

PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17105-3265

Eric Hudson

Public Meeting held June 14, 2018
2555083-OSA

v.

Docket No. C-2016-2555083

PECO Energy Company

STATEMENT OF CHAIRMAN GLADYS M. BROWN

On July 7, 2016, Mr. Hudson filed the instant Complaint alleging that PECO was threatening to terminate his electric service, incorrect charges on his bill, and requesting assistance getting into CAP. A telephonic hearing was scheduled for April 7, 2017. Approximately two weeks before the hearing date, the Complainant called the Office of Administrative (OALJ) and requested an in-person hearing which was granted. The day before the hearing, the Complainant called the OALJ and requested a telephonic hearing. The OALJ agreed and confirmed that the Complainant could be reached at the telephone number in the Commission's records. The Complainant failed to appear at the hearing on April 7, 2017. After the hearing adjourned, at or around 11:30 a.m., the Complainant called the OALJ and stated that he could not attend the hearing because he had a medical emergency with his daughter and had taken her in for treatment. The OALJ advised the Complainant that he should submit any request for rescheduling the hearing in writing and also submit any documentation in support of his absence.

On April 13, 2017, the Complainant faxed a letter to the OALJ in which he stated, generally, that he was the sole caretaker for his daughter and had to address her medical issues. The letter did not show or state why he could not participate in the telephonic hearing on April 7, 2017. PECO objected to any continuance and averred that Mr. Hudson failed to appear for a hearing before ALJ Fordham and that he had filed eighteen formal and informal complaints while incurring a balance of \$20,856.79.

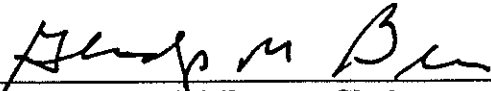
On June 28, 2017, the Commission issued the Initial Decision of ALJ Heep dismissing the Complaint, with prejudice, for failure to prosecute.

The Complainant in this case had actual notice of when the hearing would be held based on his phone calls to the OALJ. My concern with this case is that while a hearing notice dated September 22, 2016, was issued and a rescheduled hearing notice dated February 8, 2017, was issued, **no** prehearing order was issued by the OALJ to the Parties in advance of either hearing date. Prehearing orders are not required by our regulations but they are consistently issued by the OALJ and contain information which I consider invaluable for our *pro se* litigants such as

how to address requests for hearing continuances, subpoena procedures, attorney representation and the Commission's policy encouraging settlements.

This particular Complainant has managed to accrue an extremely large balance which will likely become an uncollectible expense paid for by the rest of PECO's ratepayers. While I agree that this Complaint should be dismissed, with prejudice, and that this balance should not be allowed to continue to grow, I am not comfortable that in this case, we deviated from our usual prehearing notice process.

June 14, 2018
Date



Gladys M. Brown, Chairman