

COMPLAINT
BEFORE

NOV 21 1985

SECRETARY'S OFFICE
PUBLIC Utility Commission
PENNSYLVANIA PUBLIC UTILITY COMMISSION

For Commission Use Only: R-850152C005
COMPLAINT DOCKET NO. _____ **REF. #** _____ **UTILITY CODE** 110550
CITY OF PHILADELPHIA VS. **PHILADELPHIA ELECTRIC COMPANY**

PLEASE PRINT:

RECORDED
NOV 22 1985

1. YOUR NAME, ADDRESS AND TELEPHONE NUMBER.

Name City of Philadelphia
Street City Hall
City Philadelphia **State** PA **Zip** 19107
County Philadelphia **Home Telephone-Area Code ()** _____
Work Telephone-Area Code (215) 597-6119

2. COMPANY YOU ARE COMPLAINING ABOUT.

Name Philadelphia Electric Company, 2301 Market St., Phila, PA 19101

3. WHAT IS YOUR COMPLAINT (DESCRIBE PROBLEM).

On September 27, 1985, the Philadelphia Electric Company ("PECO") filed Supplement No. 15 to Electric Tariff No. 26, increasing most customer bills for service, to become effective November 27, 1985. PECO's proposed increase of \$671 million is approximately 28.2% of its annual electric revenues. PECO has proposed to recover this increase over a three-year phase-in period (June 1986 - June 1988). PECO has requested permission to increase electric rates by 9.4% or by approximately \$224 million in each of the three years.
In addition, PECO has proposed that any amounts approved by the Commission and not billed during the first two years be recovered as a surcharge during the three year period June 1989 - June 1991.

City of Philadelphia ("City") is a customer of PECO and believes that PECO's proposed increase may have a substantial (More Space On Back)

For Commission Use Only:
DATE FILED 11/21/85 **MONITOR** _____ **BUREAU** _____ **ALJ** _____

Electric Tariff No. 26 may be unjust and unreasonable in violation of Chapter 13 of the Public Utility Code, 66 Pa. C.S. §1301 et seq.

PHILADELPHIA PUBLIC UTILITY COMMISSION

110320
UTILITY CODE
COMPLAINT DOCKET NO.
CITY OF PHILADELPHIA

PLEASE PRINT
YOUR NAME ADDRESS AND TELEPHONE NUMBER

(If You Need More Space Attach Paper)

4. WHAT DO YOU WANT US TO DO?

Suspend the proposed tariff Supplement No. 15 to Electric Tariff No. 26; investigate; hold full evidentiary hearings; and subsequent thereto, deny an increase in rates and charges which is not just and reasonable.

COMPANY YOU ARE COMPLAINING ABOUT

WHAT IS YOUR COMPLAINT (DESCRIBE PROBLEM)

(If You Need More Space Attach Paper)

YOU MUST SIGN HERE

Charles E. Rainey, Jr.
Signature of complainant or attorney for corporate complainant

PUT TODAY'S DATE HERE

NOVEMBER 19, 1985

Today's Date

YOU DO NOT NEED A LAWYER If you **DO** have a lawyer PLEASE PRINT the lawyer's name, address and telephone number below.

Lawyer's Name: BARBARA W. MATHER, KATHRYN LEWIS, PAMELA ROA, CHARLES RAINY, JR.

Street LAW DEPARTMENT, ONE READING CENTER, 5TH FLOOR, 1101 MARKET STREET

City PHILADELPHIA State PA Zip 19107

Telephone Number-Area Code (215) 592-6119

MONITOR
DATE FILED
For Commission Use Only

THIS MUST BE COMPLETED BY NOTARY PUBLIC
AFFIDAVIT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA

_____ County

ss:

_____, being duly sworn (affirmed) according to law, deposes
and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge,
information and belief and he expects to be able to prove the same at the hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____

day of _____ 19 _____

My Commission Expires _____

Signature of Official Administering Oath

AFFIDAVIT (Corporation)

COMMONWEALTH OF PENNSYLVANIA

PHILADELPHIA _____ County

ss:

W. WILSON GOODE _____

, being duly sworn (affirmed) according to law, deposes

and says that he is MAYOR
(Office of Affiant)

of CITY OF PHILADELPHIA

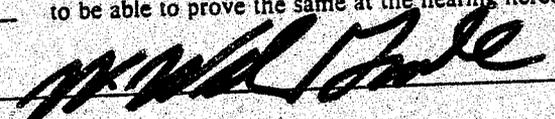
(Name of Corporation)

; that he is authorized to and does make this affidavit

for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge,
information and belief and he expects the said CITY OF PHILADELPHIA

(Name of Corporation)

to be able to prove the same at the hearing hereof.



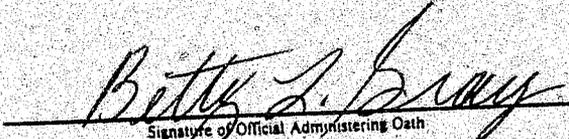
Signature of Affiant

Sworn and subscribed before me this 19th

day of November 1985

My Commission Expires September 22, 1986

BETTY L. GRAY, NOTARY PUBLIC
PHILADELPHIA, PHILADELPHIA COUNTY
MY COMMISSION EXPIRES SEPT. 22, 1986
Member, Pennsylvania Association of Notaries



Signature of Official Administering Oath



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

November 22, 1985

IN REPLY PLEASE
REFER TO OUR FILE

R-850152C004

William E. Zeiter, Esquire
Morgan, Lewis & Bockius
One Logan Square
Philadelphia, Pa. 19103



Dear Mr. Zeiter:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by United States General Services Administration (the complaining party)

To defend yourself against the claims stated in the following pages, you must act within twenty (20) days, by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

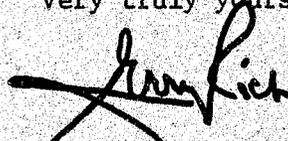
AN ADMINISTRATIVE LAW JUDGE MAY REVOKE OR SUSPEND ANY CERTIFICATE OR PERMIT HELD BY YOU, OR IMPOSE A FINE, OR ANY OTHER APPROPRIATE PENALTY OR REMEDY AUTHORIZED BY THE PUBLIC UTILITY CODE. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, Pennsylvania 17108
(800) 692-7375

Very truly yours,


Terry Rich
Secretary

Attachment

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
United States General Services Administration

Complaint Docket
No. R-850152C004

Philadelphia Electric Company

DOCKETED
NOV 22 1985

**FORMAL COMPLAINT
NOTICE TO RESPONDENT
TO ANSWER OR SATISFY**

To: William E. Zeiter, Esquire

**DOCUMENT
FOLDER**

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa.C.S. §702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required by Section 35.35 of the General Rules of Administrative Practice and Procedure, 1 Pa. Code §35.35, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant.

If you fail to either satisfy this complaint or to file an answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 35.35 of the General Rules of Administrative Practice and Procedure, 1 Pa. Code §35.35. In that event, an Administrative Law Judge of the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy.

Carried Mail
Return Receipt Requested

authorized by the Public Utility Code, 66 Pa.C.S. §101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Administrative Law Judge is not limited to the relief sought by the complainant in paragraph 4. of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint will be dismissed by an Administrative Law Judge in accordance with Section 703(a) of the Public Utility Code, 66 Pa.C.S. §703(a), unless the Judge determines that such dismissal would be contrary to the public interest, in which event he may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, an Administrative Law Judge will, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa.C.S. §101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Administrative Law Judge is not limited to the relief sought by the complainant in paragraph 4. of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in this complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa.C.S. §101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4. of the attached complaint.

(SEAL)

Certified Mail
Return Receipt Requested



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

November 22, 1985

IN REPLY PLEASE
REFER TO OUR FILE
R-850152C005

William E. Zeiter, Esquire
Morgan, Lewis & Bockius
One Logan Square
Philadelphia, PA 19103

Dear Mr. Zeiter:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by City of Philadelphia (the complaining party)

To defend yourself against the claims stated in the following pages, you must act within twenty (20) days, by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

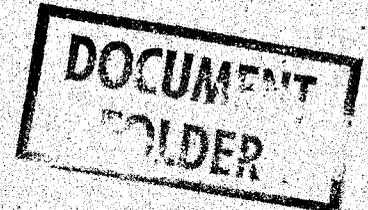
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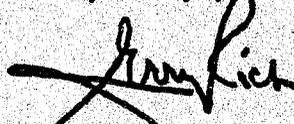
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Very truly yours,


Terry Rich
Secretary

Attachment

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
City of Philadelphia

Complaint Docket
No. R-850152C005

Philadelphia Electric Company

DO NOTED
NOV 22 1985

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NOTICE TO RESPONDENT
TO ANSWER OR SATISFY

DOCUMENT
FOLDER

Mr. William E. Zeifer

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RECEIVED
NOV 22 1985

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Jerry Rich
JERRY RICH
Secretary

11/22/85
(SEAL)

Certified Mail
Return Receipt Requested
JEP:ahn



CITY OF PHILADELPHIA

15th Floor, Municipal Services Building
Philadelphia, PA. 19102

Send response to:

One Reading Center, 5th Floor
1101 Market Street
Philadelphia, Pa. 19107

[215]592-6119

November 19, 1985

RECEIVED

NOV 21 1985

**SECRETARY'S OFFICE
Public Utility Commission**

Jerry Rich, Secretary
Pennsylvania Public Utility
North Office Building
P.O. Box 3265
Harrisburg, PA 17120

RE: Pennsylvania Public Utility Commission,
et al. v. Philadelphia Electric Company,
R-850152, et seq.

Dear Secretary Rich:

Enclosed for filing please find an original
and three copies of the City of Philadelphia's Formal
Complaint in regard to the above-captioned matter.

Very truly yours,

Charles E. Rainey, Jr.
CHARLES E. RAINEY, JR.
Assistant City Solicitor

CR:ka
Enclosure
cc: Kathryn Lewis,
Chief Deputy City Solicitor