

COMPLAINT

DEC 11 1985

BEFORE

PENNSYLVANIA PUBLIC UTILITY COMMISSION SECRETARY'S OFFICE
Public Utility Commission

For Commission Use Only:
 COMPLAINT DOCKET NO. _____ REF. # _____ UTILITY CODE _____
 _____ VS. _____

PLEASE PRINT:

1. YOUR NAME, ADDRESS AND TELEPHONE NUMBER.

Name Pennsylvania Food Merchants Association
224 Pine Street
 Street P.O. Box 1047
 City Harrisburg State PA Zip 17101
 County Dauphin Home Telephone-Area Code (717) 234-6031
 Work Telephone-Area Code () _____

2. COMPANY YOU ARE COMPLAINING ABOUT.

Name Philadelphia Electric Company

3. WHAT IS YOUR COMPLAINT (DESCRIBE PROBLEM).

The Pennsylvania Food Merchants Association is an association
of retail grocers and convenience stores whose members
receive electrical service supplied by Philadelphia Electric
Company under rates set by this Commission. Supplement
No. 15 to Tariff Electric - Pa. P.U.C. No. 26, the electric
utility rate filing of Philadelphia Electric Company filed
with the Commission on or about September 26, 1985, in
PUC v. Philadelphia Electric Company, Docket No. R-850152,
has proposed rates which are not fair and resonable and,
in particular, which do not track the intra-class costs
of service and discriminate fairly among types of users
to the harm and detriment of members of the (More Space On Back)

For Commission Use Only:
 DATE FILED ___/___/___ MONITOR _____ BUREAU _____

(If You Need More Space Attach Paper)

4. WHAT DO YOU WANT US TO DO?

Suspend and investigate the Philadelphia Electric Company
rate filing. Permit the Pennsylvania Food Merchants Association
to take part in all hearings which the Company may hold as
a result of the rate increase filing, and set rates which
are fair and reasonable to members of the Association.

(If You Need More Space Attach Paper)

YOU MUST SIGN HERE →

David L. McCorkle

Signature of complainant or
attorney for corporate complainant

David L. McCorkle

PUT TODAY'S DATE HERE →

December 5, 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 Edward S. Wardell and Constance B. Foster
Dilworth, Paxson, Kalish & Kauffman
Street 2600 The Fidelity Building
City Philadelphia State PA Zip 19109-1094
Telephone Number-Area Code (215) 875-7000



United
States
Steel
Corporation

ORIGINAL

LAW DEPARTMENT

600 GRANT STREET
PITTSBURGH, PENNSYLVANIA 15230
CABLE: USSCOLAW PGHPA
(412) 433-2890

RECEIVED

DEC 19 1985
SECRETARY'S OFFICE
Public Utility Commission

December 17, 1985

Jerry Rich, Secretary
Pennsylvania Public Utility
Commission
Box 3265
Harrisburg, PA 17120

RE: Philadelphia Electric Company
Tariff Electric -- Pa. P.U.C.
No. 26, Supplement No. 15

R-850152C013

Dear Mr. Rich:

Enclosed are an original and three copies of a Complaint on behalf of United States Steel Corporation against Tariff Electric--Pa. P.U.C. 26, Supplement No. 15. Copies of the Complaint have been served upon Philadelphia Electric Company and its counsel.

Please acknowledge receipt by returning the duplicate copy of this letter in the enclosed self-addressed envelope.

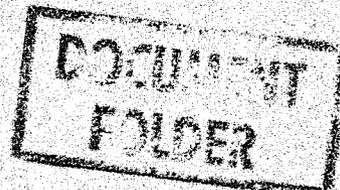
Very truly yours,


Kenneth R. Pepperney

KRP:k1m

Encl.

cc: Hon. Joseph Matuschak
John H. Austin, Jr.
Walter R. Hall, II, Esq.



RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DEC 19 1985
SECRETARY'S OFFICE
Public Utility Commission

UNITED STATES STEEL)
CORPORATION,)
)
Complainant)
)
v.)
)
PHILADELPHIA ELECTRIC COMPANY)
)
Respondent)

Docket No. R-850152C013

DOCKETED
DOCKET
DEC 23 1985

DOCKET
FOLDER

COMPLAINT

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. Complainant is Unted States Steel Corporation ("USS"), a corporation, with its principal place of business at 600 Grant Street, Pittsburgh, Pennsylvania 15230.
2. Complainant's attorneys are Wayne L. Emery, Kenneth R. Pepperney and Rafael Caminero, Law Department, United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15230.
3. Respondent utility is Philadelphia Electric Company, with its principal office at 2301 Market Street, Philadelphia, PA 19101.
4. This Complaint is directed against the rates contained in Tariff Electric--Pa. P.U.C. No. 26, Supplement 15, issued September 27, 1985, to become effective November 27, 1985.

5. Complainant is a steel manufacturer and a substantial customer of Respondent. Complainant purchases large volumes of electricity from Respondent under Rate HT for use at its Fairless Works located in Fairless Hills, Pennsylvania.

6. Respondent proposes to implement a major increase by the application of the rates, terms and conditions proposed by Tariff Electric--Pa. P.U.C. No. 26, Supplement 15, which will result in significant increases to Complainant's electricity energy cost.

7. If permitted to become effective, Tariff Electric-- Pa. P.U.C. No. 26, Supplement 15, will substantially increase Complainant's costs for electricity at its Fairless Works.

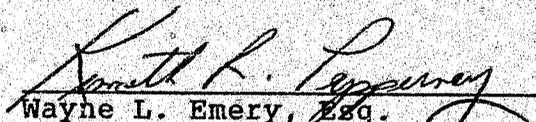
8. Without limiting the generality of this Complaint as to all issues relevant to a determination of the reasonableness and lawfulness under applicable law of the charges proposed in Tariff Electric--Pa. P.U.C. No. 26, Supplement 15, Complainant alleges that:

- A. The proposed rates may be unreasonably discriminatory as between customers in different rate classification, and among customers in the same rate classifications, to the prejudice and disadvantage of Complainant, in violation of Section 1304 of the Public Utility Code (66 Pa. C.S.A. §1304).
- B. The proposed rates may be unjust and unreasonable, in violation of Section 1301 of the Public Utility Code (66 Pa. C.S.S. §1301).

9. The relief sought in this Complaint is as follows:
- A. That the Commission entertain this Complaint;
 - B. That the Commission institute an investigation into, and enter upon a hearing concerning, the reasonableness and lawfulness of the rates and rules contained in Respondent's Tariff--Electric Pa. P.U.C. No. 26, Supplement 15.

WHEREFORE, Complainant prays that Respondent may be required to answer the above allegations and that, upo final hearing, the Commission will enter such order as is appropriate.

Respectfully submitted,


Wayne L. Emery, Esq.
Kenneth R. Pepperney, Esq.
Rafael Caminero, Esq.
600 Grant Street, Room 1580
Pittsburgh, PAA 15230
(412) 433-2898/2890/2967

Attorneys for Complainant
United States Steel Corporation

DATED: December 17, 1985

CERTIFICATE OF SERVICE

I hereby certify that I have this day served copies of the foregoing document upon Philadelphia Electric Company and its attorneys by mailing the same to them by first class mail, properly addressed with postage prepaid.

Dated this 17th day of December, 1985.


Kenneth L. Pepperney, Esq.
600 Grant Street - Room 1580
Pittsburgh, PA 15230

One of the attorneys for
UNITED STATES STEEL CORPORATION



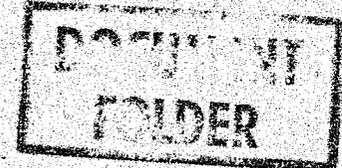
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

December 20, 1985

IN REPLY PLEASE
REFER TO OUR FILE

R-850152C013

William E. Zeiter, Esq.
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 Steel Corporation (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.

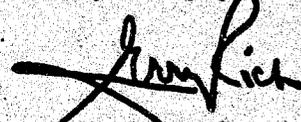
AN ADMINISTRATIVE LAW JUDGE MAY REVOKE OR SUSPEND ANY CERTIFICATE OR PERMIT HELD BY YOU, OR IMPOSE A FINE, OR ANY OTHER APPROPRIATE PENALTY OR REMEDY AUTHORIZED BY THE PUBLIC UTILITY CODE. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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 Steel Corporation

Complaint Docket
No. R-850152C013

Philadelphia Electric Company

... (mirrored text from reverse side) ...

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

DEC 26 1985

Mr. William E. Zeiter

TAKE NOTICE:

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.

2. 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.

Registered Mail
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.

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.

2/20/85
(SEAL)

Jerry Rich
Jerry Rich
Secretary

Certified Mail
Return Receipt Requested
JEP:ahn

WASHINGTON
NEW YORK
LOS ANGELES

MORGAN, LEWIS & BOCKIUS

COUNSELORS AT LAW
2000 ONE LOGAN SQUARE
PHILADELPHIA, PENNSYLVANIA 19103
TELEPHONE: (215) 963-5000
CABLE ADDRESS: MORLEBOCK
TELEX: 83-1315

MIAMI
HARRISBURG
LONDON

WILLIAM E. ZEITER
DIAL DIRECT (215) 963-5367

RECEIVED

DEC 24 1985

SECRETARY'S OFFICE
Public Utility Commission

December 20, 1985

Secretary Jerry Rich
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

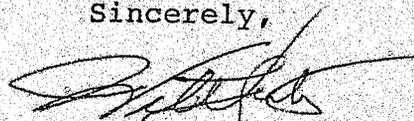
Re: (SAGE) Senior Action Group Endeavor v.
Philadelphia Electric Company
Docket No. R-850152C010

Dear Secretary Rich:

Enclosed are an original and two copies of an Answer filed on behalf of the Philadelphia Electric Company in the above-captioned docket.

By the enclosed Certificate of Service I certify that I am this day serving copies of the enclosed Answer on Complainant.

Sincerely,



William E. Zeiter
Counsel for Philadelphia
Electric Company

ddq
Enclosure

cc: Nancy Schuster, Esquire

RECEIVED

DEC 24 1985

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE
Public Utility Commission

(SAGE) SENIOR ACTION GROUP ENDEAVOR :
V. :
PHILADELPHIA ELECTRIC COMPANY. :
: Docket No. R-850152C010
:

ANSWER

NOW COMES the Respondent, Philadelphia Electric Company (the "Company"), by its attorneys, and answers the Complaint of (SAGE) Senior Action Group Endeavor as follows:

1.-2. Admitted.

3. Admitted in part and denied in part as follows:

(a) Admitted.

(b) The Company lacks sufficient knowledge and information to admit or deny the averments of Paragraph 3(b) and demands strict proof thereof at any hearing thereon.

(c) Denied. In further answer, the Company avers that the rates proposed in Supplement No. 15 are just, reasonable, non-discriminatory and lawful under the Pennsylvania Public Utility Code.

4. For the reasons stated in answer to Paragraphs 3(b) and 3(c) above, the Company denies that the Complainant

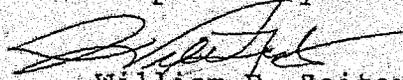
DEC 27 1985

DEC 27 1985

or any member thereof is entitled to the relief requested.

WHEREFORE, for the foregoing reasons, the Complaint of (SAGE) Senior Action Group Endeavor should be dismissed.

Respectfully submitted,



William E. Zeiter
Counsel for
Philadelphia Electric Company

OF COUNSEL:

Edward G. Bauer, Jr., Esquire
Vice President & General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, PA 19101

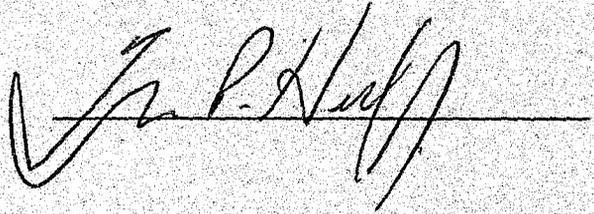
Robert H. Young
J. H. Calvert, Jr.
Walter R. Hall
Frederick H. Knight
David B. MacGregor
MORGAN, LEWIS & BOCKIUS
2000 One Logan Square
Philadelphia, PA 19103

DATE: December 20, 1985

VERIFICATION

THOMAS P. HILL, JR., as provided by 52 Pa. Code §1.36(a) and (d), affirms under the penalties provided for in 18 Pa. Code §4904 that he is Assistant Manager, Rate Division of the Philadelphia Electric Company, that he is duly authorized to make this verification, that the facts set forth in the attached Answer are true and correct to the best of his knowledge, information and belief, and that he expects Philadelphia Electric Company to be able to prove the same at any hearing thereon.

DATE: December 19, 1985



CERTIFICATE OF SERVICE

I hereby certify that I have caused copies of the Philadelphia Electric Company's Answer to the Complaint of (SAGE) Senior Action Group Endeavor filed on December 20, 1985 to be served by first class mail, postage prepaid on all active parties in the Limerick No. I Rate Proceeding at Docket No. R-850152C010.

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
New Filing Section
Secretary's Bureau, Room B-18
North Office Building
Commonwealth and North Streets
Harrisburg, PA 17120

John Hanger, Esquire
Community Legal Services, Energy Project
3638 North Broad Street
Philadelphia, PA 19140

David M. Kleppinger, Esquire
100 Pine Street
Harrisburg, PA 17120

Zori G. Ferkin, Esquire
Governor's Energy Council
P.O. Box 8010
300 N. 2nd Street
Harrisburg, PA 17105

Scott Rubin, Esquire
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, PA 17120

Mildred E. V. Pitts, Esquire
Information Resources & Utilities Division
General Services Administration
Room 4002
18th and F Streets, N.W.
Washington, DC 20405

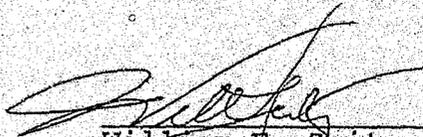
Charles E. Rainey, Jr., Esquire
Municipal Services Building
Law Department, 15th Floor
Philadelphia, PA 19102

Edward S. Wardell, Esquire
Constance B. Foster, Esquire
Dilworth, Paxson, Kalish & Kaufman
2600 The Fidelity Building
Philadelphia, PA 19109-1094

Nancy Schuster, Esquire
1 Pond Street
Bristol, PA 19007

Patricia M. Gustin
Pennsylvania Public Utility Commission
Room G-33
North Office Building
Harrisburg, PA 17108

Earle H. O'Donnell, Esquire
Merrill L. Kramer, Esquire
Sutherland, Asbill & Brennan
1666 K Street, N.W.
Washington, D.C. 20006-2803



William E. Zeiter
Counsel for Philadelphia
Electric Company

WASHINGTON
NEW YORK
LOS ANGELES

MORGAN, LEWIS & BOCKIUS

COUNSELORS AT LAW
2000 ONE LOGAN SQUARE
PHILADELPHIA, PENNSYLVANIA 19103
TELEPHONE: (215) 963-5000
CABLE ADDRESS: MORLEBOCK
TELEX: 83-1315

MIAMI
HARRISBURG
LONDON

WILLIAM E. ZEITER
DIAL DIRECT (215) 963-5367

RECEIVED

DEC 24 1985

SECRETARY'S OFFICE
Public Utility Commission

December 20, 1985

Secretary Jerry Rich
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Re: Temple University, et al. v. Philadelphia
Electric Company
Docket No. R-850152C011

Dear Secretary Rich:

Enclosed are an original and two copies of an Answer filed on behalf of the Philadelphia Electric Company in the above-captioned docket.

By the enclosed Certificate of Service I certify that I am this day serving copies of the enclosed Answer on Complainant.

Sincerely,



William E. Zeiter
Counsel for Philadelphia
Electric Company

ddg
Enclosure

cc: Stephen Bosch, Esquire

under the Pennsylvania Public Utility Code, the Company denies that any of the Complaints are entitled to the relief requested.

WHEREFORE, for the foregoing reasons, the Complaint of Temple University, et al. should be dismissed.

Respectfully submitted,



William E. Zeiter
Counsel for Philadelphia
Electric Company

OF COUNSEL:

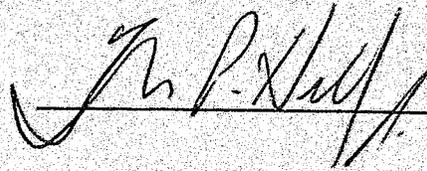
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Vice President & General Counsel
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Frederick H. Knight
David B. MacGregor
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2000 One Logan Square
Philadelphia, PA 19103

DATE: December 20, 1985

VERIFICATION

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A handwritten signature in cursive script, reading "T. P. Hill, Jr.", is written over a horizontal line.

DATE: December 19, 1985

CERTIFICATE OF SERVICE

I hereby certify that I have caused copies of the Philadelphia Electric Company's Answer to the Complaint of Temple University, et al. filed on December 20, 1985 to be served by first class mail, postage prepaid on all active parties in the Limerick No. I Rate Proceeding at Docket No. R-850152C011.

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
New Filing Section
Secretary's Bureau, Room B-18
North Office Building
Commonwealth and North Streets
Harrisburg, PA 17120

John Hanger, Esquire
Community Legal Services, Energy Project
3638 North Broad Street
Philadelphia, PA 19140

David M. Kleppinger, Esquire
100 Pine Street
Harrisburg, PA 17120

Zori G. Ferkin, Esquire
Governor's Energy Council
P.O. Box 8010
300 N. 2nd Street
Harrisburg, PA 17105

Scott Rubin, Esquire
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, PA 17120

Mildred E. V. Pitts, Esquire
Information Resources & Utilities Division
General Services Administration
Room 4002
18th and F Streets, N.W.
Washington, DC 20405

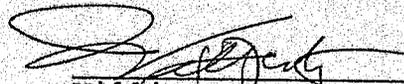
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Municipal Services Building
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Constance B. Foster, Esquire
Dilworth, Paxson, Kalish & Kaufman
2600 The Fidelity Building
Philadelphia, PA 19109-1094

Nancy Schuster, Esquire
1 Pond Street
Bristol, PA 19007

Patricia M. Gustin
Pennsylvania Public Utility Commission
Room G-33
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Earle H. O'Donnell, Esquire
Merrill L. Kramer, Esquire
Sutherland, Asbill & Brennan
1666 K Street, N.W.
Washington, D.C. 20006-2803



William E. Zeiter
Counsel for Philadelphia
Electric Company

MORGAN, LEWIS & BOCKIUS

WASHINGTON
NEW YORK
LOS ANGELES

COUNSELORS AT LAW
2000 ONE LOGAN SQUARE
PHILADELPHIA, PENNSYLVANIA 19103
TELEPHONE: (215) 963-5000
CABLE ADDRESS: MORLEBOCK
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WILLIAM E. ZEITER
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SECRETARY'S OFFICE
Public Utility Commission

December 20, 1985

Secretary Jerry Rich
Pennsylvania Public Utility Commission
P.O. Box 3265
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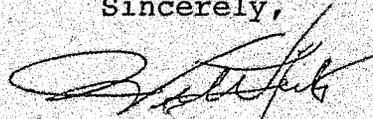
Re: Pennsylvania Food Merchants Association v.
Philadelphia Electric Company
Docket No. R-850152C012

Dear Secretary Rich:

Enclosed are an original and two copies of an Answer filed on behalf of the Philadelphia Electric Company in the above-captioned docket.

By the enclosed Certificate of Service I certify that I am this day serving copies of the enclosed Answer on Complainant.

Sincerely,



William E. Zeiter
Counsel for Philadelphia
Electric Company

ddg
Enclosure

cc: Edward S. Wardell, Esquire

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION DEC 24 1985

PENNSYLVANIA FOOD
MERCHANTS ASSOCIATION

SECRETARY'S OFFICE
Public Utility Commission

V.

Docket No. R-850152C012

PHILADELPHIA ELECTRIC COMPANY

ANSWER

DEC 27 1985

NOW COMES the Respondent, Philadelphia Electric Company (the "Company"), by its attorneys, and answers the Complaint of Pennsylvania Food Merchants Association as follows:

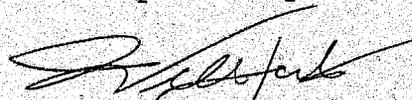
- 1.-2. Admitted.
3. Denied. The Company lacks sufficient knowledge and information to admit or deny whether the Complainant or any of its members are customers of the Company or whether the Complainant is authorized to represent its alleged members in this proceeding, and demands strict proof thereof at any hearing thereon. The Company denies the averments of the second sentence of Paragraph 3 and avers that the rates proposed by Supplement No. 15 are just, reasonable, non-discriminatory and lawful under the Pennsylvania Public Utility Code. The Company further avers that the requested revenue increase has been distributed uniformly among customer classes based upon class revenue contributions including fuel costs except that those classes (OP, SLP and SLS) whose return was above 140% of the system average at present rates received a zero increase, and the Residential Heating class received an increase which maintained its 116% index of relative return

to the class average. This allocation of the increase places all major classes of service within 25% of the system average return and moves all classes toward system average, except R and RH which remain constant.

4. For the reasons stated in answer to Paragraph 3, the Company denies that the Complainant is entitled to any relief other than the establishment of the rates proposed in Supplement No. 15 which are just, reasonable, nondiscriminatory and lawful under the Pennsylvania Public Utility Code.

WHEREFORE, for the foregoing reasons, the Complaint of the Pennsylvania Food Merchants Association should be dismissed.

Respectfully submitted,



William E. Zeiter
Counsel for Philadelphia
Electric Company

OF COUNSEL:

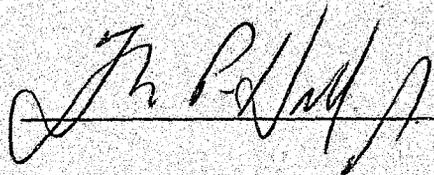
Edward G. Bauer, Jr., Esquire
Vice President & General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, PA 19101

Robert H. Young
J. H. Calvert
Frederick H. Knight
David B. MacGregor
MORGAN, LEWIS & BOCKIUS
2000 One Logan Square
Philadelphia, PA 19103

DATE: December 20, 1985

VERIFICATION

THOMAS P. HILL, JR., as provided by 52 Pa. Code §1.36(a) and (d), affirms under the penalties provided for in 18 Pa. Code §4904 that he is Assistant Manager, Rate Division of the Philadelphia Electric Company, that he is duly authorized to make this verification, that the facts set forth in the attached Answer are true and correct to the best of his knowledge, information and belief, and that he expects Philadelphia Electric Company to be able to prove the same at any hearing thereon.



DATE: December 19, 1985

CERTIFICATE OF SERVICE

I hereby certify that I have caused copies of the Philadelphia Electric Company's Answer to the Complaint of Pennsylvania Food Merchants Association filed on December 20, 1985 to be served by first class mail, postage prepaid on all active parties in the Limerick No. I Rate Proceeding at Docket No. R-850152C012.

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
New Filing Section
Secretary's Bureau, Room B-18
North Office Building
Commonwealth and North Streets
Harrisburg, PA 17120

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Community Legal Services, Energy Project
3638 North Broad Street
Philadelphia, PA 19140

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Governor's Energy Council
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Washington, D.C. 20006-2803



William E. Zeiter
Counsel for Philadelphia
Electric Company

PENNSYLVANIA ENERGY RATEPAYERS COALITION

(215) 922-8960

December 19, 1985

RECEIVED

DEC 30 1985

**SECRETARY'S OFFICE
Public Utility Commission**

Mr. Jerry Rich, Secretary
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Dear Mr. Rich,

Enclosed please find our Complaint against the request for a rate increase by the Philadelphia Electric Company filed September 27.

Our attorney, Martha W. Bush, will participate in a limited fashion, due to limited funds of our organization.

However, we specifically request that all documents filed by all parties in this case be forwarded to our attorney as well as to our organizational address.

Thank you for your cooperation. Best wishes in the New Year,

Sincerely,

Kristin Dawkins
Kristin Dawkins
Director

**DOCUMENT
FOLDER**

PLEASE NOTE OUR
NEW ADDRESS

1217 SANSOM STREET
6th FLOOR
PHILADELPHIA, PA 19107