

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

Direct Dial: 215.841.6841

July 8, 2019

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


**RE: Jamie Elliott v. PECO Energy Company**  
**PUC Docket No.: F-2019-3008993**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *Reply Exceptions of PECO Energy Company* 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

cc: Certificate of Service

SL/ab  
Enclosure



## REPLY EXCEPTIONS OF PECO ENERGY COMPANY

PECO Energy Company (“PECO”) hereby replies to the Exceptions filed by Jamie Elliott (“Complainant”) in the above-referenced matter. PECO was served with the Exceptions on June 27, 2019.

On March 25, 2019, Complainant filed a formal complaint against PECO, requesting a payment agreement and alleging 8<sup>th</sup> and 14<sup>th</sup> amendment and Due Process violations. PECO filed an Answer to the formal complaint on April 8, 2019, averring that the Complainant is not entitled to a payment agreement as he is actively enrolled in PECO’s Customer Assistance Program (“CAP”) and his entire balance is comprised of CAP arrears. A hearing was scheduled to take place before Administrative Law Judge Angela T. Jones (“ALJ Jones”) on May 14, 2019. At the hearing, the Complaint requested to withdraw his complaint. PECO had no objection to the Complainant’s withdrawal.

On June 4, 2019, ALJ Jones issued an Initial Decision, granting the Complainant’s request to withdraw the complaint. The Complainant now files Exceptions stating:

18 USC, 28 USC 42 USC, 1331 USC 1915 D, 8th, 14th, Due Process Violation Plaintiff withdraw decision base on law. Plaintiff is poor and need clerk of commission to please send copy to Defendants. Plaintiff pray (sic) for relief.

PECO requests that the Complainant’s exceptions be dismissed. The Complainant has filed four informal complaints and five formal complaints, requesting payment agreements and alleging that PECO violated his 8<sup>th</sup> and 14<sup>th</sup> Amendment rights as well as his due process rights. PECO has been required to hold collection activity on the Complainant’s balance during the informal and formal complaint process and the Complainant’s balance has grown to \$951.05. The last payment the Complainant made to his account was in November 2018 in the amount of

\$45.00. The Complainant has skillfully avoided termination by filing PUC cases making meritless claims about due process rights and now filing exceptions for withdrawing his complaint.

PUC Commissioner Pamela A. Witmer recently warned PECO about this very issue in the Daniel Vermeychuk v. PECO matter at Docket No. C-2013-2388323 (November 5, 2015). Commissioner Witmer stated that “the Complainant was not only ignoring his obligation to pay his bills but was actively employing various strategies to avoid paying in a timely manner.” Commissioner Witmer pointed out:

...It is critically important to the customers, who are ultimately left footing the bills for such abuses, that our utilities act vigilantly to prevent them, continue to take steps to identify them, and mitigate their effects as quickly as possible. I remind PECO and all of our regulated utilities of this responsibility.

Clearly, here, the Complainant is delaying this matter and is using the formal complaint process and PUC appeals process to prevent paying the bill. Clearly, the public and PECO would be prejudiced by reopening this case once again and continuing to hold collection on an increasing balance. Accordingly, the Initial Decision properly dismissed the formal complaint in this matter with prejudice.

**WHEREFORE**, for the reasons set forth above, PECO respectfully requests that the Commission deny the Exceptions and issue an Order upholding the Initial Decision in its entirety.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Shawane L. Lee', with a long horizontal line extending to the right from the end of the signature.

---

Shawane L. Lee  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
Direct Dial: 215.841.6841  
Fax: 215.568.3389



