



An Exelon Company

January 13, 2021

*Via E-Mail: dheep@pa.gov*

Administrative Law Judge Darlene Heep  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107

**RE: Karenlynn Sabrina Payonk v. PECO Energy Company**  
**In re: C-2020-3021202**

Dear Judge Heep:

As you may recall, this matter had a hearing on December 17, 2020. I am in receipt of the Complainant's late-filed exhibit, which is a copy of the National Electric Code (NEC) – Article 450 - Transformers and Transformer Vaults. Kindly accept this correspondence as a response to the Complainant's late-filed exhibit.

PECO Energy objects to the late filed exhibit as irrelevant. Under Pennsylvania law, a public utility is required to follow the National Electric Safety Code (NESC), not the National Electric Code (NEC) as cited by the Complainant. The National Electric Safety Code (NESC) controls the standards of a public utility in the installation, inspection and maintenance of its equipment. Pursuant to Pennsylvania Public Utility Commission Regulations, 52 Pa Code §57.28(b), Electric Safety Standards:

(b) Safety code. An electric utility shall comply with the minimum safety standards established by the National Electric Safety Code pursuant to its terms of applicability.

52 Pa Code §57.28(b)

The National Electric Code (NEC) controls how a customer should install and maintain his own equipment and wiring. Customers are required to follow the NEC for the facilities that they own, not a public utility<sup>1</sup>. As testified to during the hearing by senior engineer, Stephen Reilly, PECO Energy standards for a single-phase transformer is a fiberglass base with an open bottom. The standard for a three-phase transformer is a concrete manhole with a concrete bottom, but it is not sealed or waterproof due to grounding rods penetrating into the earth.

Accordingly, PECO Energy objects to the Complainant's late-filed exhibit as irrelevant, inasmuch as the National Electric Code is not applicable to PECO Energy, a public utility.

---

<sup>1</sup> It is also important to note, that section 450 of the National Electric Code (NEC) that the Complainant references is in regard to a transformer that is located inside of a building, which requires a vault room, that houses transformers to create a separation of fire spaces inside of the building.

If your Honor has any questions, please do not hesitate to contact me directly.

Very truly yours,

*Khadijah Scott*

Khadijah Scott, Esquire  
Assistant General Counsel, PECO Energy

Cc: Sabrina Payonk (*via email*)