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BEFORE

OCT 30 1985

PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE
Public Utility Commission

For Commission Use Only:

COMPLAINT DOCKET NO. R-850152C003 REF. # _____ UTILITY CODE 110550

CONSUMERS EDUCATION & PROTECTIVE ASSOCIATION vs. PHILADELPHIA ELECTRIC COMPANY

DOCKETED

PLEASE PRINT:

DOCUMENT
FOLDER

OCT 31 1985

1. YOUR NAME, ADDRESS AND TELEPHONE NUMBER.

Name CONSUMERS EDUCATION AND PROTECTIVE ASSOCIATION, INTERNATIONAL, INC.

Street 6048 Ogontz Avenue

City Philadelphia

State PA

Zip 19141

County Philadelphia

Home Telephone-Area Code () N/A

Work Telephone-Area Code (x) 227-2400 (Attorney)

2. COMPANY YOU ARE COMPLAINING ABOUT.

Name Philadelphia Electric Company, 2301 Market Street, P.O. Box 8699
Philadelphia, PA. 19101

3. WHAT IS YOUR COMPLAINT (DESCRIBE PROBLEM).

(a) On September 27, 1985, the Philadelphia Electric Company (PECO) filed with this Commission Supplement No. 15 to Tariff Electric - PA. P.U.C. No. 26.

(b) Complainants CEPA, AASC, ACORN and PCIA, are organizations whose membership includes low-income and/or low-usage residential customers of the Philadelphia Electric Company. Complainant

Bradshaw is a residential electric ratepayer of PECO. As such, Complainants will be seriously harmed unless the Commission denies the increased electric rates requested by PECO in the above-referred filing.

(c) If implemented, PECO's filing would result in electric rates that are unjust and unreasonable. Such rates would also
(More Space On Back)

For Commission Use Only:
DATE FILED 10/30/85

MONITOR _____

BUREAU _____

ALJ _____

Paragraph 1 Continued

II.

Name: ACTION ALLIANCE OF SENIOR CITIZENS OF GREATER
PHILADELPHIA (AASC)
Address: 1015 Chestnut Street, Room 404
City: Philadelphia State: PA. Zip: 19107
County: Philadelphia Home Telephone: N/A
Work Telephone: 227-2400 (Attorney)

III.

Name: ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR
REFORM NOW (ACORN)
Address: 925 North Broad Street
City: Philadelphia State: PA. Zip: 19123
County: Philadelphia Home Telephone: N/A
Work Telephone: 227-2400 (Attorney)

IV.

Name: PHILADELPHIA CITIZENS IN ACTION (PCIA)
Address: 1729 W. Columbia Avenue
City: Philadelphia State: PA. Zip: 19121
County: Philadelphia Home Telephone: N/A
Work Telephone: 227-2400 (Attorney)

V.

Name: JAMES BRADSHAW
Address: 5739 Chew Avenue
City: Philadelphia State: PA. Zip: 19138
County: Philadelphia Home Telephone: N/A
Work Telephone: 227-2400 (Attorney)

... 1012 .2.0.2.7 ...
... BEFORE THE ...
... PENNSYLVANIA PUBLIC UTILITY COMMISSION ...
... the Administrative Law Judge is not limited to the ...
... the Commission ...

Consumers Education & Protective Association

Complaint Docket
No. R-850152C003

Philadelphia Electric Company

DOCUMENT
FOLDER

FORMAL COMPLAINT
NOTICE TO RESPONDENT
TO ANSWER OR SATISFY

DOCKETED
NOV 5 1985

To: **William E. Zeiter, Esquire**

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, 46 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

Certified 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.

10/31/85

(SEAL)

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WASHINGTON
NEW YORK
LOS ANGELES

MORGAN, LEWIS & BOCKIUS

COUNSELORS AT LAW
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

November 6, 1985

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NOV 6 1985

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

SECRETARY'S OFFICE
Public Utility Commission

Re: Consumers Education and Protective Association
International, Inc., et al. v. Philadelphia
Electric Company
Docket No. R-850152C003

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.

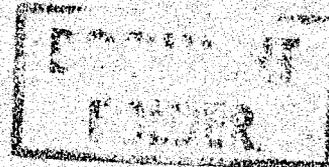
Sincerely,



William E. Zeiter
Counsel for Philadelphia
Electric Company

ddg
Enclosure

cc: Janet Parrish, Esquire



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION



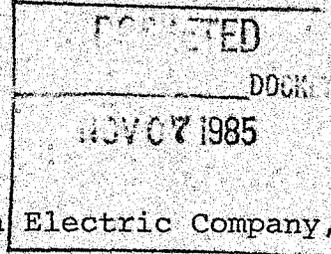
CONSUMERS EDUCATION AND :
PROTECTIVE ASSOCIATION :
INTERNATIONAL, INC., :
ET AL., :
Complainants :
v. :
PHILADELPHIA ELECTRIC COMPANY, :
Respondent :

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SECRETARY'S OFFICE
Public Utility Commission

Docket No. R-850152C003



ANSWER

NOW COMES the Respondent, Philadelphia Electric Company, ("PECO" or the "Company"), by its Attorneys, and answers the Complaint of Consumers Education and Protective Association International, Inc. ("CEPA"), Action Alliance of Senior Citizens of Greater Philadelphia ("AASC"), Association of Community Organizations for Reform Now ("ACORN"), Philadelphia Citizens in Action ("PCIA"), and James Bradshaw as follows:

- 1.-2. Admitted.
- 3. (a) Admitted.

(b) PECO lacks sufficient knowledge and information to admit or deny the averments of the first sentence of Paragraph 3(b) and demands strict proof thereof at any hearing thereon. The averments that Complainant James Bradshaw of 5739 Chew Avenue, Philadelphia, PA 19138, is a residential rate payer of PECO are admitted. PECO lacks sufficient knowledge and information to admit or deny the allegations of the third sentence

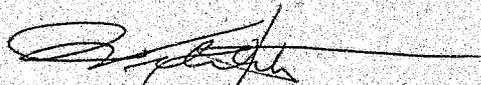
of Paragraph 3(b) as they relate to the impact of the rates proposed in Supplement No. 15 and demands strict proof thereof at any hearing thereon.

(c) Denied. In further answer, PECO 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, PECO denies that any of the Complainants are entitled to the relief requested.

WHEREFORE, for the foregoing reasons, the Complaint of CEPA, AASC, ACORN, PCIA and James Bradshaw should be dismissed.

Respectfully submitted,



William E. Zeiter
Counsel for
Philadelphia Electric Company

OF COUNSEL

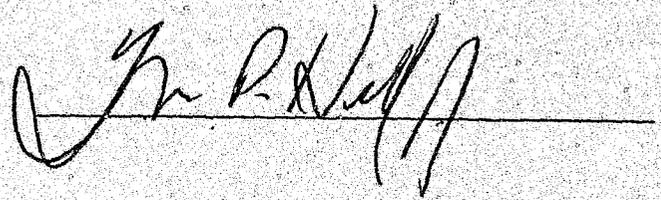
Edward G. Bauer, Jr., Esquire
Vice President & General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, PA 19101

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

DATE: November 6, 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.

A handwritten signature in dark ink, appearing to read "Tom P. Hill, Jr.", is written over a horizontal line. The signature is stylized and cursive.

DATE: November 4, 1985

CERTIFICATE OF SERVICE

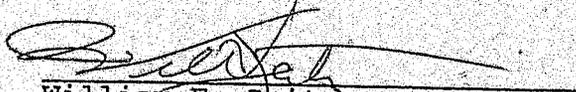
I hereby certify that I have caused copies of the Philadelphia Electric Company's Answer to the Complaint of Consumers Education and Protective Association International, Inc., et al. filed on November 6, 1985 to be served by first class mail, postage prepaid on all active parties in the Limerick Unit No. I Rate Proceeding at Docket No. R-850152C003.

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

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

David M. Kleppinger, Esquire
100 Pine Street
Harrisburg, PA 17108-1166

Irwin A. Popowsky, Esquire
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, PA 17120


William E. Zeiter
Counsel for Philadelphia
Electric Company



November 18, 1985

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

Re: United States General Services Administration
v.
Philadelphia Electric Company
Docket No. R-850152 C004

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NOV 19 1985
SECRETARY'S OFFICE
Public Utility Commission

Dear Mr. Rich:

Enclosed for filing with the Commission are an original and three (3) copies of the Complaint of the General Services Administration (GSA) concerning Philadelphia Electric Company's tariff filing dated September 27, 1985.

An extra copy of our Complaint is enclosed. Please stamp this as received and return to me in the enclosed self-addressed envelope.

If any questions arise with respect to this filing, please contact me at (202) 566-1156. Thank you.

Sincerely,

Mildred E. V. Pitts

MILDRED E. V. PITTS
Senior Trial Attorney

Enclosures

cc: Honorable Joseph P. Matuschak
Administrative Law Judge

All Parties

**DOCUMENT
FOLDER**

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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOV 19 1985
SECRETARY'S OFFICE
Public Utility Commission

United States General Services Administration)
)
 v.)
)
Philadelphia Electric Company)

Docket No. R-850152 c004

FORMAL COMPLAINT OF THE
UNITED STATES GENERAL SERVICES ADMINISTRATION
AND PETITION FOR LEAVE TO INTERVENE

The United States General Services Administration (GSA), pursuant to 52 Pa. Code §5.21 et seq., Rules of Administrative Practice and Procedure, and acting on behalf of the executive agencies of the Federal Government, hereby complains against the Philadelphia Electric Company and respectfully petitions for leave to intervene in the Commission investigation at Docket No. R-850152. The following is offered in support of this Complaint.

1. The name and address of complainant is: United States General Services Administration, 18th & F Streets, N.W., Washington, D.C. 20405. GSA is authorized to represent the consumer interests of the executive agencies of the United States Government before this Commission by Section 201(a)(4) of the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. section 481(a)(4).

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NOV 20 1985

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NOV 20 1985

2. The name and address of Complainant's attorneys designated to receive service on behalf of GSA in this proceeding are:

Mildred E. V. Pitts, Esquire
General Services Administration (LK)
18th & F Streets N.W. - Room 4002
Washington, D.C. 20405
(Tel. 202-566-1156)

Michael J. Ettner, Esquire
General Services Administration (LK)
18th & F Streets N.W. - Room 4002
Washington, D.C. 20405
(Tel. 202-566-1156)

3. Respondent is: Philadelphia Electric Company.

4. Complainant GSA hereby complains of Philadelphia Electric Company's tariff filing with the Commission on September 27, 1985, designed to increase electricity rates by \$670.7 million, a 28.290 increase being implemented over a three-year period. GSA estimates the total impact of Respondent's proposed increase on Federal customers to be \$2.8 million. After an initial review of Respondent's filing, GSA believes that the requested higher rates are based upon a cost of service which includes items of questionable validity.

5. Complainant GSA requests that the Commission: (a) suspend effectiveness of Respondent's tariff revisions if such suspension has not already occurred; (b) require Respondent to prove the alleged need for rate relief; (c) hold hearings concerning the lawfulness of the proposed rates and give Complainant notice of all such hearings; (d) permit Complainant to appear at the taking of testimony and to participate in cross-examination of witnesses; and (e) permit

Complainant to produce witnesses on its own behalf and be heard on brief and in oral argument, and in all other respects be accorded full rights of participation in the Commission's investigation at Docket No. R-850152.

Dated at Washington, D.C. this 18th day of November, 1985.

Respectfully submitted,

TERENCE C. GOLDEN
Administrator of General Services

ALLIE B. LATIMER
General Counsel

WILLIAM F. SULLIVAN
Commissioner, Public Buildings Service

CHARLES V. CURCIO
Assistant General Counsel

By *Charles V. Curcio*
for CHARLES V. CURCIO

MILDRED E. V. PITTS
Senior Trial Attorney

By *Mildred E. V. Pitts*
MILDRED E. V. PITTS

GENERAL SERVICES ADMINISTRATION
Office of General Counsel
LK - Room 4002
18th & F Streets N.W.
Washington, D.C. 20405
(202) 566-1156

CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utilities Commission, et al.

v.
Philadelphia Electric Company
Docket No. R-850152

I hereby certify that I am, this 18th day of November, 1984 serving either by special messenger or by first-class mail, the foregoing document, Formal Complaint of the United States General Services Administration and Petition for Leave to Intervene, upon the persons listed below:

Honorable Joseph P. Matuschak
Administrative Law Judge
Pennsylvania Public Utility Commission
97 E. Main Street
Uniontown, Pennsylvania 15401

Walter R. Hall, II, Esquire
David B. MacGregor, Esquire
Robert H. Young, Esquire
Morgan, Lewis & Bockius
2000 One Logan Square
Philadelphia, Pennsylvania 19103

David M. Kleppinger, Esquire
Edward J. Riehl, Esquire
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, Pennsylvania 17108

Zori G. Ferkin, Esquire
Governor's Energy Counsel
P.O. Box 8010
Harrisburg, Pennsylvania 17105

Marlene R. Chestnut, Esquire
Assistant Counsel
Veronica A. Smith, Esquire
Daniel Delaney, Esquire
Office of Staff Counsel
Pennsylvania Public Utility Commission
North Office Building, Room G19
Harrisburg, Pennsylvania 17120

Irwin A. Popowsky
Scott J. Rubin, Esquire
David Wersan, Esquire
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, Pennsylvania 17120

Janet Parrish, Esquire
Community Legal Service
Energy Project
3638 N. Broad Street
Philadelphia, Pennsylvania 19140

Mildred E. V. Pitts
MILDRED E. V. PITTS

AFFIDAVIT

DISTRICT OF COLUMBIA
CITY OF WASHINGTON

)
)
)

SS:

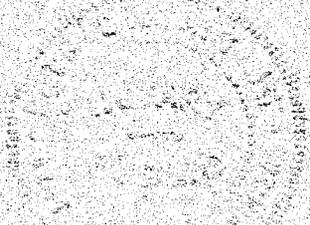
Mildred E. V. Pitts, being duly sworn (affirmed) according to law, deposes and says that she is an attorney for the U.S. General Services Administration; that she is authorized and does make this affidavit for it; and that the facts set forth above are true and correct to the best of her knowledge, information and belief, and she expects the said U.S. General Services Administration to be able to prove the same at the hearing hereof.

Mildred E. V. Pitts
MILDRED E. V. PITTS

Sworn and subscribed before me this 18th day of November, 1985.

My Commissions expires January 14, 1987.

Patricia A. King
Notary Public





CITY OF PHILADELPHIA

LAW DEPARTMENT
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

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

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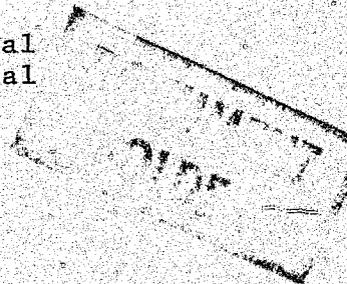
NOV 21 1985

**SECRETARY'S OFFICE
Public Utility Commission**

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