

October 31, 2019

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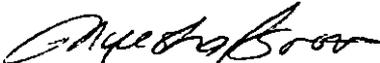
NOV -1 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

To Whom It May Concern:

C-2019-3009486

I am just receiving a copy of the hearing that I had on June 4th, 2019. The letter on the notice is October 2, 2019 but I just got the letter on 10/30/2019. I have enclosed a copy of the envelope with the postmark date 10/24/2019. I would like to state that I'm not withdrawing my complaint due to the fact that I still haven't got any help or true assistance with my original concern. I feel like nothing has change and I can't comply with PECCO's recommendation. I still need the courts help with this situation. Please contact feel free to contact me regarding any questions and concerns regarding this matter.


Myesha Brown

3008 Wharton Street

Philadelphia, PA 19146

215-609-6804

mybrown.mb@gmail.com

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2019 NOV -6 AM 9:36
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SECRETARY'S BUREAU



Commonwealth of PA
P.O. Box 3265
Harrisburg, PA 17105-3265

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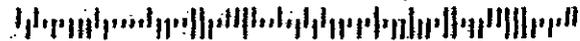


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C-2019-3009486
MYESHA BROWN
3008 WHARTON STREET
PHILADELPHIA , PA 19146

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

October 2, 2019

C-2019-3009486

Myesha Brown

v.

PECO Energy Company

TO ALL PARTIES:

Enclosed is a copy of the Initial Decision of the Office of Administrative Law Judge.

If you do not agree with any part of this decision, you may send written comments (called Exceptions) to the Commission. Your signed Exceptions to the decision, if any, must be: 1) filed with the Secretary of the Commission, and 2) mailed or hand-delivered to each party of record, within twenty (20) days of the date of this letter.

To file Exceptions with the Secretary of the Commission, you must mail or hand-deliver them as follows:

If using U.S. Postal Service:

Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

If using Overnight or Hand Delivery Service:

Secretary
Pa. Public Utility Commission
400 North Street
Commonwealth Keystone Building, 2nd Floor
Harrisburg, PA 17120

Or, instead of mailing or hand-delivering your Exceptions, you may electronically file them with the Secretary of the Commission. To do so, you need to establish an account on the Commission's eFiling system, which may be accessed at <http://www.puc.state.pa.us/efiling/default.aspx>. Please note that Exceptions sent to the Commission by fax or e-mail will not be accepted for filing.

In addition to filing your Exceptions with the Secretary of the Commission, a courtesy copy of your Exceptions should be e-mailed to the Commission's Office of Special Assistants (OSA) at ra-OSA@pa.gov. If the document is too large to e-mail, please mail or hand-deliver a copy on CD-ROM or DVD (or other data storage media), in Microsoft Word 2010 format or other compatible format to either address noted above.

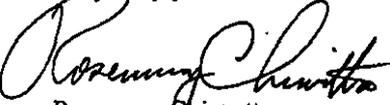
Replies to Exceptions, if any, must be filed with the Secretary of the Commission and served on each party of record and the Commission's OSA, in the manner described above. They are due within ten (10) days of the date when Exceptions are due.

It is your responsibility to serve all the parties with your Exceptions and Replies to Exceptions. Failure to do so may render your filing unacceptable. A certificate of service (see format in 52 Pa. Code §1.58) shall be attached to the filed Exceptions or Replies to Exceptions.

Exceptions and Replies to Exceptions shall follow 52 Pa. Code §§5.533 and 5.535 particularly the 40-page limit for Exceptions and the 25-page limit for Replies to Exceptions. Exceptions should clearly be labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)". Any reference to specific sections of the Administrative Law Judge's Initial Decision shall include the page number(s) of the cited section of the decision.

If no Exceptions are received, the decision of the Administrative Law Judge could become final without further Commission action. You will receive written notification if this occurs. However, even if no exceptions are received, the Commission may review and change the decision pursuant to Section 332(h) of the Public Utility Code, 66 Pa. C.S. § 332(h).

Very truly yours,


Rosemary Chiavetta
Secretary

RS
Enclosures
Certified Mail
Receipt Requested

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Myesha Brown

v.

PECO Energy Company

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:
:
:
:

C-2019-3009486

INITIAL DECISION

Before
Eranda Vero
Administrative Law Judge

INTRODUCTION

This Initial Decision grants Myesha Brown's request to withdraw her Complaint because the request is in the public interest and it is not opposed.

HISTORY OF THE PROCEEDING

On April 26, 2019, Myesha Brown (Ms. Brown or Complainant) filed a formal Complaint (Complaint) against PECO Energy Company (PECO, Company or Respondent) alleging that the utility is threatening to shut off her electric service and that she is unable to pay her electricity bills to PECO. As relief, Ms. Brown requested that the Commission establish an affordable payment arrangement on her behalf.

On May 1, 2019, PECO filed an Answer denying all material allegations of fact and conclusions of law in the Complaint.

A Hearing Notice dated May 8, 2019, notified the parties that an initial hearing was scheduled as part of the afternoon session of a call of the docket hearing on Tuesday, June 4, 2019, at 1:30 p.m.

A Prehearing Order was issued on May 28, 2019, reminding the parties of the date and time of the scheduled hearing, informing them of the procedures applicable to this proceeding, and directing the submission of documents prior to the hearing.

The hearing convened as scheduled on June 4, 2019. At the beginning of the hearing, the parties indicated their desire to engage in settlement discussions. Tr. 4. I granted their request and recessed the hearing. During the settlement discussions, the parties were able to resolve all the issues raised in the Complaint. When the hearing reconvened, Ms. Brown requested permission to withdraw her present Complaint against PECO. Tr. 4-5.

The Respondent did not object to Ms. Brown' request for leave to withdraw her Complaint.

The record closed upon receipt of the hearing transcript on June 28, 2019.

FINDINGS OF FACT

1. The Complainant in this proceeding is Myesha Brown, whose mailing address is 3008 Wharton Street, Philadelphia, PA 19146.
2. The Respondent in this proceeding is PECO Energy Company.
3. On April 26, 2019, Ms. Brown filed a Complaint alleging that the utility is threatening to shut off her electric service and that she is unable to pay her electricity bills to PECO.

4. As relief, Ms. Brown requested that the Commission establish an affordable payment arrangement on her behalf.

5. On May 1, 2019, PECO filed an Answer denying all material allegations of fact and conclusions of law in the Complaint.

6. A Hearing Notice dated May 8, 2019, notified the parties that an initial hearing was scheduled for June 4, 2019, at 1:30 p.m.

7. A Prehearing Order was issued on May 28, 2019, reminding the parties of the date and time of the newly scheduled hearing, informing them of the procedures applicable to this proceeding, and directing the submission of documents prior to the hearing.

8. On June 4, 2019, Ms. Brown made an on-the-record request for leave to withdraw her Complaint against PECO, after entering into a new payment arrangement with the Respondent.

9. The Respondent did not object to Ms. Brown's on-the-record request for leave to withdraw her Complaint.

DISCUSSION

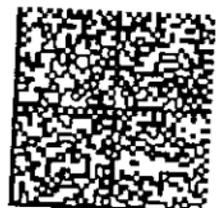
The Commission's Rules of Practice and Procedure at 52 Pa.Code § 5.94 permit parties to withdraw pleadings in a contested proceeding. The provision at 52 Pa.Code § 5.94(a) allows withdrawal of pleadings by filing, with the Commission and service to parties, a petition for leave to withdraw the pleading. The petition is granted only by permission of the presiding officer or the Commission. The presiding officer or Commission must consider the petition, any objections thereto and the public interest in determining whether to permit withdrawal of the pleading. For purposes of this decision, the Complainant's on-the-record request to withdraw her Complaint will be treated as a Petition for Leave to Withdraw her Complaint. See 52 Pa.Code § 1.2.

The Complainant has indicated that she wants to withdraw her Complaint against PECO after entering into a new payment arrangement with the Respondent. Tr. 4-5. In particular, Ms. Brown indicated her intentions to apply for various grants and to make a lump payment towards her account with PECO in order to reduce her outstanding balance and achieve the more affordable terms of a new payment arrangement with the Company. *Id.* The Respondent did not object to Ms. Brown's request for leave to withdraw her Complaint. Under these circumstances, granting the Complainant's request to withdraw her Complaint is in the public interest because doing so will eliminate the need for litigation and save the parties any additional costs in time and money they would otherwise incur litigating the case. Accordingly, Ms. Brown's request to withdraw her Complaint is granted.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties to and subject matter of this proceeding. 66 Pa.C.S § 701.
2. The Commission's Rules of Practice and Procedure at 52 Pa.Code § 5.94 permit parties to withdraw pleadings in a contested proceeding by permission of the presiding officer or Commission.
3. In determining whether to permit withdrawal of the pleading, the presiding officer or Commission must consider the petition, any objections thereto and the public interest. 52 Pa.Code § 5.94.
4. Granting the Complainant's withdrawal request is in the public interest.

M Brown
308 Wharton St
Phila, Pa 19146



UNITED STATES POSTAGE

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Secretary
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