

May 30, 2019

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

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MAY 30 2019

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

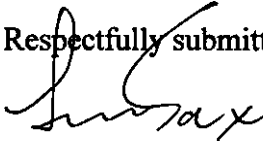
**RE: Leonard Sax v. PECO Energy Company**  
**PUC Docket No.: C-2019-3010045**

Dear Ms. Chiavetta,

Enclosed for filing with the Commission is my reply to PECO Energy's Answer to my Formal Complaint.

I have enclosed a Certificate of Service showing that a copy of my letter was served on the interested party. Thank you for your time and attention to this matter.

Respectfully submitted,



Leonard Sax  
32 Whispering Woods Lane  
Malvern PA 19355  
Phone: 610 647 4275

Enclosures

Date: May 30, 2019

Re: Leonard Sax v. PECO Energy Company  
Docket No. C-2019-3010045

I am writing in reply to the Answer of Respondent dated May 23 2019.

The key point in question is: Who owns the cable and poles related to the power outages which both parties agree have occurred? In the Answer of Respondent dated May 23 2019, the Respondent asserted that "Afterwards, PECO's Reliability Engineers identified a potential issue with ownership of the pole line. **PECO identified that the cable and poles relating to the outages in the Complainant's complaint are actually owned by the Complainant and are to be owned and maintained by the Complainant.**" However, the Respondent provided no evidence in support of their assertion that the cable and poles are actually owned by the Complainant. They merely asserted this point as a fact.

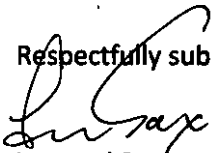
When we met face-to-face with PECO engineer Madeline Devlin at our property on May 15 2019, she explained that PECO believes that we own the cable and poles because on PECO's map of the property, they do not see any right-of-way marked out. In other words, PECO's claim that we own the cable and poles in question is based on a marker, or lack of a marker, on PECO's maps. PECO does not have any document actually demonstrating that we own the cable and poles in question. These cables and poles were installed more than 50 years ago. In that era, as Linda Csete (Administrator of Charlestown Township) informed us, utility rights-of-way were often left off the plat.

The point of fact in dispute is **who owns the cable and poles in question?** PECO has provided no evidence that we own the cable and poles in question. They have merely asserted their position as fact.

We are asking for an opportunity to stand before the judge and allow the judge to rule on this question of fact.

As I noted in my Formal Complaint, our neighbors Ryan and Kim Dean have the same concerns. We get power from the same cable and poles. Ryan Dean filed his complaint one day after I filed my complaint. We used much the same language (we collaborated in preparing our complaints). Shawane Lee, Counsel for PECO, sent very similar Answers of Respondent to the PUC, in both cases claiming that PECO does not own the cable and poles in question. However, the PUC has granted a hearing to Ryan Dean, but not to us. The Docket number is C-2019-3010060 and the hearing is scheduled Monday July 8 2019 at 10 am, Administrative Law Judge Marta Guhl, Presiding. **The facts in dispute in our case are almost identical to those in C-2019-3010060. We request that our cases be heard together.** (If you review Ryan Dean's Formal Complaint, you will see that he also requested our cases be heard together.)

Respectfully submitted,



Leonard Sax  
32 Whispering Woods Lane  
Malvern, PA 19355  
Phone: 610 647 4275

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Enclosure: Certificate of Service showing that a copy of this document was served on Shawane Lee, Counsel for PECO Energy Company, 2301 Market Street, Philadelphia PA 19103

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LEONARD SAX :  
Complainant :  
v. : DOCKET NO. C-2019-3010045  
:  
PECO ENERGY COMPANY :  
Respondent :

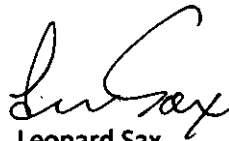
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**CERTIFICATE OF SERVICE**

I, Leonard Sax, hereby certify that I have this day served a copy of my letter dated May 30 2019 in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Shawane L. Lee  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia PA 19103

Dated at Malvern, Pennsylvania, May 30 2019



Leonard Sax  
32 Whispering Woods Lane  
Malvern PA 19355  
(610) 647 4275  
[leonardsax@gmail.com](mailto:leonardsax@gmail.com)

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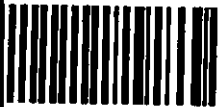
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