439
Description:	Jameeah Cherry - Answer to Formal Complaint
Transmission Date:	11/20/2017 10:24:41 AM
Filed On:	11/20/2017 10:24:41 AM
eFiling Confirmation Number:	1700105

### Uploaded File List

File Name	Document Class	Document Type
Jameeah Cherry - Answer to Formal Complaint.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

PECO  
Exhibit # 4



An Exelon Company

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

Direct Dial: 215-841-6841

November 20, 2017

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

**RE: Jameeah Cherry v. PECO Energy Company**  
**PUC Docket No.: C-2017-2633439**

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 long, sweeping underline.

Shawane Lee  
Counsel for PECO Energy Company

SL/ab  
Enclosure

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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JAMEEAH CHERRY**  
Complainant

v.

**PECO ENERGY COMPANY**  
Respondent

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**DOCKET NO. C-2017-2633439**

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**ANSWER OF RESPONDENT,**  
**PECO ENERGY COMPANY**

On November 13, 2017, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Jameeah Cherry (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 Complaint, Complainant states that PECO is threatening to terminate or has already terminated his service. The Complainant requests a payment agreement. PECO Energy avers that the Complainant's complaint should be dismissed pursuant to 66 Pa.C.S. § 1405(c).

PECO Energy's records indicate that the Complainant established electric service at 960 South 4<sup>th</sup> Street, Philadelphia, PA under account number 28188-86003. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant enrolled in PECO's Customer Assistance Program ("CAP") on April 1, 2009. The Complainant last recertified in the program

on October 17, 2016, under PECO's CAP Fixed Credit Option. The Complainant finalized service at 960 South 4<sup>th</sup> Street on February 17, 2017, and left an unpaid balance of \$354.71.

On February 17, 2017, the Complainant connected service at 967 South 5<sup>th</sup> Street, Philadelphia, PA under account number 77670-20214. The Complainant's CAP status transferred to her account on February 20, 2017. See Account Activity Statement, attached hereto as Exhibit "2". On March 20, 2017, the Complainant's \$354.71 balance from 960 South 4<sup>th</sup> Street transferred into her account.

On August 25, 2017, the Complainant filed an informal complaint with the Bureau of Consumer Services ("BCS") at case number 003557185, requesting a payment agreement to stop a pending service termination. See Case Details Report #003557185, attached hereto as Exhibit "3". On August 30, 2017, the BCS issued a Decision Report, dismissing the Complainant's informal complaint pursuant to 66 Pa.C.S. § 1405(c). See BCS Decision Report #003557185, attached hereto as Exhibit "4".

On September 25, 2017, the Complainant filed a formal complaint with the Public Utility Commission at docket number C-2017-2626175, requesting a payment agreement. The Complainant's formal complaint is scheduled for a call of the docket hearing on January 16, 2018, before Administrative Law Judge F. Joseph Brady.

The Complainant's balance is \$1,222.52. See Exhibit "1". The Complainant is not entitled to a payment agreement on her balance pursuant to 66 Pa.C.S. § 1405(c) as the balance is comprised of CAP arrears.

5. Denied.

6. Admitted

7. Admitted.

8. PECO Energy neither admits nor denies the allegations in paragraph 8. 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.

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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JAMEEAH CHERRY**  
**Complainant**

v.

**PECO ENERGY COMPANY**  
**Respondent**

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**DOCKET NO. C-2017-2633439**

**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: November 20, 2017

\_\_\_\_\_  
Shawane L. Lee

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JAMEEAH CHERRY**  
Complainant

v.

**PECO ENERGY COMPANY**  
Respondent

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**DOCKET NO. C-2017-2633439**

**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:

Jameeah Cherry  
967 South 5<sup>th</sup> Street  
Philadelphia, PA 19147

Dated at Philadelphia, Pennsylvania, November 20, 2017



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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

**EXHIBIT "1"**

Account Number: 2811200003  
 Account Name: JAMEREAM CREDIT  
 Account Status: PENDING  
 Meter Bill Group: 14

Service Address:  
 500 S 4TH ST  
 PHILADELPHIA, PA 19147  
 Meter Bill Group: 14

Current Bill: \$0.00  
 Initial Meter: \$202.00  
 Address Date: \$0.00  
 Current Amount: \$0.00  
 Requested Adjustment: \$0.00  
 Requested Dis-Amount: \$0.00  
 CAP Pre-Program Amount: \$0.00  
 Request Agreement Balance: \$0.00

Account Balance: \$0.00  
 Status: CAP FOD ELECTRIC INDUSTRIAL SERVICE

Account Transaction Activity

Transaction Dt	Transaction Type	Code	Posting Period	Amount	Posting Type	Chart	Account	CD	Transaction	Balance	Change	Amount	Effective Date	Total	Usage	Usage
09/17/2014	BUDGET BILLING			\$0.00	ACTUAL	7002	03550000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ADJUSTMENT			\$0.00	ACTUAL	7002	03550000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ELECTRIC SERVICE		09/17/2014 - 09/17/2014	7002	ACTUAL	7002	03550000	0	\$700.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	BILL OUT DATA															
09/17/2014	LAST PAYMENT CHANGE															
09/17/2014	BUDGET BILLING			7002	ACTUAL	7002	03550000	0	\$700.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ELECTRIC SERVICE		09/17/2014 - 11/04/2014	7002	ACTUAL	7002	03550000	0	\$700.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ELECTRIC SERVICE		11/04/2014 - 11/04/2014	00	ACTUAL	00	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	BILL OUT DATA															
09/17/2014	LAST PAYMENT CHANGE															
09/17/2014	BUDGET BILLING			700	ACTUAL	700	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ELECTRIC SERVICE		11/04/2014 - 11/04/2014	700	ACTUAL	700	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	BILL OUT DATA															
09/17/2014	LAST PAYMENT CHANGE															
09/17/2014	BUDGET BILLING			1370	ACTUAL	1370	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ELECTRIC SERVICE		11/04/2014 - 01/17/2014	1370	ACTUAL	1370	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	BILL OUT DATA															
09/17/2014	LAST PAYMENT CHANGE															
09/17/2014	BUDGET BILLING			2000	ACTUAL	2000	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ELECTRIC SERVICE		01/17/2014 - 02/02/2014	2000	ACTUAL	2000	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	BILL OUT DATA															
09/17/2014	LAST PAYMENT CHANGE															
09/17/2014	BUDGET BILLING			2100	ACTUAL	2100	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ELECTRIC SERVICE		02/02/2014 - 02/27/2014	2100	ACTUAL	2100	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	BILL OUT DATA															
09/17/2014	LAST PAYMENT CHANGE															
09/17/2014	BUDGET BILLING			4000	ACTUAL	4000	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	ELECTRIC SERVICE		02/27/2014 - 04/17/2014	4000	ACTUAL	4000	13500000	0	\$0.00	\$700.00	\$700.00	09/17/2014	\$700.00	0		\$700.00
09/17/2014	BILL OUT DATA															
09/17/2014	LAST PAYMENT CHANGE															









**EXHIBIT "2"**



**EXHIBIT “3”**



October 9, 2017

**Case Details Report**

BCS Case #: 003557185  
Customer Name: JAMEEAH CHERRY  
Service Address: 967 S. 5TH STREET

BCS Bill Account #: 7767020214

Mailing Address: PHILDELPHIA, PA 19147

Home Phone: 0-  
Business Phone: 0-  
Business name:  
Alternate contact:

Date Case Opened: 2017-08-25  
PAR Case: Y  
Investigator Name: BCS CASE POOL  
Investigator Phone: (717) 787-5468  
Service class: R  
Previous case #: 3403360

Date Cut Out: 2017-08-28

Universal Service: N  
Contact Type: TELEPHONE  
Amount in Arrear: \$896.94

# Adults: 1  
# Children: 3  
Children Ages: 12,10,7  
Gross Income: \$1512.33  
Miscellaneous Info:

Complaint Reason:  
ON - PAR NEEDED (# 61)

Customer Problem Description:  
STRAIGHT PAR. THE CELL PHONE NUMBER (267) 553 - 4791 HAS BEEN ALLOWED TO BE SHARED. THE EMAIL ADDRESS JVRCHERRY@YAHOO.COM HAS BEEN ALLOWED TO BE SHARED.

Company Position:  
08/15/2017 CO. SEEKING PAST DUE AMOUNT OF 896.94.

**EXHIBIT "4"**

# Exelon.

October 9, 2017

## BCS Decision Report

BCS Case #: 003557185 Open Date: 2017-08-25  
Customer Name: JAMEEAH CHERRY  
Service Address: 967 S. 5TH STREET

PHILDELPHIA, PA 19147  
BCS Bill Account #: 7767020214 Previous Case #: 3403360  
Violation Type: NO Chapter Type:  
Decision Type: W Section / Rule:  
Investigator Name: BUREAU OF  
CONSUMER SERVICE

Decision Issued Date: 2017-08-30  
Case Closed Date: 2017-08-28

### Letter Description:

Total Balance:	\$0.00	Balance Due:	
Amount to Restore Service:	\$0.00	Amount to Continue Service:	\$0.00
Date Payment Due:		Regular Budget Amount:	\$0.00
Special Budget Payment:	\$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:

CASE CLOSED - DISMISSED PER 1405C - THE DATE OF COMPLAINT RESOLUTION AND EXPIRATION OF THE STAY OF TERMINATION IS 9/4/2017