



August 24, 2021

Via e filing

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

**Re: Preliminary Objection of Denise Eubanks
Eubanks v. PECO, C-2021-3025997**

Dear Secretary Chiavetta,

Please find enclosed the Preliminary Objection of Denise Eubanks to the Second Amended Answer of PECO Energy Company, with attached Exhibits.

A copy is being served upon counsel for PECO, pursuant to the attached Certificate of Service. Please contact me with any questions or concerns. I can be reached at (215) 981-3756 or by email at jprice@clsphila.org.

Respectfully submitted,

Joline R. Price, Esquire

Enclosure

Cc: Service List
Administrative Law Judge Darlene Heep (via email to dheep@pa.gov;
sdelvillar@pa.gov).

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. C-2021-3025997
	:	
PECO Energy Company	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the Preliminary Objection of Denise Eubanks to the Second Amended Answer of PECO Energy Company upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

Via Email Only

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August 24, 2021

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**BEFORE THE
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Denise Eubanks	:	
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Respondent	:	

NOTICE TO PLEAD

TO: Khadijah Scott, Esq.	Angela Lorenz, Esq.
PECO Energy Company	Griesing Law LLC
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Khadijah.scott@exeloncorp.com	alorenz@griesinglaw.com

Pursuant to 52 Pa. Code § 5.101(b), you are hereby notified that, if you do not file a written response to the attached Preliminary Objections within ten (10) days from service of this notice, the facts set forth by Complainant in the Preliminary Objections may be deemed to be true, thereby requiring no other proof. All pleadings, such as an Answer to the attached Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Complainant.

Joline R. Price, Esquire (Attorney ID: 315405)
Josie B. H. Pickens, Esquire (Attorney ID: 309422)
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Dated August 24, 2021

**BEFORE THE
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**PRELIMINARY OBJECTIONS OF DENISE EUBANKS
TO THE SECOND AMENDED ANSWER OF PECO ENERGY COMPANY**

Complainant, Denise Eubanks, pursuant to 52 Pa. Code §5.101, submits this preliminary objection to the Second Amended Answer of PECO Energy Company.

Introduction

1. Complainant filed a Formal Complaint against PECO on May 21, 2021, alleging that PECO improperly calculated her Customer Assistance Program Fixed Credit Option (CAP FCO) while enrolled in PECO’s Customer Assistance Program, in violation of PECO’s Universal Service and Energy Conservation Plan (“USECP”). See Exhibit A.
2. PECO filed its Answer to the Formal Complaint on June 10, 2021. See Exhibit B.
3. Complainant filed Preliminary Objections to that Answer on June 21, 2021. See Exhibit C.
4. PECO filed an Amended Answer to the Formal Complaint on July 6, 2021. See Exhibit D.
5. Complainant filed a Preliminary Objection to the Amended Answer on July 26, 2021. See Exhibit E.
6. PECO filed a Second Amended Answer to the Formal Complaint on August 4, 2021. See Exhibit F.
7. On August 20, 2021, Administrative Law Judge Darlene Heep dismissed Complainant’s July 26, 2021 Preliminary Objection as moot, due to PECO’s filing of a Second Amended Answer.

8. The Commission’s rules of administrative practice and procedure permit a party to file preliminary objections based on limited grounds including, as relevant here, the “insufficient specificity of a pleading,” and the “failure of a pleading to conform to this chapter.” 52 Pa. Code §5.101(a)(2)-(3).
9. PECO’s Second Amended Answer fails to conform to the pleading requirements imposed by Chapter 5 of the Commission’s Regulations, which governs formal proceedings, because it sets forth a series of factual statements within the Amended Answer’s numbered paragraphs that are not responsive to the specific facts pled in those numbered paragraphs of the Complaint.

Preliminary Objection I – Failure to Satisfy Pleading Requirements

10. Paragraphs 1 through 9 are incorporated herein by reference.
11. Section 5.61(b) of the Commission’s Regulations governs the form of an answer to a formal complaint and provides as follows:

- (b) *Form of answers to complaints.* The answer must be in writing and:
- (1) Set forth in paragraphs numbered to correspond with the complaint.
 - (2) Advise the parties and the Commission as to the nature of the defense.
 - (3) Admit or deny specifically all material allegations of the complaint.
 - (4) State concisely the facts and matters of law relied upon.
 - (5) Include a copy of a document, or the material part of a document when relied upon in the answer. If the writing or a copy is not available, the answer must set forth that the document is not available and the reason, and set forth the substance of the document.

52 Pa. Code § 5.61(b).

12. Section 5.62(b) of the Commission’s Regulations governs the presentation of “new matter” in a party’s answer and provides as follows:

- (b) *Answers raising new matter.* An affirmative defense shall be pleaded in an answer or other responsive pleading under the heading of “New Matter.” A party

may set forth as new matter another material fact which is not merely a denial of the averments of the preceding pleading.

52 Pa. Code §5.62(b).

13. In paragraphs 30 and 31, Complainant alleged as follows:

30. Over the course of her enrollment in CAP, Complainant was billed \$3,533.17 and received CAP Credits totaling \$1,455.00.

31. Since August 2019, Complainant has been billed for charges close to 22% of her reported income.

Complaint at ¶¶ 30-31.

14. In response to Paragraphs 30 and 31 of the Complaint, PECO states:

30-31. Admitted in part, Denied in part. PECO Energy admits that the Complainant was billed \$3,533.17 for the period of August 2019 through April 2021. It is specifically denied that Complainant received CAP credits totaling \$1,455.00. By way of further answer, it is specifically denied that Complainant's monthly income is \$783. PECO Energy's records indicate that Complainant's income is actually \$793 per month. It is specifically denied that Complainant was charged 22% of her reported income, as is stated in the Formal Complaint. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint.

In her Complaint, Complainant disputes the calculation of PECO's Customer Assistance Program – Fixed Credit Option ("CAP-FCO") program and requests that PECO provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. Complainant also requests forgiveness of any additional arrearages as appropriate.

PECO's records indicate that the Complainant has electric service at 871 N. 41st Street, 1st Floor, Philadelphia, PA 19104 under account number 03331-22179. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant was enrolled in the program on July 26, 2019. The CAP-FCO notification requirements and program announcement are set forth under 52 Pa. Code §58.9, et. seq. Consistent with the program requirements, 16% for electric heat, the company calculated the Complainant's annual energy burden at \$1,453.63 based on a monthly income of \$757.00 for one adult. In order to determine this, the Complainant's energy burden is subtracted from the undiscounted amount that the Complainant spent for service over the past 12 months. The difference is the Complainant's annual CAP credit. This amount is then divided into 12 credits

which are applied to the Complainant's bill each month. The amount of the credit will vary based on the Complainant's historic usage, but total credit for the year would not exceed the Complainant's annual CAP credit.

Under the CAP-FCO program, a customer may receive a monthly credit to their bill based upon their income and their historical usage. At the time of CAP enrollment in 2019, PECO Energy did not have 12 previous months of data for this specific Complainant and premise combination. The next default usage is to use the premise usage from a previous customer, which was available.

Every quarter the oldest quarter of data is rolled off and the most recent quarter is added. In June 2020, as the quarters began to roll off and Complainant had actual usage at the premises, the Complainant obtained an FCO. At the most recent assessment in March 2021, the Annual Spend was \$2,683.96 and the Affordable Burden was \$1,522.56. The annual FCO was then calculated to be \$1,161.40. Complainant did qualify for a LIHEAP Crisis Grant and was given a Payment Arrangement in July 2020. (See Exhibit "1".)

The customer was charged the \$30.00 minimum from June 2020 to November 2020. Any credit that was not used for those bills went towards the Complainant's subsequent bills.

The Complainant's outstanding balance is \$341.24. See Exhibit "1".

Second Amended Answer at ¶¶ 30-31.

15. Paragraphs 30 and 31 of PECO's Second Amended Answer do contain specific denials of the facts asserted in the Complaint at paragraphs 30 and 31. However, PECO's response in paragraphs 30 and 31 of its Second Amended Answer also includes a number of factual assertions that should properly be set forth in new matter.¹

16. In paragraphs 57 through 61, Complainant stated as follows:

57. Over the course of her enrollment in CAP, PECO has failed to appropriately calculate Complainant's FCO credit. Complainant's FCO Credit did not reduce her bill to an appropriate energy burden.

¹ Several of the factual statements included in this response are either incorrect or confuse the facts. For example, PECO's Second Amended Answer includes a citation to regulations regarding the Low Income Usage Reduction Program (LIURP), which is not at issue here. In addition, the description of how PECO's CAP FCO operates is not entirely correct based on the language in PECO's Universal Service and Energy Conservation Plan. Complainant has a right to respond to these assertions.

58. PECO refused to provide Complainant with an additional bill credit upon request.

59. As such, PECO violated its USECP by failing to provide Complainant with a credit appropriate for her usage and income level.

60. While a participant in PECO's CAP FCO, Complainant was unable to afford her electric service bills.

61. Despite being unable to afford her electric bills, Complainant paid \$3,387.21 towards those bills, using money that could have been put towards other expenses.

Complaint at ¶¶ 57-61.

17. In response to paragraphs 57 through 61 of the Complaint, PECO states:

57-61. Denied. *See* Response to Paragraphs 30-31. By way of further Answer, all financial information is reported to PECO Energy by Complainant. PECO Energy has no other way of knowing what other bills Complainant may or may not have.

Second Amended Answer at ¶¶ 57-61.

18. PECO's response to paragraphs 57 through 61 of the Complaint contains a general denial which is legally insufficient because it does not specifically deny the material allegations of the Complaint. Furthermore, PECO's response to paragraphs 57 through 60 of the Complaint incorporates, by reference, the response to paragraphs 30 and 31, which, as set forth above, improperly includes a number of factual assertions that should be set forth as new matter.

19. Notwithstanding the clear requirements of Section 5.61(b) and 5.62(b) of the Commission's regulations, PECO's Answer includes, in response to paragraphs 30 and 31 of the Complaint, several paragraphs setting forth factual averments that are not responsive to the allegations contained in the Complaint. Answer at ¶¶ 30-31.

20. Those factual assertions, being nonresponsive to the allegations in the Complaint, appear

self-serving and intended to prejudice Complainant by impeding Complainant's ability to respond to factual statements which, if relevant to PECO's defense, must be set forth as "new matter" in order that Complainant may respond to them.

21. The Commission should not permit PECO to introduce new factual assertions in its Answer that are not responsive to the allegations in the Complaint unless properly set forth as "new matter." Accordingly, the Commission should strike the portions of PECO's responses to paragraphs 30 and 31 that follow the specific denials to the corresponding paragraphs in the Complaint. Alternatively, if the averments in PECO's paragraphs 30 and 31 are material to PECO's defense, they should be submitted in an amended answer, which properly sets forth those averments in numbered paragraphs as "new matter."

22. Notwithstanding the clear requirements of Section 5.61(b)(3) of the Commission's regulations, PECO's Answer includes, in response to paragraphs 57 through 61 of the Complaint, a general denial that fails to respond to the material allegations of the Complaint. Answer at ¶¶ 57-61.

23. Section 5.61(b)(3) is intended to avoid the guesswork of having to discern, from a general denial, what factual dispute actually exists between the parties to a formal complaint. Because PECO's response fails to specifically deny the material allegations of paragraphs 57 through 61 of the Complaint, the Commission should hold that PECO has admitted to the truthfulness of Complainant's allegations in those paragraphs.

WHEREFORE, for the reasons set forth above, Complainant respectfully requests that her Preliminary Objections to PECO's Second Amended Answer be granted.

Respectfully submitted,



Joline R. Price, Esquire (Attorney ID: 315405)
Robert W. Ballenger, Esquire (Attorney ID: 93434)
Josie B. H. Pickens, Esquire (Attorney ID: 309422)
Kintéshia S. Scott, Esquire (Attorney ID: 328600)

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**BEFORE THE
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Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. C-2021-3025997
PECO Energy Company	:	
Respondent	:	

VERIFICATION

I, Joline Price, hereby state that the facts set forth above in the Preliminary Objections of Denise Eubanks to the Amended Answer of PECO Energy Company, are true and correct and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).



Dated: August 24, 2021

Exhibit A:

Formal Complaint of Denise Eubanks against PECO Energy Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. F-
PECO Energy Company	:	
Respondent	:	

FORMAL COMPLAINT

I. Introduction

1. Complainant is Denise Eubanks.
2. Complainant resides at 871 N. 41st Street, Apt 1 Philadelphia, PA 19104.
3. Complainant’s mailing address is PO Box 34274 Philadelphia, PA 19101.
4. Complainant’s telephone number is (267) 703-9704.
5. Complainant is represented in this proceeding by:

Joline Price, Esq.
Josie Pickens, Esq.
Robert Ballenger, Esq.
Kintéshia Scott, Esq.

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6. Respondent is PECO Energy Company (PECO), an electric distribution company with main offices located at 2301 Market Street, Philadelphia, PA 19103.

7. Complainant is a residential heating customer of PECO at 871 N. 41st Street, Apt 1 Philadelphia, PA 19104. The account number is 03331-22179.
8. Complainant through counsel has attempted to resolve the issues raised in this complaint directly with PECO.
9. Complainant alleges that PECO has improperly calculated her Customer Assistance Program Fixed Credit Option (CAP FCO) while she has been enrolled in PECO's Customer Assistance Program, in violation of the terms of PECO's Universal Service and Energy Conservation Plan (USECP).
10. Complainant requests PECO to provide a credit that accounts for the difference between her billed amount and the amount she should have been billed based on the terms of PECO's USECP.
11. Complainant requests PECO to provide additional arrearage forgiveness as appropriate.

II. Factual Background

12. Complainant is a 63 year old African-American woman.
13. Complainant enrolled in PECO's Customer Assistance Program at her current address in August 2019.
14. Complainant's only income is Supplemental Security Income (SSI).
15. Complainant enrolled in CAP with a monthly income of \$783.
16. Complainant's income places her at 73% of the Federal Poverty Level (FPL).
17. Complainant is an electric heating customer and is on PECO's Rate RH for electric heating.
18. PECO's Universal Service and Energy Conservation Plan (USECP) contains the rules for how PECO's Customer Assistance Program (CAP) operates. See PECO Energy Company Universal Service and Energy Conservation Plan 2016 to 2018, submitted

February 17, 2017, Docket No. M-2015-2507139 (hereinafter USECP).¹

19. PECO's CAP provides a bill credit to provide CAP customers with an affordable bill, called the Fixed Credit Option or FCO credit.
20. PECO calculates FCO credits using an allowable energy burden, which is a percentage of income intended to be affordable for the customer.
21. PECO calculates a CAP customer's FCO credit to bring a customer's bill down to that specific percentage of income. USECP at 29-35.
22. When Complainant enrolled in CAP in August 2019, the allowable energy burden for an electric heating customer with income between 51% and 100% of FPL was 16% of income. USECP at 30-31.
23. By Order entered November 5, 2019, the PUC updated its CAP Policy Statement and lowered the energy burdens to between 6% and 10% of income. See 2019 Amendments to CAP Policy Statement, Docket No. M-2019-3012599, Final Policy Statement and Order (Nov. 5, 2019) (hereinafter CAP Policy Statement Order).
24. The updated CAP Policy Statement sets an allowable energy burden for an electric heating customer with income between 51% and 100% of FPL at 10% of income. CAP Policy Statement Order at 27, 29-30; 52 Pa. Code § 69.265(2)(i).
25. PECO's USECP states that "[i]f the Commission changes the energy burden ranges set forth in its Policy Statement, PECO will utilize the new maximum allowable energy burden for each poverty level." USECP at 30-31.
26. Starting in November 2019, the allowable energy burden for an electric heating customer with income between 51% and 100% of FPL was 10% of income.

¹ PECO's USECP is available at <http://www.puc.state.pa.us/pdocs/1510970.pdf>.

27. Sixteen percent of Complainant’s monthly reported income of \$783 is \$125.28 per month. This equates to \$1503.36 per year.

28. Ten percent of Complainant’s monthly reported income of \$783 is \$78.30 per month. This equates to \$939.60 per year.

29. Over the course of Complainant’s enrollment in CAP, Complainant’s bills and credits have been as follows. See PECO Bills August 2019 through April 2021, attached as Exhibit A.

Bill Date	Undiscounted Bill (Current Charges)	CAP Credit	Billed Amount for Current Period (Current Charges – CAP Credit)
August 21, 2019	\$38.34	\$0	\$38.34
September 20, 2019	\$36.86	\$0	\$36.86
October 21, 2019	\$134.63	\$0	\$134.63
November 19, 2019	\$301.49	\$0	\$301.49
December 20, 2019	\$403.10	\$12.73	\$390.37
January 24, 2020	\$485.58	\$15.16	\$470.42
February 24, 2020	\$380.63	\$15.52	\$365.11
March 24, 2020	\$294.63	\$85.78	\$208.85
April 22, 2020	\$244.09	\$63.00	\$181.09
May 21, 2020	\$211.75	\$37.12	\$174.63
June 22, 2020	\$80.17	\$50.17	\$30.00
July 22, 2020	\$71.64	\$41.64	\$30.00
August 20, 2020	\$45.16	\$15.16	\$30.00
September 21, 2020	\$62.14	\$32.14	\$30.00
October 21, 2020	\$142.92	\$112.92	\$30.00
November 19, 2020	\$202.90	\$172.90	\$30.00
December 22, 2020	\$365.69	\$168.78	\$196.91
January 25, 2021	\$433.39	\$182.93	\$250.46
February 23, 2021	\$464.60	\$187.27	\$277.33
March 24, 2021	\$347.34	\$150.93	\$196.41
April 22, 2021	\$241.12	\$110.85	\$130.27
	\$4,988.17	\$1,455.00	\$3,533.17

30. Over the course of her enrollment in CAP, Complainant was billed \$3,533.17 and received CAP Credits totaling \$1,455.00.
31. Since August 2019, Complainant has been billed for charges close to 22% of her reported income.²
32. PECO's USECP gives two reasons for why CAP customers might receive bills exceeding Commission energy burden guidelines: if the customer needs a credit higher than the maximum annual credit, or if the minimum bill of \$12 (for electric non-heat) or \$30 (for electric heat and dual commodity customers) is higher than the requisite percentage of income. USECP at 31 n.7.
33. Neither of these scenarios apply in the calculation of Complainant's FCO Credit.
34. On July 30, 2020, Complainant's representatives from Community Legal Services (CLS) reached out to PECO to initiate a dispute, alleging improper calculation of Complainant's CAP Credits above her allowable energy burden. See Email Correspondence between CLS and PECO at. 4 , attached as Exhibit B.
35. In their email to PECO, Complainant's representatives specifically requested that PECO provide a bill credit to bring Complainant's bill down to her allowable energy burden. Id.
36. After failing to receive a response from PECO to the July 30, 2020 email, Complainant's representative followed up with PECO regarding the status of the dispute on August 12, 2020. Id. at 3.
37. On August 14, 2020, a representative from PECO indicated that PECO was gathering information and running calculations and would respond with analysis on Complainant's account. Id.

² August 2019 through April 2020 is 21 months. Twenty months of Complainant's monthly reported income of \$783 is \$16,443.

38. On September 8, 2020, Complainant’s representative followed up with PECO regarding the status of the dispute. Id.
39. On September 11, 2020, a representative from PECO explained via email that Complainant’s initial CAP credit reassessments included premise usage for a previous customer and that beginning with Complainant’s next scheduled CAP credit reassessment CAP credits will be based only on Complainant’s usage. The PECO representative did not otherwise respond to Complainant’s dispute or respond to Complainant’s demand for a recalculation of CAP credits based on the allowable energy burden. Id. at 2.
40. On May 4th, 2021, Complainant’s representative contacted PECO and requested that PECO properly calculate Complainant’s FCO credit and provide her with a credit and any arrearage forgiveness that she would have earned had her FCO credit been properly calculated during the time she has been enrolled in the FCO. Id.
41. PECO’s has not approved Complainant’s request for recalculation of her FCO credit.
42. This Complaint is being filed pursuant to 66 Pa. C.S. § 701.

III. Count I – Failure to Provide an Affordable Bill

43. Paragraphs 1-42 of this Complaint are incorporated herein by reference.
44. The Electric Generation Customer Choice and Competition Act (Choice Act) require that the PUC must “at a minimum, continue the protections, policies and services that now assist customers who are low-income to afford electricity service.” 66 Pa. C.S. § 2802 (10).
45. In addition, the Commission must “ensure that universal service and energy conservation policies, activities and services are appropriately funded and available in each electric distribution service territory. . . . Programs under this paragraph shall be subject to the administrative oversight of the commission, which shall ensure that the programs are

operated in a cost-effective manner.” 66 Pa. C.S. § 2804(9).

46. The Choice Act defined universal service and energy conservation as follows:

Policies, protections and services that help low-income customers to maintain electric service. The term includes customer assistance programs, termination of service protections and policies and services that help low-income customers reduce or manage energy consumption in a cost-effective manner, such as the low-income usage reduction programs, application of renewable resources and consumer education.

66 Pa. C.S. § 2803.

47. The Commission’s CAP Policy Statement defines Customer Assistance Programs as

[A]lternatives to traditional collection methods for low income customers. Customers participating in CAPs agree to make monthly payments based on household size and gross household income. Customers make regular monthly payments, which may be for an amount that is less than the current tariff bill for utility service including pre-CAP arrearages, in exchange for continued provision of the service. Class A electric utilities and natural gas utilities with gross intrastate annual operating revenue in excess of \$40 million should adopt the guidelines in §§ 69.263-69.265 (relating to CAP development; scope of CAPs; and CAP design elements) implementing residential CAPs.

52 Pa. Code § 69.261.

48. The PUC’s CAP Policy Statement states that “[b]efore implementing, revising or expanding a CAP, a utility should file its CAP proposal to the Bureau of Consumer Services and on stakeholders from the utility’s most recent USECP proceeding. This will allow for staff review, comments, discovery, and revisions prior to Commission approval of design elements.” 52 Pa. Code § 69.263(c).

49. PUC regulation requires PECO as an Electric Distribution Company (EDC) to “submit to the Commission for approval an updated universal service and energy conservation plan every 3 years.” 52 Pa. Code §54.74.

50. PECO’s current Universal Service and Energy Conservation Plan (USECP) was first filed on October 1, 2015.

51. Following a final Commission Order on February 10, 2017, PECO filed its Universal Service and Energy Conservation Plan 2016 - 2018 on February 17, 2017.
52. PECO's 2016-2018 USECP remains in effect. See Universal Service and Energy Conservation Plan (USECP) Filing Schedule and Independent Evaluation Filing Schedule, Docket No. M-2019-3012601 (order entered Oct. 3, 2019) ("An existing USECP will remain in effect until a new one is approved and implemented.").
53. PECO's USECP provides that the allowable energy burden used to calculate a customer's fixed credit is based on the maximum energy burden in the Public Utility Commission's CAP Policy Statement. USECP at 30 n. 3.
54. At the time of enrollment in CAP, Complainant's affordable energy burden according to PECO's USECP was 16% of income, or \$125.28 per month and \$1,503.36 per year.
55. On November 5, 2019, the Commission updated its policy on affordable energy burdens, setting 10% of income as an affordable percentage of income for electric heating customers between 51% and 100% of FPL.
56. Ten percent of Complainant's reported income is \$78.30 per month and \$939.60 per year.
57. Over the course of her enrollment in CAP, PECO has failed to appropriately calculate Complainant's FCO credit. Complainant's FCO Credit did not reduce her bill to an appropriate energy burden.
58. PECO refused to provide Complainant with an additional bill credit upon request.
59. As such, PECO violated its USECP by failing to provide Complainant with a credit appropriate for her usage and income level.
60. While a participant in PECO's CAP FCO, Complainant was unable to afford her electric service bills.

61. Despite being unable to afford her electric bills, Complainant paid \$3,387.21 towards those bills, using money that could have been put towards other expenses.
62. While a participant in PECO's CAP FCO, Complainant received a shut off notice for nonpayment from PECO.
63. Complainant uses a nebulizer, which requires electricity to operate.
64. The receipt of PECO bills that she could not afford caused Complainant stress and emotional anguish.
65. PECO's failure to provide Complainant with a credit adequate to attain the Commission's maximum energy burden based on her income constitutes unreasonable service in violation of 66 Pa. C.S. § 1501.

IV. Count II – Failure to Update Complainant's Credit Following Commission Change to CAP Policy Statement

66. Paragraphs 1-65 of this Complaint are incorporated herein by reference.
67. PECO's USECP provides that the allowable energy burden that is used to calculate a customer's fixed credit is based on the maximum energy burden in the Public Utility Commission's CAP Policy Statement. USECP at 30 n. 3.
68. PECO's USECP states that "[i]f the Commission changes the energy burden ranges set forth in its Policy Statement, PECO will utilize the new maximum allowable energy burden for each poverty level." Id.
69. By Order entered November 5, 2019, the PUC updated its CAP Policy Statement and lowered the energy burdens to between 6% and 10% of income. See CAP Policy Statement Order.
70. Under the updated CAP Policy Statement, Complainant's allowable energy burden is 10% of income. See 52 Pa. Code Section 69.265 (2)(i)(C).

71. PECO has not updated its calculation of Complainant's credit to reflect a 10% energy burden as the target affordable percentage of income, in violation of its USECP.

72. PECO's ongoing failure to update Complainant's credit as required by its USECP constitutes unreasonable service in violation of 66 Pa. C.S. § 1501.

V. Conclusion

For the foregoing reasons, Complainant respectfully requests the Public Utility Commission grant the following relief:

- A. Find that PECO violated its USECP.
- B. Find that PECO's violation(s) of its USECP constitutes unreasonable service in violation of 66 Pa. C.S. § 1501.
- C. Order PECO to provide a retroactive credit to Complainant's bill based on the difference between the credit provided to Complainant since enrollment in CAP and the credit required under its USECP.
- D. Order PECO to recalculate Complainant's current CAP credit based on an allowable energy burden of 10% of income in the updated CAP Policy Statement.
- E. Order PECO to annually calculate whether Complainant has been billed at her allowable energy burden and, if she has not, provide retroactive CAP credits to Complainant.
- F. Order PECO to provide retroactive arrearage forgiveness on Complainant's PECO account for all partial payments that would have satisfied full payment under the revised bills.
- G. Grant any other such relief as is just and appropriate.

Respectfully submitted,

Joline R. Price, Esquire (Attorney ID: 315405)
Josie B. H. Pickens, Esquire (Attorney ID: 309422)
Robert W. Ballenger, Esquire (Attorney ID: 93434)
Kintéshia Scott, Esq. (Attorney ID:)

COMMUNITY LEGAL SERVICES, INC.

1424 Chestnut Street

Philadelphia, PA 19102

Telephone: 215-981-3756

jpickens@clsphila.org

jprice@clsphila.org

rballenger@clsphila.org

kscott@clsphila.org

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. F-
	:	
PECO Energy Company	:	
Respondent	:	

VERIFICATION

I, Denise Eubanks, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



Signature

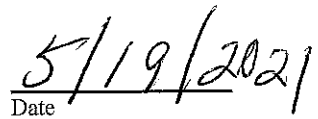


Date

EXHIBIT A

Name: DENISE L EUBANKS
 Account Number: 03331-22179
 Phone Number: 267-703-9704
 Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

Billing Summary

Bill Date 04/22/2021
 Thank you for your payment of \$98.00 on 04/09/2021
 Charges from previous bill \$227.49
Total Other Charges \$227.49

Current Period Charges

Electric \$130.27
Total New Charges \$130.27

Total Amount Due on 05/14/2021 \$357.76

General Information

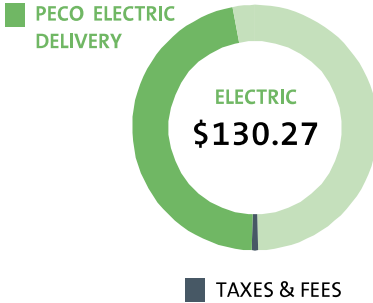
Next scheduled meter reading: 05/25/2021

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7
Start, stop and move your service



ELECTRIC SUPPLY PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

 Online: peco.com

 In Person: 2301 Market St., Philadelphia, PA 19103

 By Phone: 1-800-774-7040

Return only this portion with your check made payable to PECO. Please write your account number on your check.

- Enroll in Automatic Payment. Complete form on reverse side.
- Pledge a donation to MEAF. Complete form on reverse side.

Account # 03331-22179

 877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 05/14/2021 \$357.76

Payment Amount \$



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

 peco.com/ebill

Go paperless: receive and pay your bill online.

0021505 01 AB 0.425 **AUTO T9 0 8780 19101-427474 -C02-B1-P21526-I123



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901003577611340357768

8780-02-0021505-0001-0000461

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
03/24-04/22	127930804	General Service	Tot kWh	107399 Actual	109456 Actual	2,057	1	2,057

Total kWh Used: 2,057



Electric Residential Heating Service CAP

Service Period 03/24/2021 to 04/22/2021 - 29 days

PECO ELECTRIC DELIVERY		\$112.23
Customer Charge		10.01
Distribution Charges	2,057 kWh X 0.04932	101.45
Distribution System Improvement Charge		0.77
ELECTRIC SUPPLY		\$128.91
Generation Charges	2,057 kWh X 0.05761	118.50
Transmission Charges	2,057 kWh X 0.00506	10.41
TAXES & FEES		-\$0.02
State Tax Adjustment		-0.02
CAP Credit		-110.85

Total Current Charges \$130.27

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

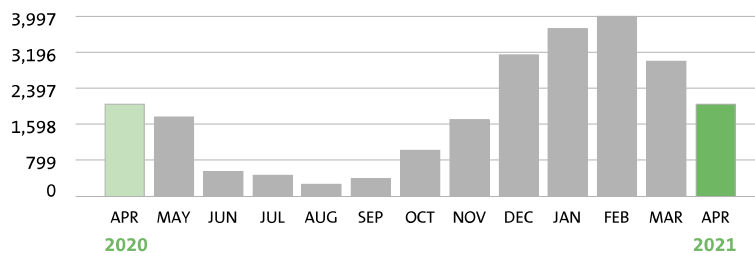
New charges contain estimated total state taxes of \$9.69, including \$7.69 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	2,057	70.9	29	55
Last Month	3,008	103.7	29	44
Last Year	2,049	70.7	29	51

Avg kWh per Month 1,846
Total Annual kWh Usage 22,155

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the [PECO mobile app](#) for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one swipe of the finger.



Mail

Mail checks payable to PECO and write your account # on your check. Make sure to include the tear-off portion of your bill at the bottom of page 1.



Phone

Call **1-877-432-9384** to make a payment with a credit card, debit card, or your bank account.*



* Fees apply for card & phone payments.
No fees apply when you create a PECO My Account and pay using your bank account

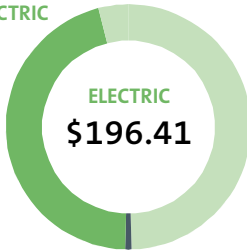
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY
PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date 03/24/2021
 Thank you for your payment of \$148.25 on 03/05/2021
 LIHEAP payment \$472.22
 Charges from previous bill \$129.08
Total Other Charges \$129.08

Current Period Charges

Electric \$196.41
Total New Charges \$196.41

Total Amount Due on 04/15/2021 \$325.49

General Information

Next scheduled meter reading: 04/26/2021

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7
Start, stop and move your service

Online: peco.com

In Person: **2301 Market St., Philadelphia, PA 19103**

By Phone: **1-800-774-7040**

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

peco.com/ebill

Go paperless: receive and pay your bill online.

0021253 01 AB 0.425 **AUTO T8 0 8759 19101-427474 -C02-B1-P21274-112 4 67



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 04/15/2021 \$325.49

Payment Amount \$



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901003254911050325496

8759-02-0021253-0001-0000461

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
02/23-03/24	127930804	General Service	Tot kWh	104391 Actual	107399 Actual	3,008	1	3,008

Total kWh Used: 3,008



Electric Residential Heating Service CAP

Service Period 02/23/2021 to 03/24/2021 - 29 days

PECO ELECTRIC DELIVERY			\$158.86
Customer Charge			9.98
Distribution Charges	3,008 kWh X	0.04932	148.35
Distribution System Improvement Charge			0.53
ELECTRIC SUPPLY			\$188.51
Generation Charges	3,008 kWh X	0.05761	173.29
Transmission Charges	3,008 kWh X	0.00506	15.22
TAXES & FEES			-\$0.03
State Tax Adjustment			-0.03
CAP Credit			-150.93

Total Current Charges \$196.41

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

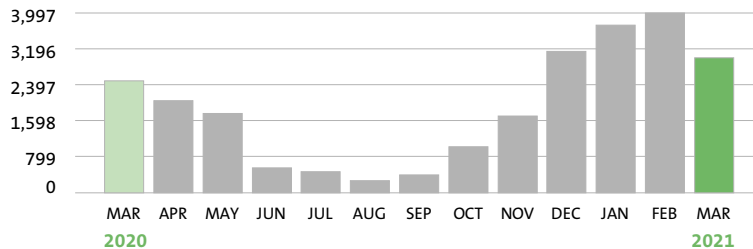
New charges contain estimated total state taxes of \$14.61, including \$11.59 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	3,008	103.7	29	44
Last Month	3,997	137.8	29	32
Last Year	2,492	85.9	29	47

Avg kWh per Month: 1,845
Total Annual kWh Usage: 22,147

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the **PECO mobile app** for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one swipe of the finger.



Mail

Mail checks payable to PECO and write your account # on your check. Make sure to include the tear-off portion of your bill at the bottom of page 1.



Phone

Call **1-877-432-9384** to make a payment with a credit card, debit card, or your bank account.*



* Fees apply for card & phone payments.
No fees apply when you create a PECO My Account and pay using your bank account

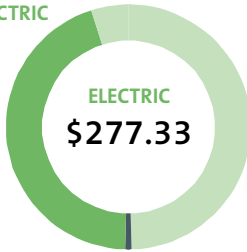
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY
PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date 02/23/2021
 Thank you for your payment of \$150.00 on 02/02/2021
 Charges from previous bill \$472.22
Total Other Charges \$472.22

Current Period Charges

Electric \$277.33
Total New Charges \$277.33

Total Amount Due on 03/17/2021 \$749.55

General Information

Next scheduled meter reading: 03/26/2021

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7
 Start, stop and move your service

Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

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Go paperless: receive and pay your bill online.

- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 03/17/2021 \$749.55

Payment Amount \$

0021395 01 AB 0.425 **AUTO T6 0 8738 19101-427474 -C02-B1-P21416-1123 5



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901007495510760749555

8738-02-0021395-0001-0000481

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
01/25-02/23	127930804	General Service	Tot kWh	100394 Actual	104391 Actual	3,997	1	3,997

Total kWh Used: 3,997



Electric Residential Heating Service CAP

Service Period 01/25/2021 to 02/23/2021 - 29 days

PECO ELECTRIC DELIVERY		\$207.80
Customer Charge		9.98
Distribution Charges	3,997 kWh X 0.04932	197.13
Distribution System Improvement Charge		0.69
ELECTRIC SUPPLY		\$256.84
Generation Charges	3,997 kWh X 0.05920	236.62
Transmission Charges	3,997 kWh X 0.00506	20.22
TAXES & FEES		-\$0.04
State Tax Adjustment		-0.04
CAP Credit		-187.27

Total Current Charges \$277.33

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

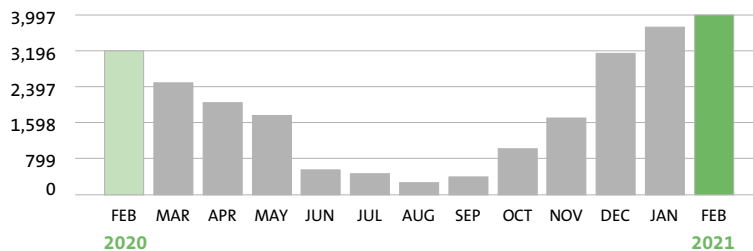
New charges contain estimated total state taxes of \$20.63, including \$16.36 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	3,997	137.8	29	32
Last Month	3,729	109.7	34	38
Last Year	3,205	103.4	31	40

Avg kWh per Month 1,802
Total Annual kWh Usage 21,631

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the **PECO mobile app** for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one swipe of the finger.



Mail

Mail checks payable to PECO and write your account # on your check. Make sure to include the tear-off portion of your bill at the bottom of page 1.



Phone

Call **1-877-432-9384** to make a payment with a credit card, debit card, or your bank account.*



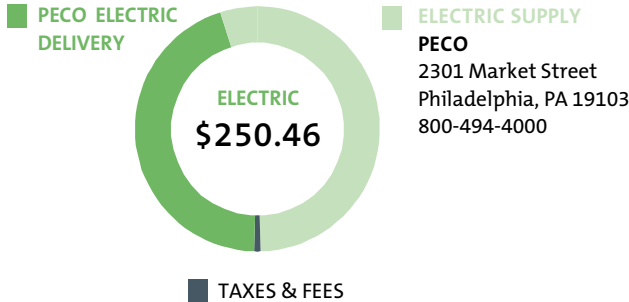
* Fees apply for card & phone payments.
No fees apply when you create a PECO My Account and pay using your bank account

Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.



Billing Summary

Bill Date	01/25/2021
Thank you for your payment of \$100.00 on 01/22/2021	
Thank you for your payment of \$100.00 on 01/14/2021	
Charges from previous bill	\$316.91
Deferred payment agreement	\$54.85
Total Other Charges	\$371.76

Current Period Charges

Electric	\$250.46
Total New Charges	\$250.46

Total Amount Due on 02/16/2021 \$622.22

General Information

Next scheduled meter reading: 02/25/2021

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7

Start, stop and move your service

 Online: peco.com

 In Person: **2301 Market St., Philadelphia, PA 19103**

 By Phone: **1-800-774-7040**

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

 peco.com/ebill

Go paperless: receive and pay your bill online.

- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

 **877-432-9384**

Pay by phone, a convenience fee will apply.

Please pay this amount by 02/16/2021 \$622.22

Payment Amount \$

0021322 01 AB 0.425 **AUTO T3 0 8717 19101-427474 -C02-B1-P21343-112 4 6 8



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901006222210470622224

8717-02-0021322-0001-0000450

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
12/22-01/25	127930804	General Service	Tot kWh	96665 Actual	100394 Actual	3,729	1	3,729

Total kWh Used: 3,729



Electric Residential Heating Service CAP

Service Period 12/22/2020 to 01/25/2021 - 34 days

PECO ELECTRIC DELIVERY		\$193.79
Customer Charge		9.98
Distribution Charges	3,729 kWh X 0.04912	183.17
Distribution System Improvement Charge		0.64
ELECTRIC SUPPLY		\$239.63
Generation Charges	3,729 kWh X 0.05920	220.76
Transmission Charges	3,729 kWh X 0.00506	18.87
TAXES & FEES		-\$0.03
State Tax Adjustment		-0.03
CAP Credit		-182.93

Total Current Charges \$250.46

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

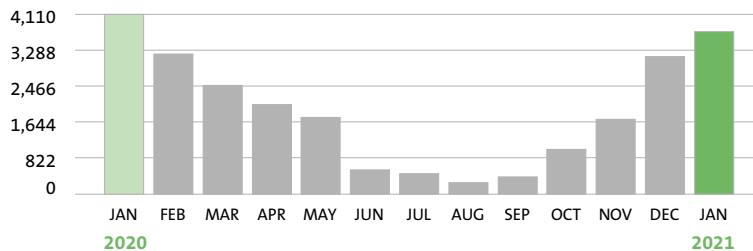
New charges contain estimated total state taxes of \$18.63, including \$14.78 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	3,729	109.7	34	38
Last Month	3,146	95.3	33	43
Last Year	4,110	117.4	35	39

Avg kWh per Month 1,736
Total Annual kWh Usage 20,839

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the **PECO mobile app** for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one-swipe of the finger.



Mail

Mail checks payable to PECO and write your account # on your check. Make sure to include the tear-off portion of your bill at the bottom of page 1.



Phone

Call **1-877-432-9384** to make a payment with a credit card, debit card, or your bank account.*



* Fees apply for card & phone payments.
No fees apply when you create a PECO MyAccount and pay using your bank account

Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

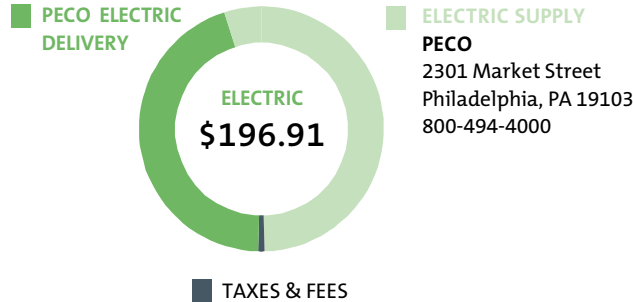
Billing Summary

Bill Date	12/22/2020
Thank you for your payment of \$30.00 on 12/08/2020	
LIHEAP payment	\$218.00
Charges from previous bill	\$233.94
Deferred payment agreement	\$42.66
Total Other Charges	\$276.60

Current Period Charges

Electric	\$196.91
Total New Charges	\$196.91

Total Amount Due on 01/13/2021 \$473.51



General Information

Next scheduled meter reading: 01/27/2021

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7

Start, stop and move your service

 Online: peco.com

 In Person: **2301 Market St., Philadelphia, PA 19103**

 By Phone: **1-800-774-7040**

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

 peco.com/ebill

Go paperless: receive and pay your bill online.

0021190 01 AB 0.416 **AUTO T1 0 8949 19101-427474 -C02-B1-P21211-112 4



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

 **877-432-9384**

Pay by phone, a convenience fee will apply.

Please pay this amount by 01/13/2021 \$473.51

Payment Amount \$.



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901004735110130473510

8949-02-0021190-0001-0000436

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
11/19-12/22	127930804	General Service	Tot kWh	93519 Actual	96665 Actual	3,146	1	3,146

Total kWh Used: 3,146



Electric Residential Heating Service CAP

Service Period 11/19/2020 to 12/22/2020 - 33 days

PECO ELECTRIC DELIVERY			\$163.28
Customer Charge			9.98
Distribution Charges	3,146 kWh X	0.04866	153.08
Distribution System Improvement Charge			0.22
ELECTRIC SUPPLY			\$202.25
Generation Charges	3,146 kWh X	0.05920	186.24
Transmission Charges	3,146 kWh X	0.00509	16.01
TAXES & FEES			\$0.16
Federal Tax Adjustment			0.16
CAP Credit			-168.78

Total Current Charges \$196.91

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

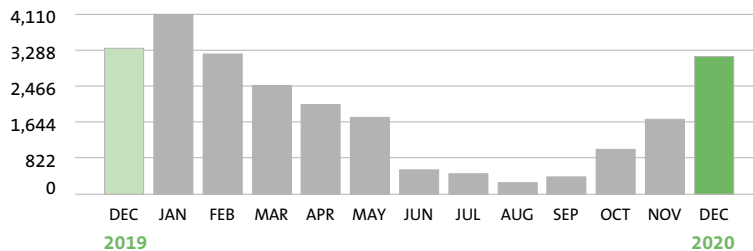
New charges contain estimated total state taxes of \$14.65, including \$11.62 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	3,146	95.3	33	43
Last Month	1,713	59.1	29	54
Last Year	3,337	107.6	31	41

Avg kWh per Month 1,768
Total Annual kWh Usage 21,220

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the **PECO mobile app** for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one-swipe of the finger.



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Phone

Call **1-877-432-9384** to make a payment with a credit card, debit card, or your bank account.*



* Fees apply for card & phone payments.
 No fees apply when you create a PECO MyAccount and pay using your bank account

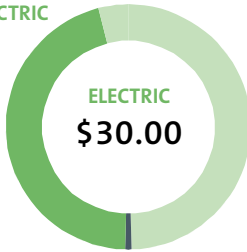
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY PECO

2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date 11/19/2020
 Thank you for your payment of \$30.00 on 11/09/2020
 Charges from previous bill \$469.20
 Deferred payment agreement \$42.66
Total Other Charges \$511.86

Current Period Charges

Electric \$30.00
Total New Charges \$30.00

Total Amount Due on 12/11/2020 \$541.86

General Information

Next scheduled meter reading: 12/28/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7

Start, stop and move your service

Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

peco.com/ebill

Go paperless: receive and pay your bill online.

- Enroll in Automatic Payment. Complete form on reverse side.
- Pledge a donation to MEAF. Complete form on reverse side.

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 12/11/2020 \$541.86

Payment Amount \$

0021512 01 AB 0.416 **AUTO T2 0 8928 19101-427474 -C02-B1-P21533-1123 67



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901005418603460541865

8928-02-0021512-0001-0000451

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
10/21-11/19	127930804	General Service	Tot kWh	91806 Actual	93519 Actual	1,713	1	1,713

Total kWh Used: 1,713



Electric Residential Heating Service CAP

Service Period 10/21/2020 to 11/19/2020 - 29 days

PECO ELECTRIC DELIVERY	\$93.71
Customer Charge	9.98
Distribution Charges	1,713 kWh X 0.04881 = 83.61
Distribution System Improvement Charge	0.12
ELECTRIC SUPPLY	\$109.10
Generation Charges	1,713 kWh X 0.05852 = 100.24
Transmission Charges	1,713 kWh X 0.00517 = 8.86
TAXES & FEES	\$0.09
Federal Tax Adjustment	0.09
CAP Credit	-172.90
Total Current Charges	\$30.00

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

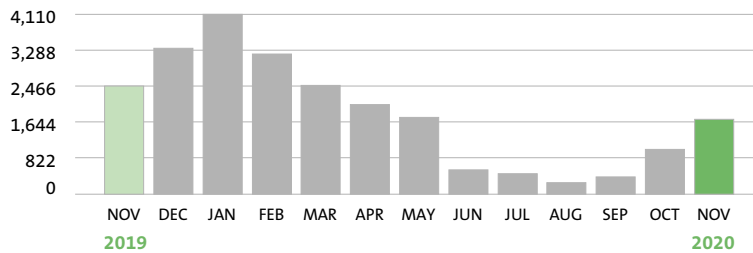
New charges contain estimated total state taxes of \$2.23, including \$1.77 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	1,713	59.1	29	54
Last Month	1,027	34.2	30	63
Last Year	2,482	85.6	29	50

Avg kWh per Month: 1,784
Total Annual kWh Usage: 21,411

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the **PECO mobile app** for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one-swipe of the finger.



Mail

Mail checks payable to PECO and write your account # on your check. Make sure to include the tear-off portion of your bill at the bottom of page 1.



Phone

Call **1-877-432-9384** to make a payment with a credit card, debit card, or your bank account.*



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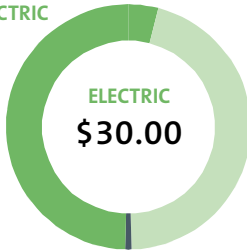
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

■ PECO ELECTRIC DELIVERY



■ TAXES & FEES

■ ELECTRIC SUPPLY PECO

2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date 10/21/2020
 Thank you for your payment of \$30.00 on 10/12/2020
 Charges from previous bill \$469.20
 Deferred payment agreement \$42.66
Total Other Charges \$511.86

Current Period Charges

Electric \$30.00
Total New Charges \$30.00

Total Amount Due on 11/12/2020 \$541.86

General Information

Next scheduled meter reading: 11/23/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7
 Start, stop and move your service

Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

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Go paperless: receive and pay your bill online.

0021361 01 AB 0.416 **AUTO T3 0 8907 19101-427474 -C02-B1-P21382-I1 3



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



- Enroll in Automatic Payment. Complete form on reverse side.
- Pledge a donation to MEAF. Complete form on reverse side.

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 11/12/2020 \$541.86

Payment Amount \$.



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901005418603170541866

8907-02-0021361-0001-0000441

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
09/21-10/21	127930804	General Service	Tot kWh	90779 Actual	91806 Actual	1,027	1	1,027

Total kWh Used: 1,027



Electric Residential Heating Service CAP

Service Period 09/21/2020 to 10/21/2020 - 30 days

PECO ELECTRIC DELIVERY		\$77.43
Customer Charge		9.98
Distribution Charges	1,027 kWh X 0.06558	67.35
Distribution System Improvement Charge		0.10
ELECTRIC SUPPLY		\$65.41
Generation Charges	1,027 kWh X 0.05852	60.10
Transmission Charges	1,027 kWh X 0.00517	5.31
TAXES & FEES		\$0.08
Federal Tax Adjustment		0.08
CAP Credit		-112.92
Total Current Charges		\$30.00

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

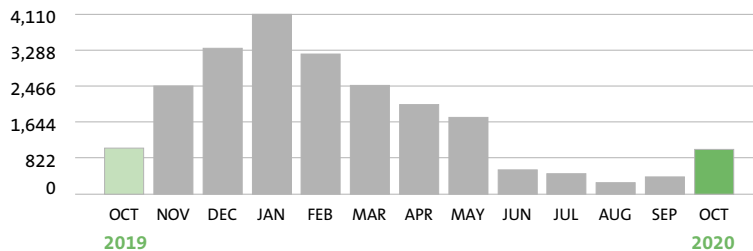
New charges contain estimated total state taxes of \$2.23, including \$1.77 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	1,027	34.2	30	63
Last Month	403	12.6	32	73
Last Year	1,059	34.2	31	65

Avg kWh per Month: 1,848
Total Annual kWh Usage: 22,180

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the **PECO mobile app** for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one-swipe of the finger.



Mail

Mail checks payable to PECO and write your account # on your check. Make sure to include the tear-off portion of your bill at the bottom of page 1.



Phone

Call **1-877-432-9384** to make a payment with a credit card, debit card, or your bank account.*



* Fees apply for card & phone payments.
No fees apply when you create a PECO MyAccount and pay using your bank account

Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

Billing Summary

Bill Date 09/21/2020
 Thank you for your payment of \$30.00 on 09/11/2020
Charges from previous bill \$469.20
Deferred payment agreement \$42.66
Total Other Charges \$511.86

Current Period Charges

Electric \$30.00
Total New Charges \$30.00

Total Amount Due on 10/13/2020 \$541.86

General Information

Next scheduled meter reading: 10/23/2020

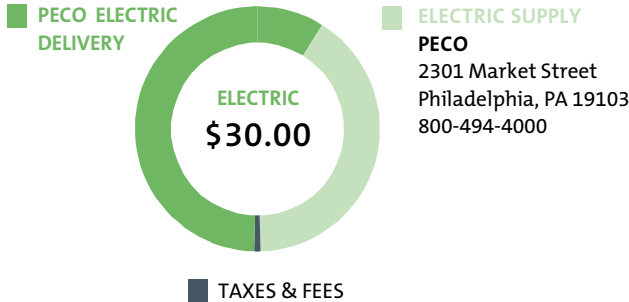
1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7

Start, stop and move your service



8885-02-0021519-0001-0000453

 Online: peco.com

 In Person: **2301 Market St., Philadelphia, PA 19103**

 By Phone: **1-800-774-7040**

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

 peco.com/ebill

Go paperless: receive and pay your bill online.

- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

 **877-432-9384**

Pay by phone, a convenience fee will apply.

Please pay this amount by 10/13/2020 **\$541.86**

Payment Amount \$.

0021519 01 AB 0.416 **AUTO T7 0 8885 19101-427474 -C02-B1-P21540-1123 67



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901005418602870541861

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
08/20-09/21	127930804	General Service	Tot kWh	90376 Actual	90779 Actual	403	1	403

Total kWh Used: 403



Electric Residential Heating Service CAP

Service Period 08/20/2020 to 09/21/2020 - 32 days

PECO ELECTRIC DELIVERY	\$36.44
Customer Charge	9.98
Distribution Charges	403 kWh X 0.06558 26.43
Distribution System Improvement Charge	0.03
ELECTRIC SUPPLY	\$25.66
Generation Charges	403 kWh X 0.05852 23.58
Transmission Charges	403 kWh X 0.00517 2.08
TAXES & FEES	\$0.04
Federal Tax Adjustment	0.04
CAP Credit	-32.14
Total Current Charges	\$30.00

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

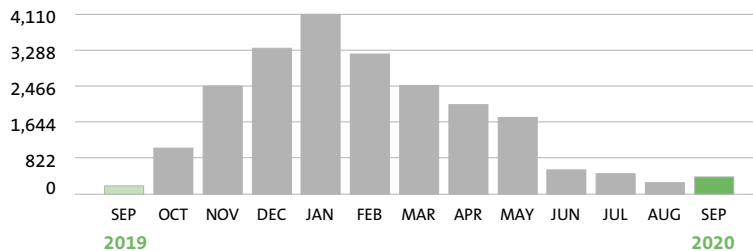
New charges contain estimated total state taxes of \$2.23, including \$1.77 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	403	12.6	32	73
Last Month	271	9.3	29	79
Last Year	203	6.8	30	73

Avg kWh per Month **1,851**
 Total Annual kWh Usage **22,212**

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the **PECO mobile app** for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one-swipe of the finger.



Mail

Mail checks payable to PECO and write your account # on your check. Make sure to include the tear-off portion of your bill at the bottom of page 1.



Phone

Call **1-877-432-9384** to make a payment with a credit card, debit card, or your bank account.*



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 No fees apply when you create a PECO MyAccount and pay using your bank account

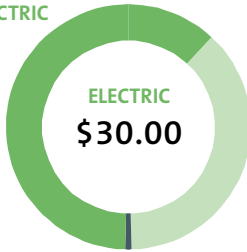
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY
PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date **08/20/2020**
 Thank you for your payment of \$30.00 on 08/13/2020
 Charges from previous bill \$469.20
 Deferred payment agreement \$42.66
Total Other Charges \$511.86

Current Period Charges

Electric \$30.00
Total New Charges \$30.00

Total Amount Due on 09/11/2020 \$541.86

General Information

Next scheduled meter reading: 09/23/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7

Start, stop and move your service

Online: peco.com

In Person: **2301 Market St., Philadelphia, PA 19103**

By Phone: **1-800-774-7040**

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

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Go paperless: receive and pay your bill online.

- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 09/11/2020 \$541.86

Payment Amount \$.

0021080 01 AB 0.416 **AUTO T7 0 8864 19101-427474 -C02-B1-P21101-112 6



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901005418602550541868

8864-02-0021080-0001-0000439

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
07/22-08/20	127930804	General Service	Tot kWh	90105 Actual	90376 Actual	271	1	271

Total kWh Used: 271



Electric Residential Heating Service CAP

Service Period 07/22/2020 to 08/20/2020 - 29 days

PECO ELECTRIC DELIVERY				\$27.80
Customer Charge				9.98
Distribution Charges	271 kWh X	0.06569		17.80
Distribution System Improvement Charge				0.02
ELECTRIC SUPPLY				\$17.36
Generation Charges	271 kWh X	0.05888		15.96
Transmission Charges	271 kWh X	0.00517		1.40
CAP Credit				-15.16

Total Current Charges \$30.00

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

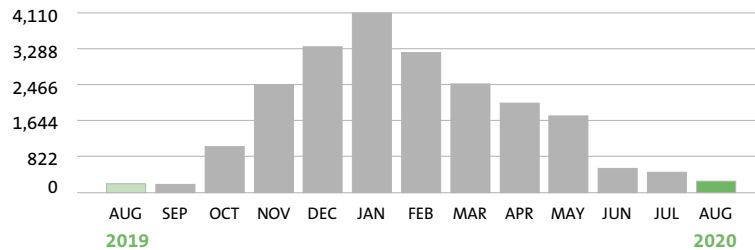
New charges contain estimated total state taxes of \$2.23, including \$1.77 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	271	9.3	29	79
Last Month	475	15.8	30	81
Last Year	215	8.3	26	79

Avg kWh per Month **1,834**
Total Annual kWh Usage **22,012**



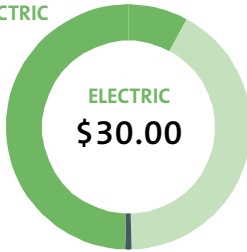
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY

PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date	07/22/2020
LIHEAP payment	\$800.00
Deferred payment agreement	\$42.66
Total Other Charges	\$42.66

Current Period Charges

Electric	\$30.00
Total New Charges	\$30.00

Total Amount Due on 08/13/2020 \$72.66

General Information

Next scheduled meter reading: 08/24/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7
 Start, stop and move your service

Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

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Go paperless: receive and pay your bill online.

- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 08/13/2020 \$72.66

Payment Amount \$

0021240 01 AB 0.416 **AUTO T1 0 8843 19101-427474 -C02-B1-P21261-I12 45



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901000726602260072665

8843-02-0021240-0001-0000443

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
06/22-07/22	127930804	General Service	Tot kWh	89630 Actual	90105 Actual	475	1	475

Total kWh Used: 475



Electric Residential Heating Service CAP

Service Period 06/22/2020 to 07/22/2020 - 30 days

PECO ELECTRIC DELIVERY		\$41.21
Customer Charge		9.98
Distribution Charges	475 kWh X 0.06569	31.20
Distribution System Improvement Charge		0.03
ELECTRIC SUPPLY		\$30.43
Generation Charges	475 kWh X 0.05888	27.97
Transmission Charges	475 kWh X 0.00517	2.46
CAP Credit		-41.64

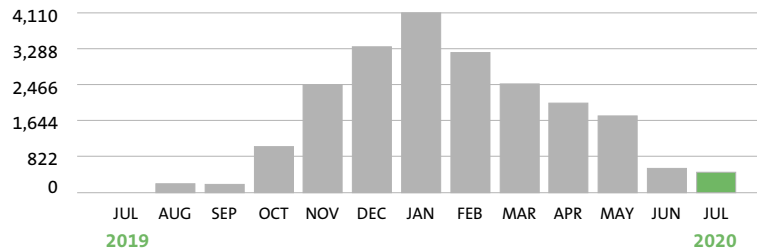
Total Current Charges \$30.00

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	475	15.8	30	81
Last Month	563	17.6	32	71
Last Year	0	0.0	0	0

Avg kWh per Month 1,829
Total Annual kWh Usage 21,956

Deferred Payment Agreement

Current Payment Plan Amount	\$42.66
Payment Plan Balance	\$469.20
Number of Remaining Payments	11

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

New charges contain estimated total state taxes of \$2.23, including \$1.77 for State Gross Receipts Tax.

Your **Total Account Balance of \$541.86** includes your Total Amount Due and all other Arrearage/Agreement/Deferred balances that are on this account.

8843-02-0021240-0001-0000444



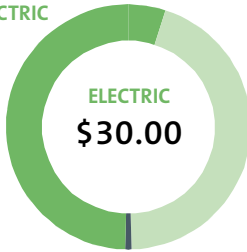
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY

PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date: 06/22/2020
 Thank you for your payment of \$98.25 on 06/02/2020
 Charges from previous bill: \$1,281.86
Total Other Charges: \$1,281.86

Current Period Charges

Electric: \$30.00
Total New Charges: \$30.00

Total Amount Due on 07/14/2020: \$1,311.86

General Information

Next scheduled meter reading: 07/24/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7
 Start, stop and move your service

Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
 2301 Market Street
 Philadelphia, PA 19103-1380

Pay Today!

peco.com/ebill

Go paperless: receive and pay your bill online.

- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 07/14/2020: \$1,311.86

Payment Amount \$

0021263 01 AB 0.416 **AUTO T4 0 8822 19101-427474 -C02-B1-P21284-112 4 6



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901013118601961311868

8822-02-0021263-0001-0000437

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
05/21-06/22	127930804	General Service	Tot kWh	89067 Actual	89630 Actual	563	1	563

Total kWh Used: 563



Electric Residential Heating Service CAP

Service Period 05/21/2020 to 06/22/2020 - 32 days

PECO ELECTRIC DELIVERY			\$43.92
Customer Charge			9.98
Distribution Charges	563 kWh X 0.06025		33.92
Distribution System Improvement Charge			0.02
ELECTRIC SUPPLY			\$36.25
Generation Charges	563 kWh X 0.05888		33.15
Transmission Charges	563 kWh X 0.00550		3.10
CAP Credit			-50.17

Total Current Charges \$30.00

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

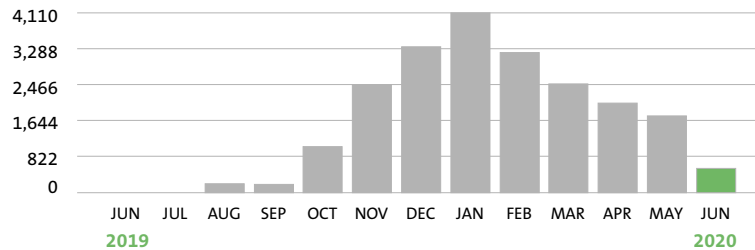
New charges contain estimated total state taxes of \$2.23, including \$1.77 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

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Save energy and money



Period	Usage	Avg Daily Usage	Avg Daily Days	Avg Daily Temp
Current Month	563	17.6	32	71
Last Month	1,766	60.9	29	56
Last Year	0	0.0	0	0

Avg kWh per Month: 1,952
Total Annual kWh Usage: 21,481



Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

Billing Summary

Bill Date 05/21/2020
 Thank you for your payment of \$98.25 on 05/04/2020
 Charges from previous bill \$1,205.48
Total Other Charges \$1,205.48

Current Period Charges

Electric \$174.63
Total New Charges \$174.63

Total Amount Due on 06/12/2020 \$1,380.11

General Information

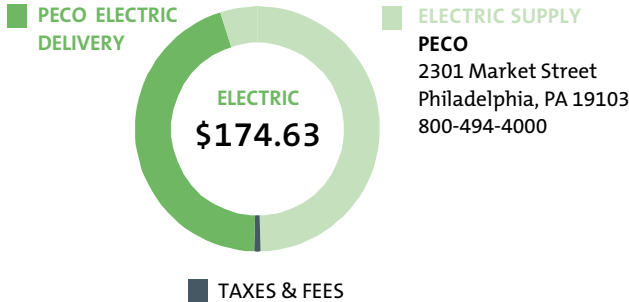
Next scheduled meter reading: 06/24/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7
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ELECTRIC SUPPLY PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
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 Philadelphia, PA 19103-1380

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0021077 01 AB 0.416 **AUTO T6 0 8801 19101-427474 -C02-B1-P21098-I12



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



- Enroll in Automatic Payment. Complete form on reverse side.
- Pledge a donation to MEAF. Complete form on reverse side.

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 06/12/2020 \$1,380.11

Payment Amount \$



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901013801101641380112

8801-02-0021077-0001-0000452

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
04/22-05/21	127930804	General Service	Tot kWh	87301 Actual	89067 Actual	1,766	1	1,766

Total kWh Used: 1,766



Electric Residential Heating Service CAP

Service Period 04/22/2020 to 05/21/2020 - 29 days

PECO ELECTRIC DELIVERY		\$95.28
Customer Charge		9.98
Distribution Charges	1,766 kWh X 0.04828	85.26
Distribution System Improvement Charge		0.04
ELECTRIC SUPPLY		\$116.47
Generation Charges	1,766 kWh X 0.05972	105.47
Transmission Charges	1,766 kWh X 0.00623	11.00
CAP Credit		-37.12

Total Current Charges \$174.63

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

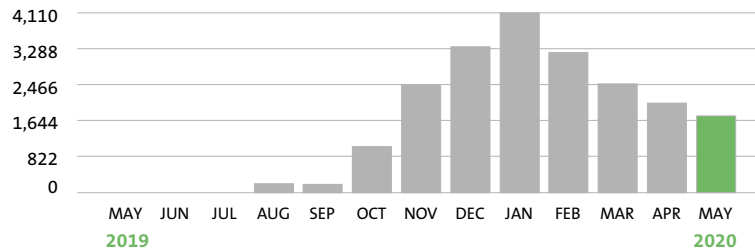
New charges contain estimated total state taxes of \$12.99, including \$10.30 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

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Period	Usage	Avg Daily Usage	Avg Daily Days	Avg Daily Temp
Current Month	1,766	60.9	29	56
Last Month	2,049	70.7	29	51
Last Year	0	0.0	0	0

Avg kWh per Month: 2,091
Total Annual kWh Usage: 20,918



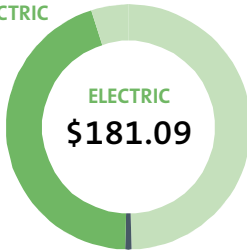
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 267-703-9704
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY

PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date 04/22/2020
 Thank you for your payment of \$98.25 on 04/02/2020
 Charges from previous bill \$1,122.64
Total Other Charges \$1,122.64

Current Period Charges

Electric \$181.09
Total New Charges \$181.09

Total Amount Due on 05/14/2020 \$1,303.73

General Information

Next scheduled meter reading: 05/26/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

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Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

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- Pledge a donation to MEAF. Complete form on reverse side.

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 05/14/2020 \$1,303.73

Payment Amount \$

0021391 01 AB 0.416 **AUTO T3 0 8780 19101-427474 -C02-B1-P21412-1123 6



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901013037301351303736

8780-02-0021391-0001-0000431

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
03/24-04/22	127930804	General Service	Tot kWh	85252 Actual	87301 Actual	2,049	1	2,049

Total kWh Used: 2,049



Electric Residential Heating Service CAP

Service Period 03/24/2020 to 04/22/2020 - 29 days

PECO ELECTRIC DELIVERY				\$108.95
Customer Charge				9.98
Distribution Charges	2,049 kWh X	0.04828		98.93
Distribution System Improvement Charge				0.04
ELECTRIC SUPPLY				\$135.14
Generation Charges	2,049 kWh X	0.05972		122.37
Transmission Charges	2,049 kWh X	0.00623		12.77
CAP Credit				-63.00

Total Current Charges \$181.09

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

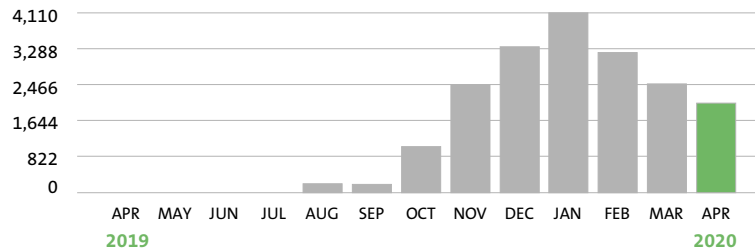
New charges contain estimated total state taxes of \$13.47, including \$10.68 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

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Period	Usage	Avg Daily Usage	Avg Daily Days	Avg Daily Temp
Current Month	2,049	70.7	29	51
Last Month	2,492	85.9	29	47
Last Year	0	0.0	0	0

Avg kWh per Month: 2,128
Total Annual kWh Usage: 19,152



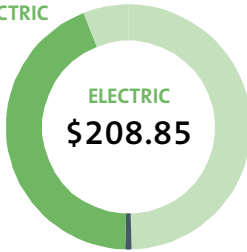
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 215-879-1537
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY

PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date 03/24/2020
 Thank you for your payment of \$100.00 on 03/09/2020
 Charges from previous bill \$1,012.04
Total Other Charges \$1,012.04

Current Period Charges

Electric \$208.85
Total New Charges \$208.85

Total Amount Due on 04/15/2020 \$1,220.89

General Information

Next scheduled meter reading: 04/24/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

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Online: peco.com

In Person: **2301 Market St., Philadelphia, PA 19103**

By Phone: **1-800-774-7040**

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0021680 01 AB 0.416 **AUTO T1 0 8759 19101-427474 -C02-B1-P21701-I12 4



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 04/15/2020 \$1,220.89

Payment Amount \$



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901012208901061220891

8759-02-0021680-0001-0000439

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
02/24-03/24	127930804	General Service	Tot kWh	82760 Actual	85252 Actual	2,492	1	2,492

Total kWh Used: 2,492



Electric Residential Heating Service CAP

Service Period 02/24/2020 to 03/24/2020 - 29 days

PECO ELECTRIC DELIVERY		\$130.28
Customer Charge		9.97
Distribution Charges	2,492 kWh X 0.04828	120.31
ELECTRIC SUPPLY		\$164.35
Generation Charges	2,492 kWh X 0.05972	148.82
Transmission Charges	2,492 kWh X 0.00623	15.53
CAP Credit		-85.78

Total Current Charges \$208.85

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

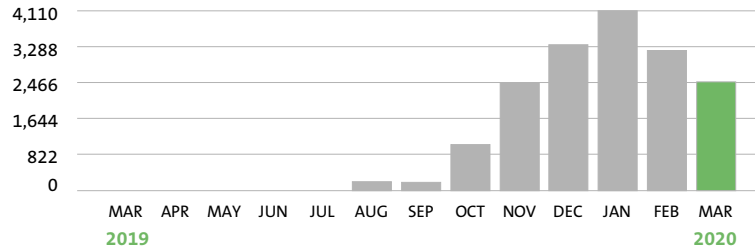
New charges contain estimated total state taxes of \$15.53, including \$12.32 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

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Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	2,492	85.9	29	47
Last Month	3,205	103.4	31	40
Last Year	0	0.0	0	0

Avg kWh per Month 2,137
Total Annual kWh Usage 17,103



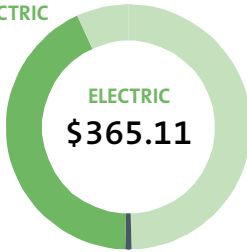
Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 215-879-1537
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

PECO ELECTRIC DELIVERY



TAXES & FEES

ELECTRIC SUPPLY
PECO
2301 Market Street
Philadelphia, PA 19103
800-494-4000

Billing Summary

Bill Date 02/24/2020
Thank you for your payment of \$100.00 on 02/11/2020
Charges from previous bill \$746.93
Total Other Charges \$746.93

Current Period Charges

Electric \$365.11
Total New Charges \$365.11

Total Amount Due on 03/17/2020 \$1,112.04

General Information

Next scheduled meter reading: 03/26/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

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Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

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Philadelphia, PA 19103-1380

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0021445 01 AB 0.416 **AUTO T5 0 8738 19101-427474 -C02-B1-P21466-I12 45



DENISE L EUBANKS
PO BOX 34274
PHILADELPHIA, PA 19101-4274



- Enroll in Automatic Payment. Complete form on reverse side.
- Pledge a donation to MEAF. Complete form on reverse side.

Account # 03331-22179

 877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 03/17/2020 \$1,112.04

Payment Amount \$



PECO - Payment Processing
PO Box 37629
Philadelphia, PA 19101-0629



033312217901011120400771112040

8738-02-0021445-0001-0000442

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
01/24-02/24	127930804	General Service	Tot kWh	79555 Actual	82760 Actual	3,205	1	3,205

Total kWh Used: 3,205



Electric Residential Heating Service CAP

Service Period 01/24/2020 to 02/24/2020 - 31 days

PECO ELECTRIC DELIVERY		\$164.71
Customer Charge		9.97
Distribution Charges	3,205 kWh X 0.04828	154.74
ELECTRIC SUPPLY		\$215.92
Generation Charges	3,205 kWh X 0.06114	195.95
Transmission Charges	3,205 kWh X 0.00623	19.97
CAP Credit		-15.52

Total Current Charges \$365.11

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

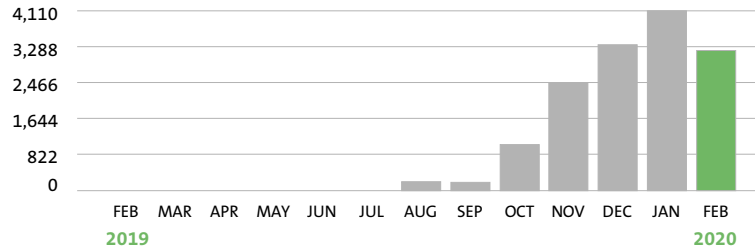
New charges contain estimated total state taxes of \$27.16, including \$21.54 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

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Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	3,205	103.4	31	40
Last Month	4,110	117.4	35	39
Last Year	0	0.0	0	0

Avg kWh per Month **2,087**
Total Annual kWh Usage **14,611**

8738-02-0021445-0001-0000442

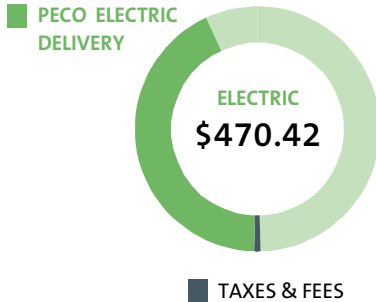


Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 215-879-1537
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.



ELECTRIC SUPPLY PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date	01/24/2020
Thank you for your payment of \$76.22 on 01/08/2020	
LIHEAP payment	\$218.00
Charges from previous bill	\$376.51
Total Other Charges	\$376.51
Current Period Charges	
Electric	\$470.42
Total New Charges	\$470.42
Total Amount Due on 02/18/2020	\$846.93

General Information

Next scheduled meter reading: 02/26/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

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In Person: **2301 Market St., Philadelphia, PA 19103**

By Phone: **1-800-774-7040**

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- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 02/18/2020 \$846.93

Payment Amount \$

0021055 01 AB 0.409 **AUTO T5 0 8717 19101-427474 -C02-B1-P21076-112 4 67



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901008469300490846933

8717-02-0021055-0001-0000443

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
12/20-01/24	127930804	General Service	Tot kWh	75445 Actual	79555 Actual	4,110	1	4,110

Total kWh Used: 4,110



Electric Residential Heating Service CAP

Service Period 12/20/2019 to 01/24/2020 - 35 days

PECO ELECTRIC DELIVERY			\$208.69
Customer Charge			9.97
Distribution Charges	4,110 kWh X	0.04835	198.72
ELECTRIC SUPPLY			\$276.90
Generation Charges	4,110 kWh X	0.06114	251.29
Transmission Charges	4,110 kWh X	0.00623	25.61
TAXES & FEES			-\$0.01
State Tax Adjustment			-0.01
CAP Credit			-15.16

Total Current Charges \$470.42

Message Center

From PECO:

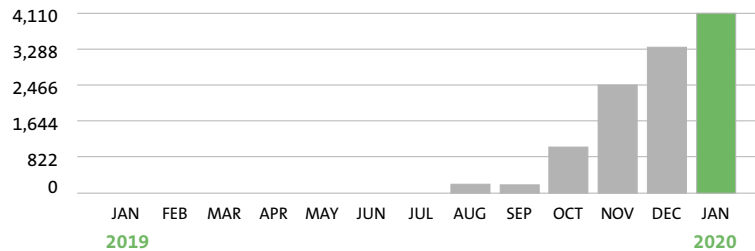
You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

New charges contain estimated total state taxes of \$34.99, including \$27.75 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

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Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	4,110	117.4	35	39
Last Month	3,337	107.6	31	41
Last Year	0	0.0	0	0

Avg kWh per Month 1,901
Total Annual kWh Usage 11,406

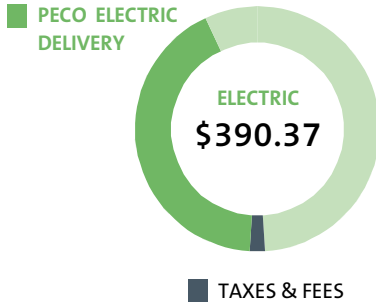


Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 215-879-1537
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.



ELECTRIC SUPPLY PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date	12/20/2019
Thank you for your payment of \$100.00 on 12/05/2019	
Charges from previous bill	\$276.22
Late payment charge	\$4.14
Total Other Charges	\$280.36
Current Period Charges	
Electric	\$390.37
Total New Charges	\$390.37
Total Amount Due on 01/13/2020	\$670.73

General Information

Next scheduled meter reading: 01/28/2020

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

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In Person: **2301 Market St., Philadelphia, PA 19103**

By Phone: **1-800-774-7040**

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- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 01/13/2020 \$670.73

Payment Amount \$

0021317 01 AB 0.409 **AUTO T2 0 8948 19101-427474 -C02-B1-P21338-112 4 7



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901006707300130670731

8948-02-0021317-0001-0000433

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
11/19-12/20	127930804	General Service	Tot kWh	72108 Actual	75445 Actual	3,337	1	3,337

Total kWh Used: 3,337



Electric Residential Heating Service CAP

Service Period 11/19/2019 to 12/20/2019 - 31 days

PECO ELECTRIC DELIVERY		\$170.35
Customer Charge		9.97
Distribution Charges	3,337 kWh X 0.04806	160.38
ELECTRIC SUPPLY		\$224.41
Generation Charges	3,337 kWh X 0.06114	204.02
Transmission Charges	3,337 kWh X 0.00611	20.39
TAXES & FEES		\$8.34
Federal Tax Adjustment		8.36
State Tax Adjustment		-0.02
CAP Credit		-12.73

Total Current Charges \$390.37

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

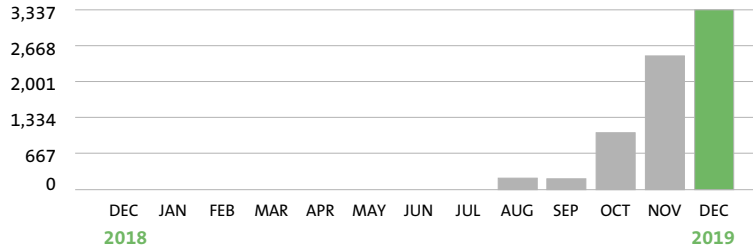
New charges contain estimated total state taxes of \$29.04, including \$23.03 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	3,337	107.6	31	41
Last Month	2,482	85.6	29	50
Last Year	0	0.0	0	0

Avg kWh per Month 1,459
Total Annual kWh Usage 7,296

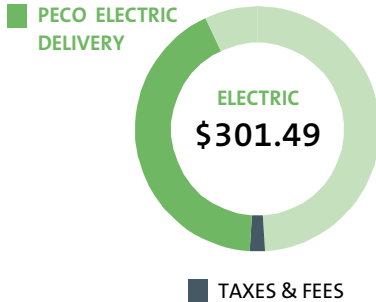


Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 215-879-1537
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.



ELECTRIC SUPPLY PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date	11/19/2019
Thank you for your payment of \$60.00 on 11/04/2019	
Charges from previous bill	\$74.73
Late payment charge	\$1.12
Total Other Charges	\$75.85
Current Period Charges	
Electric	\$301.49
Total New Charges	\$301.49
Total Amount Due on 12/11/2019	\$377.34

General Information

Next scheduled meter reading: 12/26/2019

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7
 Start, stop and move your service

Online: peco.com

In Person: **2301 Market St., Philadelphia, PA 19103**

By Phone: **1-800-774-7040**

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
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 Philadelphia, PA 19103-1380

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- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 12/11/2019 \$377.34

Payment Amount \$

0021455 01 AB 0.409 **AUTO T6 0 8927 19101-427474 -C02-B1-P21476-1123 5 7



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901003773493450377346

8927-02-0021455-0001-00004-14

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
10/21-11/19	127930804	General Service	Tot kWh	69626 Actual	72108 Actual	2,482	1	2,482

Total kWh Used: 2,482



Electric Residential Heating Service CAP

Service Period 10/21/2019 to 11/19/2019 - 29 days

PECO ELECTRIC DELIVERY		\$125.76
Customer Charge		9.97
Distribution Charges	2,482 kWh X 0.04665	115.79
ELECTRIC SUPPLY		\$169.57
Generation Charges	2,482 kWh X 0.06262	155.42
Transmission Charges	2,482 kWh X 0.00570	14.15
TAXES & FEES		\$6.16
Federal Tax Adjustment		6.17
State Tax Adjustment		-0.01

Total Current Charges \$301.49

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

New charges contain estimated total state taxes of \$22.43, including \$17.79 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

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Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	2,482	85.6	29	50
Last Month	1,059	34.2	31	65
Last Year	0	0.0	0	0

Avg kWh per Month 989
Total Annual kWh Usage 3,959

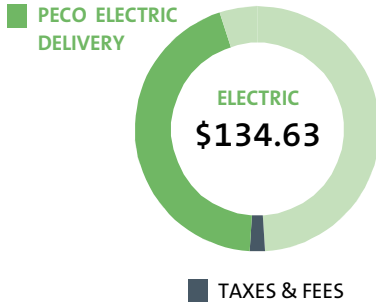


Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 215-879-1537
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.



ELECTRIC SUPPLY PECO
 2301 Market Street
 Philadelphia, PA 19103
 800-494-4000

Billing Summary

Bill Date 10/21/2019
 Thank you for your payment of \$6.57 on 10/14/2019
 Thank you for your payment of \$36.86 on 10/14/2019
 Charges from previous bill \$0.10
Total Other Charges \$0.10

Current Period Charges

Electric \$134.63
Total New Charges \$134.63

Total Amount Due on 11/12/2019 \$134.73

General Information

Next scheduled meter reading: 11/21/2019

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

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 Start, stop and move your service

Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-774-7040

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 Philadelphia, PA 19103-1380

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- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

877-432-9384

Pay by phone, a convenience fee will apply.

Please pay this amount by 11/12/2019 \$134.73

Payment Amount \$

0021395 01 AB 0.409 **AUTO T4 0 8906 19101-427474 -C02-B1-P21416-1123 5



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901001347393160134733

8906-02-0021395-0001-0000426

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
09/20-10/21	127930804	General Service	Tot kWh	68567 Actual	69626 Actual	1,059	1	1,059

Total kWh Used: 1,059



Electric Residential Heating Service CAP

Service Period 09/20/2019 to 10/21/2019 - 31 days

PECO ELECTRIC DELIVERY		\$59.37
Customer Charge		9.97
Distribution Charges	1,059 kWh X 0.04665	49.40
ELECTRIC SUPPLY		\$72.35
Generation Charges	1,059 kWh X 0.06262	66.31
Transmission Charges	1,059 kWh X 0.00570	6.04
TAXES & FEES		\$2.91
Federal Tax Adjustment		2.92
State Tax Adjustment		-0.01

Total Current Charges \$134.63

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

New charges contain estimated total state taxes of \$10.01, including \$7.94 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

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Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	1,059	34.2	31	65
Last Month	203	6.8	30	73
Last Year	0	0.0	0	0

Avg kWh per Month 492
Total Annual kWh Usage 1,477



Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 215-879-1537
Service Address: 1st Fl, 871 N 41st St, Philadelphia

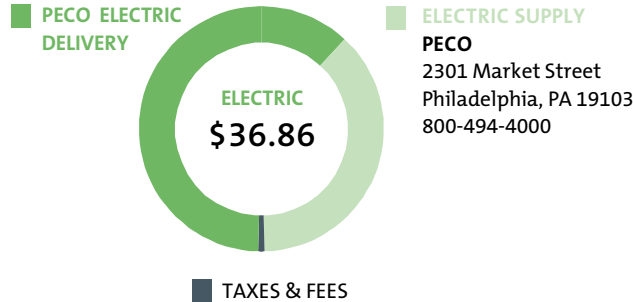
Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

Billing Summary

Bill Date	09/20/2019
Thank you for your payment of \$38.34 on 09/10/2019	
Charges from previous bill	\$6.57
Late payment charge	\$0.10
Total Other Charges	\$6.67
Current Period Charges	
Electric	\$36.86
Total New Charges	\$36.86
Total Amount Due on 10/15/2019	\$43.53



General Information

Next scheduled meter reading: 10/23/2019

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

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 Online: peco.com

 In Person: **2301 Market St., Philadelphia, PA 19103**

 By Phone: **1-800-774-7040**

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- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

 **877-432-9384**

Pay by phone, a convenience fee will apply.

Please pay this amount by 10/15/2019 \$43.53

Payment Amount \$.

0021193 01 AB 0.409 **AUTO TO 0 8885 19101-427474 -C02-B1-P21214-112 4 67



DENISE L EUBANKS
 PO BOX 34274
 PHILADELPHIA, PA 19101-4274



PECO - Payment Processing
 PO Box 37629
 Philadelphia, PA 19101-0629

033312217901000435392880043534

8885-02-0021193-0001-0000429

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
08/21-09/20	127930804	General Service	Tot kWh	68364 Actual	68567 Actual	203	1	203

Total kWh Used: 203



Electric Residential Heating Service CAP

Service Period 08/21/2019 to 09/20/2019 - 30 days

PECO ELECTRIC DELIVERY					\$22.99
Customer Charge					9.97
Distribution Charges		203 kWh X	0.06413		13.02
ELECTRIC SUPPLY					\$13.87
Generation Charges		203 kWh X	0.06262		12.71
Transmission Charges		203 kWh X	0.00570		1.16
Total Current Charges					\$36.86

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

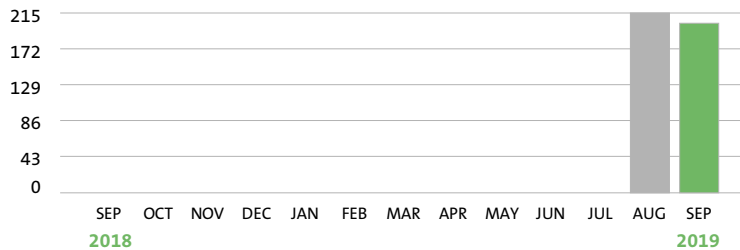
New charges contain estimated total state taxes of \$2.74, including \$2.17 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

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Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	203	6.8	30	73
Last Month	215	8.3	26	79
Last Year	0	0.0	0	0

Avg kWh per Month 209
Total Annual kWh Usage 418



Name: DENISE L EUBANKS
Account Number: 03331-22179
Phone Number: 215-879-1537
Service Address: 1st Fl, 871 N 41st St, Philadelphia

Emergency and Repair

! 800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

Billing Summary

Bill Date 08/21/2019
 Thank you for your payment of \$6.00 on 08/07/2019

Current Period Charges

Electric \$38.34
Total New Charges \$38.34

Total Amount Due on 09/12/2019 \$38.34

General Information

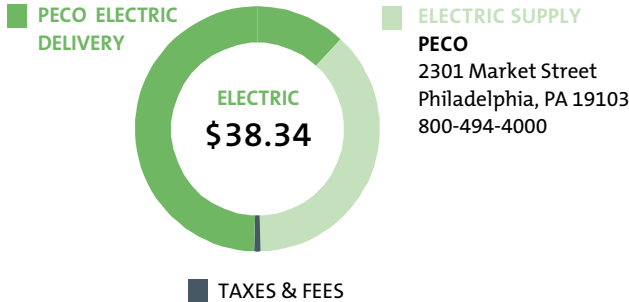
Next scheduled meter reading: 09/24/2019

1-800-774-7040

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

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 Online: peco.com

 In Person: **2301 Market St., Philadelphia, PA 19103**

 By Phone: **1-800-774-7040**

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2301 Market Street
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Go paperless: receive and pay your bill online.

0021350 01 AB 0.409 **AUTO T3 0 8864 19101-427474 -C02-B1-P21371-11



DENISE L EUBANKS
PO BOX 34274
PHILADELPHIA, PA 19101-4274



- Enroll in Automatic Payment. *Complete form on reverse side.*
- Pledge a donation to MEAF. *Complete form on reverse side.*

Account # 03331-22179

 **877-432-9384**

Pay by phone, a convenience fee will apply.

Please pay this amount by 09/12/2019 \$38.34

Payment Amount \$



PECO - Payment Processing
PO Box 37629
Philadelphia, PA 19101-0629



033312217901000383492550038343

8864-02-0021350-0001-0000426

Account Number: 03331-22179

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
07/26-08/21	127930804	General Service	Tot kWh	68149 Actual	68364 Actual	215	1	215

Total kWh Used: 215



Electric Residential Heating Service CAP

Service Period 07/26/2019 to 08/21/2019 - 26 days

PECO ELECTRIC DELIVERY		\$23.76
Customer Charge		9.97
Distribution Charges	215 kWh X 0.06413	13.79
ELECTRIC SUPPLY		\$14.58
Generation Charges	215 kWh X 0.06211	13.35
Transmission Charges	215 kWh X 0.00570	1.23
Total Current Charges		\$38.34

Message Center

From PECO:

You are enrolled in PECO's Customer Assistance Program (CAP). A credit may be applied to your monthly bills to provide you affordable service.

New charges contain estimated total state taxes of \$2.85, including \$2.26 for State Gross Receipts Tax.

Your Usage Profile

ANNUAL ELECTRIC USAGE

peco.com/smartideas

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Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	215	8.3	26	79
Last Month	0	0.0	0	0
Last Year	0	0.0	0	0

Avg kWh per Month 215
Total Annual kWh Usage 215

8864-02-0021350-0001-0000426



EXHIBIT B

RE: D. Eubanks 871 N 41st ST Apt 1

Joline Price <JPrice@clsphila.org>

Mon 5/10/2021 12:04 PM

To: Kehl, Mark:(PECO) <Mark.Kehl@exeloncorp.com>; Cameron Dichter <cditcher@clsphila.org>

Cc: Josie Pickens <JPickens@clsphila.org>; Johnson, Jennedy S:(PECO) <Jennedy.Johnson@exeloncorp.com>

Mark,

Thank you for getting back to us with this update. We'll discuss with our client, and may move forward with filing the complaint in the next few days. Will you have a response for us by this Wednesday? If not, we will indicate in the complaint that as of the date of filing, PECO has not approved Ms. Eubanks' request for recalculation of her CAP credit. We remain open to discussing this matter further.

Thanks,
Joline



Joline Price

Pronouns: she/her/hers

Supervising Attorney

Energy Unit

Tele: (215) 981-3756

jprice@clsphila.org

From: Kehl, Mark:(PECO)

<Mark.Kehl@exeloncorp.com>

Sent: Friday, May 7, 2021 5:30 PM

To: Cameron Dichter <cditcher@clsphila.org>

Cc: Josie Pickens <JPickens@clsphila.org>; Joline Price <JPrice@clsphila.org>; Johnson, Jennedy S:(PECO) <Jennedy.Johnson@exeloncorp.com>

Subject: RE: D. Eubanks 871 N 41st ST Apt 1

We are reviewing her account and bills and will get back to you when we have evaluated her FCO and your request below.

Thanks,
Mark Kehl
Manager of Universal Services
215-841-6406
Mark.Kehl@exeloncorp.com

From: Cameron Dichter <cditcher@clsphila.org>

Sent: Friday, May 7, 2021 9:26 AM

To: Kehl, Mark:(PECO) <Mark.Kehl@exeloncorp.com>

Cc: Josie Pickens <JPickens@clsphila.org>; Joline Price <JPrice@clsphila.org>; Johnson, Jennedy S:(PECO) <Jennedy.Johnson@exeloncorp.com>

Subject: Re: D. Eubanks 871 N 41st ST Apt 1

Hi Mark,

Does PECO have a response to this request?

Cameron

From: Cameron Dichter <cditcher@clsphila.org>
Sent: Tuesday, May 4, 2021 12:40 PM
To: Kehl, Mark:(PECO) <Mark.Kehl@exeloncorp.com>
Cc: Josie Pickens <JPickens@clsphila.org>; Joline Price <JPrice@clsphila.org>; Johnson, Jennedy S:(PECO) <Jennedy.Johnson@exeloncorp.com> (Jennedy.Johnson@exeloncorp.com) <Jennedy.Johnson@exeloncorp.com>
Subject: Re: D. Eubanks 871 N 41st ST Apt 1

Hi Mark,

Since enrolling in CAP, Ms. Eubanks has been charged nearly 22% of her income. We're requesting that PECO issue her a credit for the difference between what she's been charged and what she would have been charged had her FCO credit been calculated to produce an affordable bill. We're also requesting that Ms. Eubanks be credited with any PPA forgiveness that she would have received had her FCO credit been calculated to produce the appropriate standard of affordability.

Ms. Eubanks has asked CLS to represent her in a formal complaint regarding this issue. Can you please provide a response to my request by COB Wednesday May 6th?

Thank you,

Cameron

From: Kehl, Mark:(PECO) <Mark.Kehl@exeloncorp.com>
Sent: Friday, September 11, 2020 3:48 PM
To: Cameron Dichter <cditcher@clsphila.org>
Cc: Josie Pickens <JPickens@clsphila.org>; Joline Price <JPrice@clsphila.org>
Subject: RE: D. Eubanks 871 N 41st ST Apt 1

We have confirmed the FCO calculations for this customer.

This customer's initial CAP credit reassessments included premise usage for the previous customer. Now that she has been here since 7/2019 the next scheduled CAP credit reassessment will be based only on this customer's usage.

Thanks,
Mark Kehl

Manager of Universal Services
215-841-6406
Mark.Kehl@exeloncorp.com

From: Cameron Dichter <cditcher@clsphila.org>
Sent: Tuesday, September 8, 2020 12:34 PM
To: Kehl, Mark:(PECO) <Mark.Kehl@exeloncorp.com>
Cc: Josie Pickens <JPickens@clsphila.org>; Joline Price <JPrice@clsphila.org>
Subject: Re: D. Eubanks 871 N 41st ST Apt 1

Hi Mark,

Has the customer info been gathered? Were the calculations run?

Cameron

From: Kehl, Mark:(PECO) <Mark.Kehl@exeloncorp.com>
Sent: Friday, August 14, 2020 3:31 PM
To: Cameron Dichter <cditcher@clsphila.org>
Cc: Josie Pickens <JPickens@clsphila.org>; Joline Price <JPrice@clsphila.org>
Subject: RE: D. Eubanks 871 N 41st ST Apt 1

We are gathering customer info and running calculations to come back to you with our analysis on this customer.

Thanks,
Mark Kehl
Manager of Universal Services
215-841-6406
Mark.Kehl@exeloncorp.com

From: Cameron Dichter <cditcher@clsphila.org>
Sent: Wednesday, August 12, 2020 2:12 PM
To: Kehl, Mark:(PECO) <Mark.Kehl@exeloncorp.com>
Cc: Josie Pickens <JPickens@clsphila.org>; Joline Price <JPrice@clsphila.org>
Subject: [EXTERNAL] Re: D. Eubanks 871 N 41st ST Apt 1

EXTERNAL MAIL. Do not click links or open attachments from unknown senders or unexpected Email.

Hi Mark,

I'm writing to follow up on this message. Please let me know if PECO will address Ms. Eubanks' concerns.

Thank you,
Cameron

From: Cameron Dichter <cditcher@clsphila.org>
Sent: Thursday, July 30, 2020 4:03 PM
To: Kehl, Mark:(PECO) <Mark.Kehl@exeloncorp.com>
Cc: Josie Pickens <JPickens@clsphila.org>; Joline Price <JPrice@clsphila.org>
Subject: D. Eubanks 871 N 41st ST Apt 1

Hi Mark,

I'm writing on behalf of my client Denise Eubanks regarding the calculation of her CAP credit. Based on her usage and income, we believe that Ms. Eubanks did not receive the appropriate CAP credit and this has resulted in her receiving an unaffordable bill.

In 12 months on the CAP program, Ms. Eubanks has been charged \$2,361.79 which is equal to about 25% of her annual income. These charges significantly exceed her allowable energy burden. Despite already paying \$1,830.74 (about 19.5% of her annual income), Ms. Eubanks still has over \$500 in arrears.

I've explained the substance of Ms. Eubanks' case in detail below and included some corresponding questions (questions are bolded for your convenience).

1. Ms. Eubanks started service at her current address in August of 2019 and has been enrolled in CAP since that date.
2. Ms. Eubanks' sole source of income is SSI -- \$783 per month. As a household of 1, that puts her at about 75% FPL.
3. Under the FCO, her allowable energy burden was 16% of income up until the PUC amended its CAP policy statement. For her income, that is \$125.28 per month or \$1,503.36 per year. After the CAP policy statement was amended, PECO should have begun utilizing the updated energy burden guidelines. According to the current energy burden guidelines, Ms. Eubanks' allowable energy burden is 10%, which is equal to \$78.30 per month or \$936 per year.
4. As you can see, her billed amount of \$2,361.79 far exceeds her allowable energy burden.

Date	Current Charges	CAP Credit	Undiscounted Charges (Current Charges + CAP Credit)
8/21/2019	\$38.34	\$0.00	\$38.34
9/20/2019	\$36.86	\$0.00	\$36.86
10/21/2019	\$134.63	\$0.00	\$134.63
11/19/2019	\$301.49	\$0.00	\$301.49
12/20/2019	\$390.37	\$12.73	\$403.10
1/24/2020	\$470.42	\$15.16	\$485.58

2/24/2020	\$365.11	\$15.52	\$380.63
3/24/2020	\$208.85	\$85.78	\$294.63
4/22/2020	\$181.09	\$63.00	\$244.09
5/21/2020	\$174.63	\$37.12	\$211.75
6/22/2020	\$30.00	\$50.17	\$80.17
7/22/2020	\$30.00	\$41.64	\$71.64
TOTAL	\$2,361.79	\$321.12	\$2,682.91

- Ms. Eubanks' bills are not unaffordable because she met or exceeded the CAP credit maximum. Since starting service in August of 2019, Ms. Eubanks has received only \$321.12 in CAP credits. The maximum CAP credit for her income tier and service rate is \$2,318.
- Given that Ms. Eubanks seemingly did not have any usage history at her home prior to August 2019, can you confirm what usage data PECO used to calculate her initial CAP credit? If usage data at the residence by prior customers or usage data at similar residences/ CAP residences in the area were not used, can you confirm why they were not used?**
- Ms. Eubanks has already made payments exceeding her allowable energy burden. As of July 23, 2020, Ms. Eubanks has paid \$1,830.74 to PECO (not including turn on charge) since starting service in August of 2019. This is equal to about 19.5% of her yearly income.

Date	Payment
9/10/2019	\$38.34
10/14/2019	\$43.43
11/4/2019	\$60.00
12/5/2019	\$100.00
1/2/2020	\$218.00
1/8/2020	\$76.22
2/11/2020	\$100.00
3/9/2020	\$100.00
4/2/2020	\$98.25
5/4/2020	\$98.25
6/2/2020	\$98.25
7/15/2020	\$800.00
Total	\$1,830.74

- Based on the CAP credits shown on her bills, and the seasonality distribution in PECO's filed USECP, I attempted to ascertain what her CAP credit was calculated to be over the course of the year. PECO's filed USECP states that the Annual Credit is recalculated quarterly to include the most recent three months of usage data. However, based on these calculations, it seems that Ms. Eubanks' credit was first recalculated 4 months after starting service in August of 2019. **Can**

you confirm whether this assumption is correct, and if so, explain why it was not recalculated prior to the November 2019 bill?

Month	CAP Credit	Seasonal Distribution	Annual Credit (Based on CAP Credit and Seasonal Distribution)
Aug-19	\$0.00	5.90%	\$0.00
Sep-19	\$0.00	5.40%	\$0.00
Oct-19	\$0.00	4.50%	\$0.00
Nov-19	\$0.00	6.40%	\$0.00
Dec-19	\$12.73	11.70%	\$108.80
Jan-20	\$15.16	13.90%	\$109.06
Feb-20	\$15.52	14.20%	\$109.30
Mar-20	\$85.78	12.20%	\$703.11
Apr-20	\$63.00	9.00%	\$700.00
May-20	\$37.12	5.30%	\$700.38
Jun-20	\$50.17	5.20%	\$964.81
Jul-20	\$41.64	6.40%	\$650.63

We're asking that PECO provide a bill credit to bring Ms. Eubanks' bill down to her allowable energy burden. Under the old energy burdens, which I understand PECO is still using, that would be 16% of her yearly income. It's my understanding that as of March 21st – the date that the Commission's revised CAP Policy Statement was published in the Pennsylvania Bulletin – PECO should have begun using the new energy burdens. According to the current energy burden guidelines, Ms. Eubanks' allowable energy burden is 10% of her yearly income.

This works out to 8 months of CAP credits calculated using a 16% energy burden (August through March) and 4 months of CAP credits using the 10% energy burden (April through July). The combined total energy burden percentage for August 2019 through July 2020 is therefore 14% of annual income or \$1,315.44 per year $[(16 \times 8/12) + (10 \times 4/12) = 14]$.

Ms. Eubanks should be immediately provided with a credit of \$1,046.35 to bring her bill down to a 14% energy burden. This credit accounts for the difference between the amount that she has already been charged (\$2,361.79) and the amount she would have been charged had she received an affordable bill (\$1,315.44).

Please let me know if you have any questions or want to discuss further.

Pronouns: he/him/his

Paralegal

Energy Unit

Community Legal Services

North Philadelphia Law Center

1410 West Erie Avenue

215-227-4794 (phone)

215-227-2435 (fax)

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Kintéshia S. Scott, Esq., PA ID: 328600

COMMUNITY LEGAL SERVICES, INC.

1424 Chestnut Street

Philadelphia, PA 19102

215-981-3756

Exhibit B:
PECO Energy Company Answer

Angela M. Lorenz, Esquire
Direct: 215-501-7847
alorenz@griesinglaw.com

June 10, 2021

VIA E-MAIL (jprice@clsphila.org)

Joline R. Price, Esq.
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102

**RE: Denise Eubanks v. PECO Energy Company
Docket No. C-2021-3025997**

Dear Ms Price:

Enclosed is a copy of PECO Energy Company's response to the formal complaint filed in the above-referenced docket. The law requires PECO Energy to file an answer to your Public Utility Commission complaint. Keep these papers for your records. This is not a decision on your complaint. PECO's response may include a New Matter, Motion or Preliminary Objection. Please note that if you do not respond to a New Matter, Motion, or Preliminary Objection an unfavorable decision may be rendered against you. Responses to New Matters and Motions must be filed within 20 days. Responses to Preliminary Objections must be filed within 10 days. If there is no New Matter, Motion or Preliminary Objection included, no response is required.

Soon, the Public Utility Commission will schedule either a settlement conference or a hearing on your complaint. The Commission will let you know by mail whether there will be a conference or a hearing and will include instructions on what to do next. If the matter is set for hearing, the notice will provide you with information about the date, time and place of the hearing. If we are unable to resolve your complaint and have to proceed with a hearing, a judge will be at the hearing and will decide your complaint. You must call the Public Utility Commission if you have any questions about the hearing or if you cannot attend the hearing.

Thank you for your time and attention on this matter.

Very truly yours,



Angela Lorenz, Esq

AL/ab
Enclosure

#: 5004538



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
EFILING - FILING DETAIL

Date Created	Filing Number
6/10/2021	2181092

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

Docket Number: C-2021-3025997
Case Description: Denise Eubanks -Answer to Formal Complaint
Transmission Date: 6/10/2021 9:29 AM
Filed On: 6/10/2021 9:29 AM
eFiling Confirmation Number: 2181092

File Name	Document Type	Upload Date
Eubanks_Answer.pdf	Answer to Formal Complaint	6/10/2021 9:29:09 AM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

No paper submission is necessary for filings under 250 pages.

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.

Angela M. Lorenz, Esquire
Direct: 215-501-7847
alorenz@griesinglaw.com

June 10, 2021

VIA E-MAIL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

**RE: Denise Eubanks v. PECO Energy Company
PUC Docket No. C-2021-3025997**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is a *PECO Energy's Answer to Formal Complaint*.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Respectfully submitted,



Angela Lorenz, Esq

AL/ab
Enclosure

Cc: Not Recommended for Call of Docket

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On May 21, 2021, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Denise Eubanks (hereafter "Complainant") in the above captioned docket. Pursuant to 52 Pa. Code § 5.61, PECO responds to the Complaint and states:

1-8. Admitted.

9. Admitted in part; denied in part. It is admitted only that the Complainant alleges that PECO Energy has improperly calculated her Customer Assistance Program Fixed Credit Option (CAP-FCO) while she has been enrolled in PECO's Customer Assistance Program. The truth of these averments are deemed denied. Additionally, it is specifically denied that there is a violation of PECO's Universal Service and Emergency Conservation Plan. (USECP).

10. Admitted in part; denied in part. It is admitted only that the Complainant requests PECO Energy to provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. The truth of these averments are deemed denied.

11. Admitted in part; denied in part. It is admitted only that the Complainant requests PECO Energy to provide additional arrearage forgiveness. The truth of this averment is deemed denied.

12. Admitted. By way of further response, all financial income is provided by the Complainant to PECO Energy.

13-28. Admitted.

29. Admitted.

30-31. Denied as stated. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint. In her Complaint, Complainant disputes the calculation of PECO's Customer Assistance Program – Fixed Credit Option (“CAP-FCO”) program and requests that PECO provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. Complainant also requests forgiveness of her additional arrearages.

PECO's records indicate that the Complainant has electric service at 871 N. 41st Street, 1st Floor, Philadelphia, PA 19104 under account number 03331-22179. See Account Activity Statement, attached hereto as Exhibit “1”. The Complainant was enrolled in the program on July 26, 2019. The CAP-FCO notification requirements and program announcement are set forth under 52 Pa. Code § 58.9, et. seq. Consistent with the program requirements, 16% for electric heat, the company calculated the Complainant's annual energy burden at \$1,453.63 based on a monthly income of \$757.00 for one adult. In order to determine this, the customer's energy burden is subtracted from the undiscounted amount that the customer spent for service over the past 12 months. The difference is the customer's annual CAP credit. This amount is then divided into 12

credits which are applied to the customer's bill each month. The amount of the credit will vary based on the customer's historic usage, but total credit for the year would not exceed the customer's annual CAP credit. Based on this yearly energy burden, the Complainant has received the proper annual discount. See Calculation of Complainant's Annual Energy Burden, 2019 attached hereto as Exhibit "2".

Under the CAP-FCO program, a customer may receive a monthly credit to their bill based upon their income and their historical usage. At the time of CAP enrollment in 2019, PECO Energy did not have 12 previous months of data for this specific Complainant and premise combination. The next default usage is to use the premise usage from a previous customer, which was available. Therefore, the default usage used to create the initial FCO calculation was the average CAP Residential Heating usage. That calculation yielded an annual spend of \$1,201.71 versus an Affordable Burden amount of \$1,453.63. Consequently, no credit was provided.

Every quarter the oldest quarter of data is rolled off and the most recent quarter is added. In June 2020, as the quarters began to roll off and Complainant had actual usage at the premises, the Complainant obtained an FCO. In June 2020, the Annual spend increased to \$2,744.89 and the Affordable Burden increased to \$1,522.56. This provided an annual FCO of \$1,222.33. In Complainant's case, it would take a full year to have an FCO calculation based upon this particular customer's income and usage at that premise. See CAP FCO Calc, 2020, Exhibit "3".

At the most recent assessment in March 2021, the Annual Spend was \$2,683.96 and the Affordable Burden was \$1,522.56. The annual FCO was then calculated to be \$1,161.40. Complainant exceeded average CAP RH usage. See, CAP FCO Calculation, 2020-2021, Exhibit

“4.” Complainant did qualify for a LIHEAP Crisis Grant, and was given a Payment Arrangement in July 2020. (See Exhibit “1”.)

In addition, any months where not all of the CAP credit needed to be used, it was stored in the overage and used towards subsequent bills when needed. The customer was charged the \$30.00 minimum from June 2020 to November 2020. Any credit that was not used for those bills went towards the Complainant’s subsequent bills.

The Complainant’s outstanding balance is \$369.78. See Exhibit “1”. PECO avers that the company complied with the CAP-FCO program requirements set forth under 52 Pa. Code § 58.9, et. seq. The Complainant currently does not have any excess FCO credits available.

32-33. Denied as stated. USECP at 31 n.7. provides:

The maximum Annual Credit was calculated to provide bills within Commission energy burden guidelines to approximately 93% of Rate R customers (including dual fuel customers), and approximately 96% of Rate RH customers. In addition, application of the Commission-required minimum monthly bills (\$12 for Rate R: \$30 for Rate RH) results in bills above Commission energy burden guidelines for approximately 6% of PECO’s CAP customers overall. The combination of those two effects will result in 12% of PECO’s Rate R. and 10% for PECO’s Rate RH, with bills exceeding Commission energy burden guidelines, assuming a normal weather year. The maximum Annual Credit levels set forth above will remain at these levels for four years after the program is implemented in October 2016. After four years. PECO will confer with the other signatories to determine whether there is a consensus new maximum Annual Credit level. If so. PECO will adopt that new level in its next-filed Three-Year Plan. If no consensus is reached, PECO may propose a new maximum Annual Credit level in its next-filed Three-Year Plan. The maximum Annual Credits set forth in the table have been determined in an effort to reduce the number of CAP customers whose bills exceed commission energy burden guidelines. The Commission has previously granted PECO permission to apply maximum annual credits on a system-wide average, rather than as an individual customer limit. This settlement continues that practice.

33-52. Admitted.

53. Denied as stated. USECP at 30 n.3. provides:

These policy enhancements and changes are consistent with the Public Utility Code and are reflective of numerous comments submitted by various stakeholders in relevant proceedings.

1.a. Establish new maximum tiered CAP energy burdens of 6% for natural gas heating, 4% for electric non-heating, and 10% for electric heating for FPIG tiers

51%—100% and 101%—150%. For FPIG tier 0%—50%, the maximum energy burdens should be 4% for natural gas heating, 2% for electric non-heating, and 6% for electric heating.

54. Denied as stated. *See* Response to Paragraphs 30-31.

55. Admitted.

56. Admitted in part; denied in part. Complainant's income in 2019 was reported by Complainant to be \$757 per month. In June 2020 and March 2021, her reported income was \$793. Ten percent of Complainant's reported income in 2019 would be \$75.70 per month and \$908.40 per year; in 2020 and 2021, ten percent of Complainant's reported income would be \$79.30 per month and \$951.60 per year.

57-61. Denied. *See* Response to paragraphs 30-31. By way of further Answer, all financial information is reported to PECO Energy by Complainant. PECO Energy has no other way of knowing what other bills Complainant may or may not have.

62. Admitted. By way of further Answer, PECO Energy sent Complainant a termination notice in February 2020.

63. Denied. PECO Energy is without sufficient knowledge or information to properly Answer this averment as to whether Complainant uses a nebulizer. By way of further Answer,

PECO Energy did offer a LIHEAP audit to this Complainant, but the Complainant did not participate and did not show for the scheduled audit.

64. Denied.

65. Denied. *See* response to paragraphs 30-31 above.

66-69. Admitted.

70-72. Denied. No changes to the cap-FCO Energy Burden have been made at this time.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,



Angela M. Lorenz, Esq.
Griesing Law, LLC
1880 JFK Blvd., Suite 1800
Philadelphia, PA 19103
(215)618-3720
alorenz@griesinglaw.com

Counsel on behalf of:
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

VERIFICATION

I, Angela M. Lorenz, hereby declare that I am counsel on behalf of PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.



Date: June 10, 2021

Angela M. Lorenz, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

CERTIFICATE OF SERVICE

I, Angela M. Lorenz, hereby certify that I have this day served a copy of PECO Energy Company's Answer in the above matter upon all interested parties via e-mail to:

Joline R. Price, Esq.
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
Email: jprice@clsphila.org

Dated: June 10, 2021



Angela M. Lorenz, Esq.
Griesing Law, LLC
1880 JFK Blvd., Suite 1800
Philadelphia, PA 19103
(215)618-3720
alorenz@griesinglaw.com

Counsel on behalf of:
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841

EXHIBIT 1

*** Account Information ***

*** Current Account Status ***

Account Number:	Mail To:	Current Bill:	\$132.02	Credit Amount:	\$0.00
03331-22179	DENISE L EUBANKS	Billed Prior:	\$237.76	Deposit Requested:	\$0.00
Account Status: Active	PO BOX 34274	Balance Due:	\$369.78	Deposit On-Hand:	\$0.00
Requested By:	PHILADELPHIA PA 19101	Service Address:			
DENISE L EUBANKS		1ST FL		Meter Bill Grp: 18	
(267)703-9704 Extension:		871 N 41ST ST		Rate: CAP FCO Electric Residential Heating Svc	
		PHILADELPHIA PA 19104			

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF
07/26/19	CONNECTION CHARGE - STANDARD				\$6.00						
07/26/19	Regular Bill						\$6.00		08/19		
08/05/19	Transfer Debit				\$6.57						
08/07/19	Payment					\$6.00					
08/21/19	ELECTRIC SERVICE	07/26/19 08/21/19	68364	127930804	\$38.34						
08/21/19	Regular Bill						\$38.34		09/12	215	
09/10/19	Payment										
09/17/19	Late Payment Charge				\$0.10						
09/20/19	ELECTRIC SERVICE	08/21/19 09/20/19	68567	127930804	\$36.86						
09/20/19	Regular Bill						\$43.53	\$6.67	10/15	203	
10/14/19	Payment										
10/21/19	ELECTRIC SERVICE	09/20/19 10/21/19	69626	127930804	\$134.63						
10/21/19	Regular Bill						\$134.73	\$0.10	11/12	1059	
11/04/19	Payment										
11/19/19	ELECTRIC SERVICE	10/21/19 11/19/19	72108	127930804	\$301.49						
11/19/19	Late Payment Charge				\$1.12						
11/19/19	Regular Bill						\$377.34	\$75.85	12/11	2482	
12/05/19	Payment										
12/11/19	Late Payment Charge						\$100.00				
12/17/19	Late Payment Charge				\$4.14						
12/20/19	ELECTRIC SERVICE	11/19/19 12/20/19	75445	127930804	\$390.37						
12/20/19	Regular Bill						\$670.73	\$280.36	01/13	3337	
01/02/20	LIHEAP Payment						\$218.00				
01/08/20	Payment										
01/24/20	ELECTRIC SERVICE	12/20/19 01/24/20	79555	127930804	\$470.42						
01/24/20	Regular Bill										
02/11/20	Payment						\$100.00				
02/24/20	ELECTRIC SERVICE	01/24/20 02/24/20	82760	127930804	\$365.11						
02/24/20	Regular Bill						\$1112.04	\$746.93	03/17	3205	
03/09/20	Payment										
03/24/20	ELECTRIC SERVICE	02/24/20 03/24/20	85252	127930804	\$208.85						
03/24/20	Regular Bill						\$1220.89	\$1012.04	04/15	2492	
04/02/20	Payment										
04/22/20	ELECTRIC SERVICE	03/24/20 04/22/20	87301	127930804	\$181.09						
04/22/20	Regular Bill						\$1303.73	\$1122.64	05/14	2049	
05/04/20	Payment										
05/21/20	ELECTRIC SERVICE	04/22/20 05/21/20	89067	127930804	\$174.63						
05/21/20	Regular Bill						\$1380.11	\$1205.48	06/12	1766	
06/02/20	Payment										
06/22/20	ELECTRIC SERVICE	05/21/20 06/22/20	89630	127930804	\$30.00						
06/22/20	Regular Bill						\$1311.86	\$1281.86	07/14	563	
07/15/20	LIHEAP Payment						\$800.00				
07/16/20	Payment Agreement						\$511.86				
07/22/20	ELECTRIC SERVICE	06/22/20 07/22/20	90105	127930804	\$30.00						
07/22/20	DEFERRED PAYMENT AGREEMENT				\$42.66						
07/22/20	Regular Bill										
08/04/20	Miscellaneous						\$469.20		08/13	475	
08/04/20	Debit Transfer Payment				\$469.20						
08/04/20	Paid In Advance				\$469.20						
08/13/20	Payment						\$30.00				

EXHIBIT 2

Load Curve

Relative Month	CR8	CE8	GR8	GH8	Electric FC	Gas FC	FPL > 150?	
January	9.6%	13.9%	20.6%	20.6%	\$ -	\$ -	Bucket	1
February	8.9%	14.2%	19.5%	19.5%	\$ -	\$ -	Electric Burden	2
March	8.0%	12.2%	14.5%	14.5%	\$ -	\$ -	Gas Burden %	16%
April	7.0%	9.0%	9.6%	9.6%	\$ -	\$ -	Burden %	10%
May	5.8%	5.3%	4.5%	4.5%	\$ -	\$ -	Gross Income	16%
June	7.7%	5.2%	2.6%	2.6%	\$ -	\$ -	Affordable Ener	\$ 9,085.20
July	11.3%	6.4%	1.9%	1.9%	\$ -	\$ -	Annual Spend	\$ 1,453.63
August	10.6%	5.9%	1.7%	1.7%	\$ -	\$ -	Difference b/w	\$ 1,201.71
September	9.3%	5.4%	2.0%	2.0%	\$ -	\$ -	Annual Credit D	\$ (251.92)
October	6.6%	4.5%	2.6%	2.6%	\$ -	\$ -	Max Credit app	\$ -
November	6.6%	6.4%	6.9%	6.9%	\$ -	\$ -	Max Credit	Yes
December	8.7%	11.7%	13.6%	13.6%	\$ -	\$ -	Annual Credit	\$ 2,318.00
								\$ -

Bucket	Burden %s				Max Credit		
	FPL Range	Electric R	Electric RH	Gas	Gas H	Electric R	Electric RH
1	0-50%	5%	13%	8%	8%	\$ 2,435	\$ 3,490
2	51-100%	6%	16%	10%	10%	\$ 1,716	\$ 2,318
3	101-150%	7%	17%	10%	10%	\$ 1,554	\$ 2,070

EXHIBIT 3

Input										Output		
Account Information			Usage Type							Electric Residential Hea		
Date	8/4/2020		Actual		Average					Annual Fix	#####	
User	I.Rosario		Premise		Combined					Annual En	#####	
Account #	03331-22179		Usage Info				Projected Year's Bills				Overage	\$ -
Tool Versi	1.5		Month	Year	Account Usage	Premise Usage	Combine d Usage Base	Normaliz ed Usage Base	Last year's charges based on usage	Fixed Credit (Reverse chronological)	Projected Fixed Credi	
Service Ty	Electric										Relative Month	Service Point Discount (chronological)
Heating	Heating		June	2020	563		563	552	\$78.80	\$ (63.19)	Jul 20	\$ 77.98
FPL	76		May	2020	1766		1766	1819	\$217.80	\$ (64.54)	Aug 20	\$ 71.51
Monthly Ir	\$ 793		April	2020	2049		2049	2049	\$244.09	\$ (109.52)	Sep 20	\$ 66.01
Health Usa	No		March	2020	2492		2492	2691	\$317.36	\$ (149.12)	Oct 20	\$ 55.25
			February	2020	3205		3205	3429	\$406.53	\$ (174.06)	Nov 20	\$ 78.35
Current Re	June		January	2020	4110		4110	4439	\$523.64	\$ (170.03)	Dec 20	\$ 142.77
Current Ye	2020		December	2019	3337		3337	3370	\$406.98	\$ (142.77)	Jan 21	\$ 170.03
Rate Code	CE8		November	2019	2482		2482	2358	\$286.95	\$ (78.35)	Feb 21	\$ 174.06
Annual Sp	\$ 2,744.89		October	2019	1059		1059	1059	\$150.22	\$ (55.25)	Mar 21	\$ 149.12
Affordable	\$ 1,522.56		September	2019	203		203	199	\$36.22	\$ (66.01)	Apr 21	\$ 109.52
Annual Cre	\$ 1,222.33		August	2019	215		215	213	\$41.50	\$ (71.51)	May 21	\$ 64.54
Eligible for	No		July	2019			756	711	\$34.80	\$ (77.98)	Jun 21	\$ 63.19
									\$ 2,744.89	\$ (1,222.33)		

EXHIBIT 4

Load Curve

Relative Month	CR8	CE8	GR8	GH8	Electric FC	Gas FC	FPL > 150?	
January	9.6%	13.9%	20.6%	20.6%	\$ 161.55	\$ 239.25	Bucket	1
February	8.9%	14.2%	19.5%	19.5%	\$ 165.38	\$ 226.47	Electric Bu	2
March	8.0%	12.2%	14.5%	14.5%	\$ 141.69	\$ 168.40	Gas Burde	16%
April	7.0%	9.0%	9.6%	9.6%	\$ 104.06	\$ 111.49	Burden %	10%
May	5.8%	5.3%	4.5%	4.5%	\$ 61.32	\$ 52.26	Burden %	16%
June	7.7%	5.2%	2.6%	2.6%	\$ 60.04	\$ 30.20	Gross Inco \$	9,516.00
July	11.3%	6.4%	1.9%	1.9%	\$ 74.10	\$ 22.07	Affordable \$	1,522.56
August	10.6%	5.9%	1.7%	1.7%	\$ 67.94	\$ 19.74	Annual Spc \$	2,683.96
September	9.3%	5.4%	2.0%	2.0%	\$ 62.72	\$ 23.23	Difference \$	1,161.40
October	6.6%	4.5%	2.6%	2.6%	\$ 52.50	\$ 30.20	Annual Cre \$	1,161.40
November	6.6%	6.4%	6.9%	6.9%	\$ 74.45	\$ 80.14	Max Credit	Yes
December	8.7%	11.7%	13.6%	13.6%	\$ 135.65	\$ 157.95	Max Credit \$	2,318.00
							Annual Cre \$	1,161.40

Bucket	Burden %s				Max Credit		
	FPL Range	Electric R	Electric RH	Gas	Gas H	Electric R	Electric RH
1	0-50%	5%	13%	8%	8%	\$ 2,435	\$ 3,490
2	51-100%	6%	16%	10%	10%	\$ 1,716	\$ 2,318
3	101-150%	7%	17%	10%	10%	\$ 1,554	\$ 2,070

Exhibit C:

Preliminary Objections to the Answer of PECO Energy Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. C-2021-3025997
PECO Energy Company	:	
Respondent	:	

NOTICE TO PLEAD

TO: Khadijah Scott, Esq.	Angela Lorenz, Esq.
PECO Energy Company	Griesing Law LLC
2301 Market Street	1880 JFK Blvd., Suite 1800
Philadelphia, PA 19101-8699	Philadelphia, PA 19103
Khadijah.scott@exeloncorp.com	alorenz@griesinglaw.com

Pursuant to 52 Pa. Code § 5.101(b), you are hereby notified that, if you do not file a written response to the attached Preliminary Objections of Denise Eubanks (Complainant) within ten (10) days from service of this notice, the facts set forth by Complainant in the Preliminary Objections may be deemed to be true, thereby requiring no other proof. All pleadings, such as a Reply to the attached Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Complainant.

Joline R. Price, Esquire (Attorney ID: 315405)
Josie B. H. Pickens, Esquire (Attorney ID: 309422)
Kintéshia S. Scott (Attorney ID: 328600)
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rballenger@clsphila.org

Dated June 21, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. C-2021-3025997
PECO Energy Company	:	
Respondent	:	

**PRELIMINARY OBJECTIONS OF DENISE EUBANKS
TO THE ANSWER OF PECO ENERGY COMPANY**

Complainant, Denise Eubanks, pursuant to 52 Pa. Code §5.101, submits two preliminary objections to the Answer of PECO Energy Company.

Introduction

1. Complainant filed a Formal Complaint against PECO on May 21, 2021, alleging that PECO improperly calculated her Customer Assistance Program Fixed Credit Option (CAP FCO) while enrolled in PECO’s Customer Assistance Program, in violation of the t Universal Service and Energy Conservation Plan (“USECP”). See Exhibit A.
2. PECO filed its Answer to the Formal Complaint on June 10, 2021. See Exhibit B.
3. The Commission’s rules of administrative practice and procedure permit a party to file preliminary objections based on limited grounds including, as relevant here, the “insufficient specificity of a pleading,” and the “failure of a pleading to conform to this chapter.” 52 Pa. Code §5.101(a)(2)-(3).
4. PECO’s Answer fails to deny specifically material facts and allegations of the Complaint, resulting in PECO’s admission to those allegations.
5. PECO’s Answer fails to conform to the pleading requirements imposed by Chapter 5 of the Commission’s Regulations, which governs formal proceedings, because it sets forth a series of factual statements within the Answer’s numbered paragraphs that are not responsive to the

specific facts pled in those numbered paragraphs of the Complaint.

Preliminary Objection I – Failure to Deny Paragraphs 30, 31, 53 and 54

6. Paragraphs 1 through 5 are incorporated herein by reference.
7. The Commission’s regulations require a party answering a complaint to admit or deny specifically all material allegations of the complaint. 52 Pa. Code § 5.61(b)(3).
8. The Commission’s general rules of pleading are modeled after the Pennsylvania Rules of Civil Procedure. Crh Catering Co., Inc. v. Blue Pilot Energy, LLC, No. C-2014-2415277, 2015 WL 849251, at *2 (Feb. 12, 2015).
9. It is well settled law that a general denial is unacceptable and deemed an admission where it is clear that the defendant has adequate knowledge on which to base an admission or specific denial. City of Philadelphia v. Kenny, 369 A.2d 1343 (Pa. Cmwlth. 1977).
10. The purpose of requiring specific denial is to identify the issues in dispute between the parties. Alwine v. Sugar Creek Rest, Inc., 883 A.2d 605, 609 (2005). See also William T. Reffner, No. C-20077841, 2008 WL 8014604, at *5 (June 5, 2008) (explaining that “[t]he purpose of Section 5.61(b) is to promote the just, speedy and inexpensive determination of actions by alerting the parties and the Commission to the factual and legal issues presented by that case. Parties can, therefore, conduct discovery as necessary and ensure that necessary witnesses and documents are presented at trial. This Section also reduces the possibility that a party will be unfairly surprised at trial.”).
11. The legal principle that a general denial is deemed an admission has been adopted by the Commission. See Pennsylvania Pub. Util. Comm'n, Bureau of Transportation & Safety, No. A-00111409C0001, 2001 WL 36250463, at *1 (Apr. 5, 2001) (holding that by failing to deny a portion of the allegations in a Complaint, the Respondent waived its right to employ the

defense at the hearing). See also Ochonma v. Bell Atlantic, 94 Pa. P.U.C. 10 (Jan. 14, 2000) (“when a respondent fails to file an answer to deny specifically an allegation which is material, all the relevant facts stated in the allegation are deemed admitted.”).

12. In paragraphs 30 and 31, Complainant alleged as follows:

30. Over the course of her enrollment in CAP, Complainant was billed \$3,533.17 and received CAP Credits totaling \$1,455.00.

31. Since August 2019, Complainant has been billed for charges close to 22% of her reported income.

Complaint at ¶¶ 30-31.

Pursuant to 52 Pa. Code § 5.61(b)(3), PECO is required to admit or deny specifically such allegations in its Answer.

13. In response to Paragraphs 30 and 31 of the Complaint, PECO states:

30-31. Denied as stated. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint. In her Complaint, Complainant disputes the calculation of PECO’s Customer Assistance Program – Fixed Credit Option (“CAP-FCO”) program and requests that PECO provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. Complainant also requests forgiveness of her additional arrearages.

PECO’s records indicate that the Complainant has electric service at 871 N. 41st Street, 1st Floor, Philadelphia, PA 19104 under account number 03331-22179. See Account Activity Statement, attached hereto as Exhibit “1”. The Complainant was enrolled in the program on July 26, 2019. The CAP-FCO notification requirements and program announcement are set forth under 52 Pa. Code § 58.9, et. seq. Consistent with the program requirements, 16% for electric heat, the company calculated the Complainant’s annual energy burden at \$1,453.63 based on a monthly income of \$757.00 for one adult. In order to determine this, the customer’s energy burden is subtracted from the undiscounted amount that the customer spent for service over the past 12 months. The difference is the customer’s annual CAP credit. This amount is then divided into 12 credits which are applied to the customer’s bill each month. The amount of the credit will vary based on the customer’s historic usage, but total credit for the year would not exceed the customer’s annual CAP credit. Based on this yearly energy burden, the

Complainant has received the proper annual discount. See Calculation of Complainant's Annual Energy Burden, 2019 attached hereto as Exhibit "2".

Under the CAP-FCO program, a customer may receive a monthly credit to their bill based upon their income and their historical usage. At the time of CAP enrollment in 2019, PECO Energy did not have 12 previous months of data for this specific Complainant and premise combination. The next default usage is to use the premise usage from a previous customer, which was available. Therefore, the default usage used to create the initial FCO calculation was the average CAP Residential Heating usage. That calculation yielded an annual spend of \$1,201.71 versus an Affordable Burden amount of \$1,453.63. Consequently, no credit was provided.

Every quarter the oldest quarter of data is rolled off and the most recent quarter is added. In June 2020, as the quarters began to roll off and Complainant had actual usage at the premises, the Complainant obtained an FCO. In June 2020, the Annual spend increased to \$2,744.89 and the Affordable Burden increased to \$1,522.56. This provided an annual FCO of \$1,222.33. In Complainant's case, it would take a full year to have an FCO calculation based upon this particular customer's income and usage at that premise. See CAP FCO Calc, 2020, Exhibit "3".

At the most recent assessment in March 2021, the Annual Spend was \$2,683.96 and the Affordable Burden was \$1,522.56. The annual FCO was then calculated to be \$1,161.40. Complainant exceeded average CAP RH usage. See, CAP FCO Calculation, 2020-2021, Exhibit "4." Complainant did qualify for a LIHEAP Crisis Grant, and was given a Payment Arrangement in July 2020. (See Exhibit "1".)

In addition, any months where not all of the CAP credit needed to be used, it was stored in the overage and used towards subsequent bills when needed. The customer was charged the \$30.00 minimum from June 2020 to November 2020. Any credit that was not used for those bills went towards the Complainant's subsequent bills.

The Complainant's outstanding balance is \$369.78. See Exhibit "1". PECO avers that the company complied with the CAP-FCO program requirements set forth under 52 Pa. Code § 58.9, et. seq. The Complainant currently does not have any excess FCO credits available.

Answer at ¶¶ 30-31.

14. Paragraphs 30 and 31 of PECO's Answer do not contain any specific denial of the facts asserted in the Complaint at paragraphs 30 and 31. Rather, as discussed further below, PECO's response in paragraphs 30 and 31 of its Answer includes a number of factual

assertions that should properly be set forth in new matter.¹

15. In paragraph 53, Complainant alleged as follows:

53. PECO's USECP provides that the allowable energy burden used to calculate a customer's fixed credit is based on the maximum energy burden in the Public Utility Commission's CAP Policy Statement. USECP at 30 n. 3.

Complaint at ¶53.

Pursuant to 52 Pa. Code § 5.61(b)(3), PECO is required to admit or deny specifically such allegations in its Answer.

16. In response to paragraph 53 of the Complaint, PECO states:

53. Denied as stated. USECP at 30 n.3. provides:

These policy enhancements and changes are consistent with the Public Utility Code and are reflective of numerous comments submitted by various stakeholders in relevant proceedings.

1.a. Establish new maximum tiered CAP energy burdens of 6% for natural gas heating, 4% for electric non-heating, and 10% for electric heating for FPIG tiers

51%—100% and 101%—150%. For FPIG tier 0%—50%, the maximum energy burdens should be 4% for natural gas heating, 2% for electric nonheating, and 6% for electric heating.

Answer at ¶ 53.

17. PECO's response to paragraph 53 denies Complainant's assertion and sets forth as a quote language that does not, in fact, appear in PECO's 2016-2018 USECP, which PECO admits is currently in effect. See PECO Energy Company Universal Service and Energy Conservation Plan 2016 to 2018, submitted February 17, 2017, Docket No. M-2015-2507139, <http://www.puc.state.pa.us/pcdocs/1510970.pdf>. (hereinafter 2016-2018 USECP). As a result, PECO's response does not specifically deny Complainant's assertion. Moreover, to the extent PECO intended to set forth language from its proposed 2019-2024 USECP,

¹ Several of the factual statements included in this response are either incorrect or confuse the facts. For example, PECO's Answer includes a citation to regulations regarding the Low Income Usage Reduction Program (LIURP), which is not at issue here. In addition, the description of how PECO's CAP FCO operates is not entirely correct based on the language in PECO's Universal Service and Energy Conservation Plan. Complainant has a right to respond to these assertions.

Complainant has been unable to locate such language in PECO's filings, which would be irrelevant even if it did exist.²

18. In paragraph 54, Complainant stated as follows:

54. At the time of enrollment in CAP, Complainant's affordable energy burden according to PECO's USECP was 16% of income, or \$125.28 per month and \$1,503.36 per year.

Complaint at ¶ 54.

Pursuant to 52 Pa. Code § 5.61(b)(3), PECO is required to admit or deny specifically such allegations in its Answer.

19. In response to paragraph 54 of the Complaint, PECO states:

54. Denied as stated. *See* Response to Paragraphs 30-31.

Answer at ¶ 54.

20. PECO's response to paragraph 54 of the complaint does not contain a specific denial of the facts alleged in the corresponding paragraph of the Complaint.

21. The Commission should grant Complainant's preliminary objections and hold that by failing to specifically deny Complainant's allegations in paragraphs 30, 31, 53, and 54, PECO has admitted those facts.

Preliminary Objection II – Failure to Satisfy Pleading Requirements

22. Paragraphs 1 through 21 are incorporated herein by reference.

23. Section 5.61(b) of the Commission's Regulations governs the form of an answer to a formal complaint and provides as follows:

(b) *Form of answers to complaints.* The answer must be in writing and:

(1) Set forth in paragraphs numbered to correspond with the complaint.

² PECO's proposed Universal Service and Energy Conservation Plan, is pending at the Commission but has not yet been approved. *See* PECO Energy Company Universal Service and Energy Conservation Plan ("Six Year Plan") 2019-2024, Docket No. P-2020-3022154 (Sept. 25, 2020), <https://www.puc.pa.gov/pcdocs/1678652.pdf>.

- (2) Advise the parties and the Commission as to the nature of the defense.
- (3) Admit or deny specifically all material allegations of the complaint.
- (4) State concisely the facts and matters of law relied upon.

(5) Include a copy of a document, or the material part of a document when relied upon in the answer. If the writing or a copy is not available, the answer must set forth that the document is not available and the reason, and set forth the substance of the document.

52 Pa. Code § 5.61(b).

24. Section 5.62(b) of the Commission's Regulations governs the presentation of "new matter"

in a party's answer and provides as follows:

(b) *Answers raising new matter.* An affirmative defense shall be pleaded in an answer or other responsive pleading under the heading of "New Matter." A party may set forth as new matter another material fact which is not merely a denial of the averments of the preceding pleading.

52 Pa. Code §5.62(b).

25. Notwithstanding the clear requirements of Section 5.61(b) and 5.62(b) of the Commission's regulations, PECO's Answer includes, in response to paragraphs 30 and 31 of the Complaint, several paragraphs setting forth factual averments that are not responsive to the allegations contained in the Complaint. Answer at ¶¶ 30-31.

26. Those factual assertions, being nonresponsive to the allegations in the Complaint, appear self-serving and intended to prejudice Complainant by impeding Complainant's ability to respond to factual statements which, if relevant to PECO's defense, must be set forth as "new matter" in order that Complainant may respond to them.

27. The Commission should not permit PECO to introduce new factual assertions in its Answer that are not responsive to the allegations in the Complaint unless properly set forth as "new matter." Accordingly, the Commission should strike PECO's responses to paragraphs 30 and 31 in their entirety.

28. In the alternative, the Commission should require that PECO submit an amended answer,

properly pleading any facts it believes to be material, but which are not merely denials of Complainant's factual averments, in numbered paragraphs as "new matter."

WHEREFORE, for the reasons set forth above, Complainant respectfully requests that its Preliminary Objections to PECO's Answer be granted.

Respectfully submitted,



Joline R. Price, Esquire (Attorney ID: 315405)
Robert W. Ballenger, Esquire (Attorney ID: 93434)
Josie B. H. Pickens, Esquire (Attorney ID: 309422)
Kintéshia S. Scott, Esquire (Attorney ID: 328600)

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. C-2021-3025997
PECO Energy Company	:	
Respondent	:	

VERIFICATION

I, Joline Price, hereby state that the facts set forth above in the Preliminary Objections of Denise Eubanks to the Answer of PECO Energy Company, are true and correct and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).



Dated: June 21, 2021

Exhibit D:
PECO Energy Company Amended Answer



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
EFILING - FILING DETAIL

Date Created	Filing Number
7/6/2021	2185850

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

Docket Number: C-2021-3025997

Case Description: Amended Answer to Formal Complaint - Denise Eubanks

Transmission Date: 7/6/2021 9:37 AM

Filed On: 7/6/2021 9:37 AM

eFiling Confirmation Number: 2185850

File Name	Document Type	Upload Date
Denise Eubanks Amended Complaint.pdf	Answer to Formal Complaint	7/6/2021 9:37:15 AM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

No paper submission is necessary for filings under 250 pages.

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.

Angela M. Lorenz, Esquire
Direct: 215-501-7847
alorenz@griesinglaw.com

July 6, 2021

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

RE: Denise Eubanks v. PECO Energy Company
Docket Number: C-2021-3025997

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is the *Amended Answer of Respondent, PECO Energy Company to Formal Complaint* with regard to the matter referenced above.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,



Angela Lorenz, Esq

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

**AMENDED ANSWER OF RESPONDENT,
PECO ENERGY COMPANY TO FORMAL COMPLAINT**

On May 21, 2021, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Denise Eubanks (hereafter "Complainant") in the above captioned docket. Pursuant to 52 Pa. Code § 5.61, PECO responds to the Complaint and states:

1-8. Admitted.

9. Admitted in part; denied in part. It is admitted only that the Complainant alleges that PECO Energy has improperly calculated her Customer Assistance Program Fixed Credit Option (CAP-FCO) while she has been enrolled in PECO's Customer Assistance Program. The truth of these averments are deemed denied. Additionally, it is specifically denied that there is a violation of PECO's Universal Service and Emergency Conservation Plan. (USECP).

10. Admitted in part; denied in part. It is admitted only that the Complainant requests PECO Energy to provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. The truth of these averments are deemed denied.

11. Admitted in part; denied in part. It is admitted only that the Complainant requests PECO Energy to provide additional arrearage forgiveness. The truth of this averment is deemed denied.

12. Admitted. By way of further response, all financial income is provided by the Complainant to PECO Energy.

13-28. Admitted.

29. Admitted.

30-31. Admitted in part, Denied in part. PECO Energy admits that the Complainant was billed \$3,533.17 for the period of August 2019 through April 2021. It is specifically denied that Complainant received CAP credits totaling \$1,455.00. By way of further answer, it is specifically denied that Complainant's monthly income is \$783. PECO Energy's records indicate that Complainant's income is actually \$793 per month. It is specifically denied that Complainant was charged 22% of her reported income, as is stated in the Formal Complaint. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint.

In her Complaint, Complainant disputes the calculation of PECO's Customer Assistance Program – Fixed Credit Option ("CAP-FCO") program and requests that PECO provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. Complainant also requests forgiveness of her additional arrearages.

PECO's records indicate that the Complainant has electric service at 871 N. 41st Street, 1st Floor, Philadelphia, PA 19104 under account number 03331-22179. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant was enrolled in the program

on July 26, 2019. The CAP-FCO notification requirements and program announcement are set forth under 52 Pa. Code § 58.9, et. seq. Consistent with the program requirements, 16% for electric heat, the company calculated the Complainant's annual energy burden at \$1,453.63 based on a monthly income of \$757.00 for one adult. In order to determine this, the customer's energy burden is subtracted from the undiscounted amount that the customer spent for service over the past 12 months. The difference is the customer's annual CAP credit. This amount is then divided into 12 credits which are applied to the customer's bill each month. The amount of the credit will vary based on the customer's historic usage, but total credit for the year would not exceed the customer's annual CAP credit. Based on this yearly energy burden, the Complainant has received the proper annual discount. See Calculation of Complainant's Annual Energy Burden, 2019 attached hereto as Exhibit "2".

Under the CAP-FCO program, a customer may receive a monthly credit to their bill based upon their income and their historical usage. At the time of CAP enrollment in 2019, PECO Energy did not have 12 previous months of data for this specific Complainant and premise combination. The next default usage is to use the premise usage from a previous customer, which was available. Therefore, the default usage used to create the initial FCO calculation was the average CAP Residential Heating usage. That calculation yielded an annual spend of \$1,201.71 versus an Affordable Burden amount of \$1,453.63. Consequently, no credit was provided.

Every quarter the oldest quarter of data is rolled off and the most recent quarter is added. In June 2020, as the quarters began to roll off and Complainant had actual usage at the premises, the Complainant obtained an FCO. In June 2020, the Annual spend increased to \$2,744.89 and the Affordable Burden increased to \$1,522.56. This provided an annual FCO of \$1,222.33. In

Complainant's case, it would take a full year to have an FCO calculation based upon this particular customer's income and usage at that premise. See CAP FCO Calc, 2020, Exhibit "3".

At the most recent assessment in March 2021, the Annual Spend was \$2,683.96 and the Affordable Burden was \$1,522.56. The annual FCO was then calculated to be \$1,161.40. Complainant exceeded average CAP RH usage. See, CAP FCO Calculation, 2020-2021, Exhibit "4." Complainant did qualify for a LIHEAP Crisis Grant, and was given a Payment Arrangement in July 2020. (See Exhibit "1".)

In addition, any months where not all of the CAP credit needed to be used, it was stored in the overage and used towards subsequent bills when needed. The customer was charged the \$30.00 minimum from June 2020 to November 2020. Any credit that was not used for those bills went towards the Complainant's subsequent bills.

The Complainant's outstanding balance is \$369.78. See Exhibit "1". PECO avers that the company complied with the CAP-FCO program requirements set forth under 52 Pa. Code § 58.9, et. seq. The Complainant currently does not have any excess FCO credits available.

32-33. Denied as stated. USECP at 31 n.7. provides:

The maximum Annual Credit was calculated to provide bills within Commission energy burden guidelines to approximately 93% of Rate R customers (including dual fuel customers), and approximately 96% of Rate RH customers. In addition, application of the Commission-required minimum monthly bills (\$12 for Rate R: \$30 for Rate RH) results in bills above Commission energy burden guidelines for approximately 6% of PECO's CAP customers overall. The combination of those two effects will result in 12% of PECO's Rate R. and 10% for PECO's Rate RH, with bills exceeding Commission energy burden guidelines, assuming a normal weather year. The maximum Annual Credit levels set forth above will remain at these levels for four years after the program is implemented in October 2016. After four years. PECO will confer with the other signatories to determine whether there is a consensus new maximum Annual Credit level. If so. PECO will adopt that new level in its next-filed Three-Year Plan. If no consensus is reached, PECO may propose a new maximum

Annual Credit level in its next-filed Three-Year Plan. The maximum Annual Credits set forth in the table have been determined in an effort to reduce the number of CAP customers whose bills exceed commission energy burden guidelines. The Commission has previously granted PECO permission to apply maximum annual credits on a system-wide average, rather than as an individual customer limit. This settlement continues that practice.

33-52. Admitted.

53. Admitted.

54. Denied as stated. PECO Energy specifically denies the allegation that 16% of Complainant's monthly income is \$125.28 per month and \$1,503.36 per year. *See* Response to Paragraphs 30-31.

55. Admitted.

56. Admitted in part; denied in part. Complainant's income in 2019 was reported by Complainant to be \$757 per month. In June 2020 and March 2021, her reported income was \$793. Ten percent of Complainant's reported income in 2019 would be \$75.70 per month and \$908.40 per year; in 2020 and 2021, ten percent of Complainant's reported income would be \$79.30 per month and \$951.60 per year.

57-61. Denied. *See* Response to paragraphs 30-31. By way of further Answer, all financial information is reported to PECO Energy by Complainant. PECO Energy has no other way of knowing what other bills Complainant may or may not have.

62. Admitted. By way of further Answer, PECO Energy sent Complainant a termination notice in February 2020.

63. Denied. PECO Energy is without sufficient knowledge or information to properly Answer this averment as to whether Complainant uses a nebulizer. By way of further Answer,

PECO Energy did offer a LIHEAP audit to this Complainant, but the Complainant did not participate and did not show for the scheduled audit.

64. Denied.

65. Denied. *See* response to paragraphs 30-31 above.

66-69. Admitted.

70-72. Denied. No changes to the cap-FCO Energy Burden have been made at this time.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,



Angela M. Lorenz, Esq.
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Counsel on behalf of:
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Philadelphia, PA 19103
(215) 841-6841

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

VERIFICATION

I, Angela M. Lorenz, hereby declare that I am counsel on behalf of PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.



Date: July 6, 2021

Angela M. Lorenz, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

CERTIFICATE OF SERVICE

I, Khadijah Scott, hereby certify that I have this day served a copy of PECO Energy Company's Answer in the above matter upon all interested parties via e-mail to:

Joline R. Price, Esq.
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
Email: jprice@clsphila.org

Dated: July 6, 2021



Angela M. Lorenz, Esq.
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Counsel on behalf of:
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841

EXHIBIT 1

*** Account Information ***

*** Current Account Status ***

Account Number:	Mail To:	Current Bill:	\$132.02	Credit Amount:	\$0.00
03331-22179	DENISE L EUBANKS	Billed Prior:	\$237.76	Deposit Requested:	\$0.00
Account Status: Active	PO BOX 34274	Balance Due:	\$369.78	Deposit On-Hand:	\$0.00
Requested By:	PHILADELPHIA PA 19101	Service Address:			
DENISE L EUBANKS		1ST FL		Meter Bill Grp: 18	
(267)703-9704 Extension:		871 N 41ST ST		Rate: CAP FCO Electric Residential Heating Svc	
		PHILADELPHIA PA 19104			

DATE	CHARGE TYPE	BILLING PERIOD	READ	METER #	CHARGE AMOUNT	CREDIT AMOUNT	TOTAL BILL	BALANCE FORWARD	DUE DATE	KWH	CCF
07/26/19	CONNECTION CHARGE - STANDARD				\$6.00						
07/26/19	Regular Bill						\$6.00		08/19		
08/05/19	Transfer Debit				\$6.57						
08/07/19	Payment					\$6.00					
08/21/19	ELECTRIC SERVICE	07/26/19 08/21/19	68364	127930804	\$38.34						
08/21/19	Regular Bill						\$38.34		09/12	215	
09/10/19	Payment										
09/17/19	Late Payment Charge				\$0.10						
09/20/19	ELECTRIC SERVICE	08/21/19 09/20/19	68567	127930804	\$36.86						
09/20/19	Regular Bill						\$43.53	\$6.67	10/15	203	
10/14/19	Payment										
10/21/19	ELECTRIC SERVICE	09/20/19 10/21/19	69626	127930804	\$134.63						
10/21/19	Regular Bill						\$134.73	\$0.10	11/12	1059	
11/04/19	Payment										
11/19/19	ELECTRIC SERVICE	10/21/19 11/19/19	72108	127930804	\$301.49						
11/19/19	Late Payment Charge				\$1.12						
11/19/19	Regular Bill						\$377.34	\$75.85	12/11	2482	
12/05/19	Payment										
12/11/19	Late Payment Charge						\$100.00				
12/17/19	Late Payment Charge				\$4.14						
12/20/19	ELECTRIC SERVICE	11/19/19 12/20/19	75445	127930804	\$390.37						
12/20/19	Regular Bill						\$670.73	\$280.36	01/13	3337	
01/02/20	LIHEAP Payment						\$218.00				
01/08/20	Payment										
01/24/20	ELECTRIC SERVICE	12/20/19 01/24/20	79555	127930804	\$470.42						
01/24/20	Regular Bill										
02/11/20	Payment										
02/24/20	ELECTRIC SERVICE	01/24/20 02/24/20	82760	127930804	\$365.11						
02/24/20	Regular Bill						\$100.00		02/18	4110	
03/09/20	Payment										
03/24/20	ELECTRIC SERVICE	02/24/20 03/24/20	85252	127930804	\$208.85						
03/24/20	Regular Bill						\$1112.04	\$746.93	03/17	3205	
04/02/20	Payment										
04/22/20	ELECTRIC SERVICE	03/24/20 04/22/20	87301	127930804	\$181.09						
04/22/20	Regular Bill						\$98.25				
05/04/20	Payment										
05/21/20	ELECTRIC SERVICE	04/22/20 05/21/20	89067	127930804	\$174.63						
05/21/20	Regular Bill						\$1303.73	\$1122.64	05/14	2049	
06/02/20	Payment										
06/22/20	ELECTRIC SERVICE	05/21/20 06/22/20	89630	127930804	\$30.00						
06/22/20	Regular Bill						\$98.25				
07/15/20	LIHEAP Payment										
07/16/20	Payment Agreement						\$800.00				
07/22/20	ELECTRIC SERVICE	06/22/20 07/22/20	90105	127930804	\$30.00		\$511.86				
07/22/20	DEFERRED PAYMENT AGREEMENT				\$42.66						
07/22/20	Regular Bill										
08/04/20	Miscellaneous										
08/04/20	Debit Transfer Payment				\$469.20		\$72.66		08/13	475	
08/04/20	Paid In Advance				\$469.20						
08/13/20	Payment					\$30.00					

EXHIBIT 2

Input								Output	
Account Information		Usage Type						CAP FCO Electric Residential Heating Service	
Date	8/4/2020			Actual		Average		Annual Fixed Credit	\$ -
User	I.Rosario			Premise		Combined		Annual Energy Burden	\$ 1,453.63
Account #	03331-22179							Overage	\$ -
Tool Version	1.5	Usage Info				Projected Year's Bills			
Service Type	Electric	Month	Year	Account Usage	Premise Usage	Combined Usage Base	Normalized Usage Base	Last year's charges based on usage	Fixed Credit (Reverse chronological)
Heating	Heating	July	2019		208	208	196	\$35.83	\$ -
FPL	75	June	2019		46	46	47	\$15.90	\$ -
Monthly Income	\$ 757	May	2019		72	72	71	\$18.21	\$ -
Health Usage	No	April	2019		630	630	725	\$94.46	\$ -
		March	2019		1893	1893	1817	\$222.04	\$ -
Current Relative Month	July	February	2019		1865	1865	1940	\$230.86	\$ -
Current Year	2019	January	2019		1252	1252	1252	\$108.22	\$ -
Rate Code	CE8	December	2018		2750	2750	2943	\$341.20	\$ -
Annual Spend	\$ 1,201.71	November	2018		570	570	479	\$64.73	\$ -
Affordable Burden	\$ 1,453.63	October	2018		341	341	321	\$46.99	\$ -
Annual Credit	\$ -	September	2018		46	46	44	\$14.36	\$ -
Eligible for Phase Out?	Yes	August	2018		3	3	3	\$8.91	\$ -
								\$ 1,201.71	\$ -

Projected Fixed Credit	
Relative Month	Service Point Discount (chronological)
Aug 19	\$ -
Sep 19	\$ -
Oct 19	\$ -
Nov 19	\$ -
Dec 19	\$ -
Jan 20	\$ -
Feb 20	\$ -
Mar 20	\$ -
Apr 20	\$ -
May 20	\$ -
Jun 20	\$ -
Jul 20	\$ -

Password=FCO

Load Curve

Relative Month	CR8	CE8	GR8	GH8	Electric FC	Gas FC	FPL > 150?	
January	9.6%	13.9%	20.6%	20.6%	\$ -	\$ -	Bucket	1
February	8.9%	14.2%	19.5%	19.5%	\$ -	\$ -	Electric Burden %	2
March	8.0%	12.2%	14.5%	14.5%	\$ -	\$ -	Gas Burden %	16%
April	7.0%	9.0%	9.6%	9.6%	\$ -	\$ -	Burden %	10%
May	5.8%	5.3%	4.5%	4.5%	\$ -	\$ -	Gross Income	16%
June	7.7%	5.2%	2.6%	2.6%	\$ -	\$ -	Affordable Energy Burden	\$ 9,085.20
July	11.3%	6.4%	1.9%	1.9%	\$ -	\$ -	Annual Spend	\$ 1,453.63
August	10.6%	5.9%	1.7%	1.7%	\$ -	\$ -	Difference b/w Spend and Burden	\$ 1,201.71
September	9.3%	5.4%	2.0%	2.0%	\$ -	\$ -	Annual Credit Draft	\$ (251.92)
October	6.6%	4.5%	2.6%	2.6%	\$ -	\$ -	Max Credit applicable?	\$ -
November	6.6%	6.4%	6.9%	6.9%	\$ -	\$ -	Max Credit	Yes
December	8.7%	11.7%	13.6%	13.6%	\$ -	\$ -	Annual Credit	\$ 2,318.00
								\$ -

Bucket	Burden %s					Max Credit	
	FPL Range	Electric R	Electric RH	Gas	Gas H	Electric R	Electric RH
1	0-50%	5%	13%	8%	8%	\$ 2,435	\$ 3,490
2	51-100%	6%	16%	10%	10%	\$ 1,716	\$ 2,318
3	101-150%	7%	17%	10%	10%	\$ 1,554	\$ 2,070

EXHIBIT 3

Input								Output					
Account Information		Usage Type <table border="1" style="margin: auto;"> <tr> <td style="background-color: #90EE90;">Actual</td> <td style="background-color: #FF0000;">Average</td> </tr> <tr> <td style="background-color: #00B0F0;">Premise</td> <td style="background-color: #008080;">Combined</td> </tr> </table>						Actual	Average	Premise	Combined	CAP FCO Electric Residential Heating Service	
Actual	Average												
Premise	Combined												
Date	8/4/2020							Annual Fixed Credit	\$ 1,222.33				
User	I.Rosario							Annual Energy Burden	\$ 1,522.56				
Account #	03331-22179							Overage	\$ -				
Tool Version	1.5	Usage Info				Projected Year's Bills		Projected Fixed Credit					
Service Type	Electric	Month	Year	Account Usage	Premise Usage	Combined Usage Base	Normalized Usage Base	Last year's charges based on usage	Fixed Credit (Reverse chronological)	Relative Month	Service Point Discount (chronological)		
Heating	Heating	June	2020	563		563	552	\$78.80	\$ (63.19)	Jul 20	\$ 77.98		
FPL	76	May	2020	1766		1766	1819	\$217.80	\$ (64.54)	Aug 20	\$ 71.51		
Monthly Income	\$ 793	April	2020	2049		2049	2049	\$244.09	\$ (109.52)	Sep 20	\$ 66.01		
Health Usage	No	March	2020	2492		2492	2691	\$317.36	\$ (149.12)	Oct 20	\$ 55.25		
Current Relative Month	June	February	2020	3205		3205	3429	\$406.53	\$ (174.06)	Nov 20	\$ 78.35		
Current Year	2020	January	2020	4110		4110	4439	\$523.64	\$ (170.03)	Dec 20	\$ 142.77		
Rate Code	CE8	December	2019	3337		3337	3370	\$406.98	\$ (142.77)	Jan 21	\$ 170.03		
Annual Spend	\$ 2,744.89	November	2019	2482		2482	2358	\$286.95	\$ (78.35)	Feb 21	\$ 174.06		
Affordable Burden	\$ 1,522.56	October	2019	1059		1059	1059	\$150.22	\$ (55.25)	Mar 21	\$ 149.12		
Annual Credit	\$ 1,222.33	September	2019	203		203	199	\$36.22	\$ (66.01)	Apr 21	\$ 109.52		
Eligible for Phase Out?	No	August	2019	215		215	213	\$41.50	\$ (71.51)	May 21	\$ 64.54		
								\$ 2,744.89	\$ (1,222.33)	Jun 21	\$ 63.19		

Password=FCO

Load Curve

Relative Month	CR8	CE8	GR8	GH8	Electric FC	Gas FC	FPL > 150?
January	9.6%	13.9%	20.6%	20.6%	\$ 170.03	\$ 251.80	1
February	8.9%	14.2%	19.5%	19.5%	\$ 174.06	\$ 238.35	2
March	8.0%	12.2%	14.5%	14.5%	\$ 149.12	\$ 177.24	Electric Burden 16%
April	7.0%	9.0%	9.6%	9.6%	\$ 109.52	\$ 117.34	Gas Burden % 10%
May	5.8%	5.3%	4.5%	4.5%	\$ 64.54	\$ 55.00	Burden % 16%
June	7.7%	5.2%	2.6%	2.6%	\$ 63.19	\$ 31.78	Gross Income \$ 9,516.00
July	11.3%	6.4%	1.9%	1.9%	\$ 77.98	\$ 23.22	Affordable Ener \$ 1,522.56
August	10.6%	5.9%	1.7%	1.7%	\$ 71.51	\$ 20.78	Annual Spend \$ 2,744.89
September	9.3%	5.4%	2.0%	2.0%	\$ 66.01	\$ 24.45	Difference b/w \$ 1,222.33
October	6.6%	4.5%	2.6%	2.6%	\$ 55.25	\$ 31.78	Annual Credit D \$ 1,222.33
November	6.6%	6.4%	6.9%	6.9%	\$ 78.35	\$ 84.34	Max Credit app Yes
December	8.7%	11.7%	13.6%	13.6%	\$ 142.77	\$ 166.24	Max Credit \$ 2,318.00
							Annual Credit \$ 1,222.33

Bucket	Burden %s				Max Credit		
	FPL Range	Electric R	Electric RH	Gas	Gas H	Electric R	Electric RH
1	0-50%	5%	13%	8%	8%	\$ 2,435	\$ 3,490
2	51-100%	6%	16%	10%	10%	\$ 1,716	\$ 2,318
3	101-150%	7%	17%	10%	10%	\$ 1,554	\$ 2,070

EXHIBIT 4

Input										Output	
Account Information		Usage Type								CAP FCO Electric Residential Heating Service	
Date	5/4/2021			Actual		Average				Annual Fixed Credit	\$ 1,161.40
User	C.WEBB			Premise		Combined				Annual Energy Burden	\$ 1,522.56
Account #	74511-41037									Overage	\$ -
Tool Version	1.5	Usage Info				Projected Year's Bills				Projected Fixed Credit	
Service Type	Electric	Month	Year	Account Usage	Premise Usage	Combined Usage Base	Normalized Usage Base	Last year's charges based on usage	Fixed Credit (Reverse chronological)	Relative Month	Service Point Discount (chronological)
Heating	Heating	March	2021	3008		3008	3128	\$360.80	\$ (141.69)	Apr 21	\$ 104.06
FPL	76	February	2021	3997		3997	3917	\$455.51	\$ (165.38)	May 21	\$ 61.32
Monthly Income	\$ 793	January	2021	3729		3729	3841	\$446.11	\$ (161.55)	Jun 21	\$ 60.04
Health Usage	No	December	2020	3146		3146	3177	\$369.20	\$ (135.65)	Jul 21	\$ 74.10
Current Relative Month	March	November	2020	1713		1713	1782	\$210.80	\$ (74.45)	Aug 21	\$ 67.94
Current Year	2021	October	2020	1027		1027	1078	\$131.39	\$ (52.50)	Sep 21	\$ 62.72
Rate Code	CE8	September	2020	403		403	403	\$62.14	\$ (62.72)	Oct 21	\$ 52.50
Annual Spend	\$ 2,683.96	August	2020	271		271	255	\$43.08	\$ (67.94)	Nov 21	\$ 74.45
Affordable Burden	\$ 1,522.56	July	2020	475		475	418	\$64.24	\$ (74.10)	Dec 21	\$ 135.65
Annual Credit	\$ 1,161.40	June	2020	563		563	552	\$78.80	\$ (60.04)	Jan 22	\$ 161.55
Eligible for Phase Out?	No	May	2020	1766		1766	1819	\$217.80	\$ (61.32)	Feb 22	\$ 165.38
		April	2020	2049		2049	2049	\$244.09	\$ (104.06)	Mar 22	\$ 141.69
								\$ 2,683.96	\$ (1,161.40)		

Password=FCO

Load Curve

Relative Month	CR8	CE8	GR8	GH8	Electric FC	Gas FC	FPL > 150?	
January	9.6%	13.9%	20.6%	20.6%	\$ 161.55	\$ 239.25	Bucket	1
February	8.9%	14.2%	19.5%	19.5%	\$ 165.38	\$ 226.47	Electric Burden %	2
March	8.0%	12.2%	14.5%	14.5%	\$ 141.69	\$ 168.40	Gas Burden %	16%
April	7.0%	9.0%	9.6%	9.6%	\$ 104.06	\$ 111.49	Burden %	10%
May	5.8%	5.3%	4.5%	4.5%	\$ 61.32	\$ 52.26	Gross Income	16%
June	7.7%	5.2%	2.6%	2.6%	\$ 60.04	\$ 30.20	Affordable Energy Burden	\$ 9,516.00
July	11.3%	6.4%	1.9%	1.9%	\$ 74.10	\$ 22.07	Annual Spend	\$ 1,522.56
August	10.6%	5.9%	1.7%	1.7%	\$ 67.94	\$ 19.74	Difference b/w Spend and Burden	\$ 2,683.96
September	9.3%	5.4%	2.0%	2.0%	\$ 62.72	\$ 23.23	Annual Credit Draft	\$ 1,161.40
October	6.6%	4.5%	2.6%	2.6%	\$ 52.50	\$ 30.20	Max Credit applicable?	Yes
November	6.6%	6.4%	6.9%	6.9%	\$ 74.45	\$ 80.14	Max Credit	\$ 2,318.00
December	8.7%	11.7%	13.6%	13.6%	\$ 135.65	\$ 157.95	Annual Credit	\$ 1,161.40

Bucket	Burden %s					Max Credit	
	FPL Range	Electric R	Electric RH	Gas	Gas H	Electric R	Electric RH
1	0-50%	5%	13%	8%	8%	\$ 2,435	\$ 3,490
2	51-100%	6%	16%	10%	10%	\$ 1,716	\$ 2,318
3	101-150%	7%	17%	10%	10%	\$ 1,554	\$ 2,070

Exhibit E:
Preliminary Objections to the Amended Answer of PECO Energy Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. C-2021-3025997
PECO Energy Company	:	
Respondent	:	

NOTICE TO PLEAD

TO: Khadijah Scott, Esq.	Angela Lorenz, Esq.
PECO Energy Company	Griesing Law LLC
2301 Market Street	1880 JFK Blvd., Suite 1800
Philadelphia, PA 19101-8699	Philadelphia, PA 19103
Khadijah.scott@exeloncorp.com	alorenz@griesinglaw.com

Pursuant to 52 Pa. Code § 5.101(b), you are hereby notified that, if you do not file a written response to the attached Preliminary Objections of Denise Eubanks (Complainant) within ten (10) days from service of this notice, the facts set forth by Complainant in the Preliminary Objections may be deemed to be true, thereby requiring no other proof. All pleadings, such as a Reply to the attached Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Complainant.

Joline R. Price, Esquire (Attorney ID: 315405)
Josie B. H. Pickens, Esquire (Attorney ID: 309422)
Kintéshia S. Scott (Attorney ID: 328600)
Robert W. Ballenger, Esquire (Attorney ID: 93434)
COMMUNITY LEGAL SERVICES, INC.
1424 Chestnut Street
Philadelphia, PA 19102
Telephone: 215-981-3756
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jpickens@clsphila.org
kscott@clsphila.org
rballenger@clsphila.org

Dated July 26, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. C-2021-3025997
PECO Energy Company	:	
Respondent	:	

**PRELIMINARY OBJECTIONS OF DENISE EUBANKS
TO THE AMENDED ANSWER OF PECO ENERGY COMPANY**

Complainant, Denise Eubanks, pursuant to 52 Pa. Code §5.101, submits this preliminary objection to the Answer of PECO Energy Company.

Introduction

1. Complainant filed a Formal Complaint against PECO on May 21, 2021, alleging that PECO improperly calculated her Customer Assistance Program Fixed Credit Option (CAP FCO) while enrolled in PECO’s Customer Assistance Program, in violation of the Universal Service and Energy Conservation Plan (“USECP”). See Exhibit A.
2. PECO filed its Answer to the Formal Complaint on June 10, 2021. See Exhibit B.
3. Complainant filed Preliminary Objections to that Answer on June 21, 2021. See Exhibit C.
4. PECO filed an Amended Answer to the Formal Complaint on July 6, 2021. See Exhibit D.
5. The Commission’s rules of administrative practice and procedure permit a party to file preliminary objections based on limited grounds including, as relevant here, the “insufficient specificity of a pleading,” and the “failure of a pleading to conform to this chapter.” 52 Pa. Code §5.101(a)(2)-(3).
6. PECO’s Amended Answer fails to conform to the pleading requirements imposed by Chapter 5 of the Commission’s Regulations, which governs formal proceedings, because it sets forth a series of factual statements within the Amended Answer’s numbered paragraphs that are

not responsive to the specific facts pled in those numbered paragraphs of the Complaint.

Preliminary Objection I – Failure to Satisfy Pleading Requirements

- 7. Paragraphs 1 through 6 are incorporated herein by reference.
- 8. Section 5.61(b) of the Commission’s Regulations governs the form of an answer to a formal complaint and provides as follows:

(b) *Form of answers to complaints.* The answer must be in writing and:

- (1) Set forth in paragraphs numbered to correspond with the complaint.
- (2) Advise the parties and the Commission as to the nature of the defense.
- (3) Admit or deny specifically all material allegations of the complaint.
- (4) State concisely the facts and matters of law relied upon.

(5) Include a copy of a document, or the material part of a document when relied upon in the answer. If the writing or a copy is not available, the answer must set forth that the document is not available and the reason, and set forth the substance of the document.

52 Pa. Code § 5.61(b).

- 9. Section 5.62(b) of the Commission’s Regulations governs the presentation of “new matter” in a party’s answer and provides as follows:

(b) *Answers raising new matter.* An affirmative defense shall be pleaded in an answer or other responsive pleading under the heading of “New Matter.” A party may set forth as new matter another material fact which is not merely a denial of the averments of the preceding pleading.

52 Pa. Code §5.62(b).

- 10. In paragraphs 30 and 31, Complainant alleged as follows:

30. Over the course of her enrollment in CAP, Complainant was billed \$3,533.17 and received CAP Credits totaling \$1,455.00.

31. Since August 2019, Complainant has been billed for charges close to 22% of her reported income.

Complaint at ¶¶ 30-31.

- 11. In response to Paragraphs 30 and 31 of the Complaint, PECO states:

30-31. Admitted in part, Denied in part. PECO Energy admits that the Complainant was billed \$3,533.17 for the period of August 2019 through April 2021. It is specifically denied that the Complainant received CAP credits totaling \$1,455.00. By way of further answer, it is specifically denied that Complainant's monthly income is \$783. PECO Energy's records indicate that Complainant's income is actually \$793 per month. It is specifically denied that Complainant was charged 22% of her reported income, as is stated in the Formal Complaint. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint.

In her Complaint, Complainant disputes the calculation of PECO's Customer Assistance Program – Fixed Credit Option (“CAP-FCO”) program and requests that PECO provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. Complainant also requests forgiveness of her additional arrearages.

PECO's records indicate that the Complainant has electric service at 871 N. 41st Street, 1st Floor, Philadelphia, PA 19104 under account number 03331-22179. See Account Activity Statement, attached hereto as Exhibit “1”. The Complainant was enrolled in the program on July 26, 2019. The CAP-FCO notification requirements and program announcement are set forth under 52 Pa. Code § 58.9, et. seq. Consistent with the program requirements, 16% for electric heat, the company calculated the Complainant's annual energy burden at \$1,453.63 based on a monthly income of \$757.00 for one adult. In order to determine this, the customer's energy burden is subtracted from the undiscounted amount that the customer spent for service over the past 12 months. The difference is the customer's annual CAP credit. This amount is then divided into 12 credits which are applied to the customer's bill each month. The amount of the credit will vary based on the customer's historic usage, but total credit for the year would not exceed the customer's annual CAP credit. Based on this yearly energy burden, the Complainant has received the proper annual discount. See Calculation of Complainant's Annual Energy Burden, 2019 attached hereto as Exhibit “2”.

Under the CAP-FCO program, a customer may receive a monthly credit to their bill based upon their income and their historical usage. At the time of CAP enrollment in 2019, PECO Energy did not have 12 previous months of data for this specific Complainant and premise combination. The next default usage is to use the premise usage from a previous customer, which was available. Therefore, the default usage used to create the initial FCO calculation was the average CAP Residential Heating usage. That calculation yielded an annual spend of \$1,201.71 versus an Affordable Burden amount of \$1,453.63. Consequently, no credit was provided.

Every quarter the oldest quarter of data is rolled off and the most recent quarter is added. In June 2020, as the quarters began to roll off and Complainant had actual usage at the premises, the Complainant obtained an FCO. In June 2020, the Annual spend increased to \$2,744.89 and the Affordable Burden increased to

\$1,522.56. This provided an annual FCO of \$1,222.33. In Complainant's case, it would take a full year to have an FCO calculation based upon this particular customer's income and usage at that premise. See CAP FCO Calc, 2020, Exhibit "3".

At the most recent assessment in March 2021, the Annual Spend was \$2,683.96 and the Affordable Burden was \$1,522.56. The annual FCO was then calculated to be \$1,161.40. Complainant exceeded average CAP RH usage. See, CAP FCO Calculation, 2020-2021, Exhibit "4." Complainant did qualify for a LIHEAP Crisis Grant, and was given a Payment Arrangement in July 2020. (See Exhibit "1".)

In addition, any months where not all of the CAP credit needed to be used, it was stored in the overage and used towards subsequent bills when needed. The customer was charged the \$30.00 minimum from June 2020 to November 2020. Any credit that was not used for those bills went towards the Complainant's subsequent bills.

The Complainant's outstanding balance is \$369.78. See Exhibit "1". PECO avers that the company complied with the CAP-FCO program requirements set forth under 52 Pa. Code § 58.9, et. seq. The Complainant currently does not have any excess FCO credits available.

Amended Answer at ¶¶ 30-31.

12. Paragraphs 30 and 31 of PECO's Amended Answer do contain specific denials of the facts asserted in the Complaint at paragraphs 30 and 31. However, PECO's response in paragraphs 30 and 31 of its Amended Answer also includes a number of factual assertions that should properly be set forth in new matter.¹

13. In paragraph 54, Complainant stated as follows:

54. At the time of enrollment in CAP, Complainant's affordable energy burden according to PECO's USECP was 16% of income, or \$125.28 per month and \$1,503.36 per year.

Complaint at ¶ 54.

¹ Several of the factual statements included in this response are either incorrect or confuse the facts. For example, PECO's Answer includes a citation to regulations regarding the Low Income Usage Reduction Program (LIURP), which is not at issue here. In addition, the description of how PECO's CAP FCO operates is not entirely correct based on the language in PECO's Universal Service and Energy Conservation Plan. Complainant has a right to respond to these assertions.

14. In response to paragraph 54 of the Complaint, PECO states:

54. Denied as stated. PECO Energy specifically denies the allegation that 16% of Complainant's monthly income is \$125.28 per month and \$1,503.36 per year. *See* Response to Paragraphs 30-31.

Amended Answer at ¶ 54.

15. While PECO's response to paragraph 54 of the Complaint does contain a specific denial of the facts alleged in the corresponding paragraph of the Complaint, it also includes, by reference, the response to paragraphs 30 and 31. As set forth above, that response improperly includes a number of factual assertions that should be set forth as new matter.

16. Notwithstanding the clear requirements of Section 5.61(b) and 5.62(b) of the Commission's regulations, PECO's Answer includes, in response to paragraphs 30 and 31 of the Complaint, several paragraphs setting forth factual averments that are not responsive to the allegations contained in the Complaint. Answer at ¶¶ 30-31.

17. Those factual assertions, being nonresponsive to the allegations in the Complaint, appear self-serving and intended to prejudice Complainant by impeding Complainant's ability to respond to factual statements which, if relevant to PECO's defense, must be set forth as "new matter" in order that Complainant may respond to them.

18. The Commission should not permit PECO to introduce new factual assertions in its Answer that are not responsive to the allegations in the Complaint unless properly set forth as "new matter." Accordingly, the Commission should strike the portions of PECO's responses to paragraphs 30 and 31 that follow the specific denials to the corresponding paragraphs in the Complaint.

19. In the alternative, the Commission should require that PECO submit an amended answer,

properly pleading any facts it believes to be material, but which are not merely denials of Complainant's factual averments, in numbered paragraphs as "new matter."

WHEREFORE, for the reasons set forth above, Complainant respectfully requests that its Preliminary Objections to PECO's Answer be granted.

Respectfully submitted,



Joline R. Price, Esquire (Attorney ID: 315405)
Robert W. Ballenger, Esquire (Attorney ID: 93434)
Josie B. H. Pickens, Esquire (Attorney ID: 309422)
Kintéshia S. Scott, Esquire (Attorney ID: 328600)

COMMUNITY LEGAL SERVICES, INC.
1424 Chestnut Street
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jpickens@clsphila.org
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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Denise Eubanks	:	
Complainant	:	
v.	:	Docket No. C-2021-3025997
PECO Energy Company	:	
Respondent	:	

VERIFICATION

I, Joline Price, hereby state that the facts set forth above in the Preliminary Objections of Denise Eubanks to the Amended Answer of PECO Energy Company, are true and correct and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).



Dated: July 26, 2021

Exhibit F:
PECO Energy Company Second Amended Answer



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
EFILING - FILING DETAIL

Date Created	Filing Number
8/4/2021	2221007

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

Docket Number: C-2021-3025997

Case Description: Denise Eubanks - Second Amended Answer to Formal Complaint

Transmission Date: 8/4/2021 3:32 PM

Filed On: 8/4/2021 3:32 PM

eFiling Confirmation Number: 2221007

File Name	Document Type	Upload Date
Denise Eubanks Second Amended Answer to Formal Complaint .pdf	Answer to Formal Complaint	8/4/2021 3:32:14 PM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

No paper submission is necessary for filings under 250 pages.

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.

Direct Dial: 215.841.6841
khadijah.scott@exeloncorp.com

August 4, 2021

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

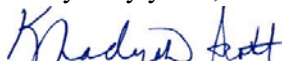
RE: Denise Eubanks v. PECO Energy Company
PUC Docket No. C-2021-3025997

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy's Second Amended Answer to Formal Complaint*.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,



Khadijah Scott, Esquire
Assistant General Counsel, Exelon BSC
Encl.

Cc: Not Recommended for Call of Docket

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

**SECOND AMENDED ANSWER OF RESPONDENT,
PECO ENERGY COMPANY TO FORMAL COMPLAINT**

On May 21, 2021, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Denise Eubanks (hereafter "Complainant") in the above captioned docket. Pursuant to 52 Pa. Code § 5.61, PECO responds to the Complaint and states:

1-8. Admitted.

9. Admitted in part; denied in part. It is admitted only that the Complainant alleges that PECO Energy has improperly calculated her Customer Assistance Program Fixed Credit Option (CAP-FCO) while she has been enrolled in PECO's Customer Assistance Program. The truth of these averments are deemed denied. Additionally, it is specifically denied that there is a violation of PECO's Universal Service and Emergency Conservation Plan. (USECP).

10. Admitted in part; denied in part. It is admitted only that the Complainant requests PECO Energy to provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. The truth of these averments are deemed denied.

11. Admitted in part; denied in part. It is admitted only that the Complainant requests PECO Energy to provide additional arrearage forgiveness. The truth of this averment is deemed denied.

12. Admitted. By way of further response, all financial income is provided by the Complainant to PECO Energy.

13-28. Admitted.

29. Admitted.

30-31. Admitted in part, Denied in part. PECO Energy admits that the Complainant was billed \$3,533.17 for the period of August 2019 through April 2021. It is specifically denied that Complainant received CAP credits totaling \$1,455.00. By way of further answer, it is specifically denied that Complainant's monthly income is \$783. PECO Energy's records indicate that Complainant's income is actually \$793 per month. It is specifically denied that Complainant was charged 22% of her reported income, as is stated in the Formal Complaint. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint.

In her Complaint, Complainant disputes the calculation of PECO's Customer Assistance Program – Fixed Credit Option ("CAP-FCO") program and requests that PECO provide a credit that accounts for the difference between her billed amount and the amount that she believes she should have been billed based on the energy affordability standards in place at the time of billing. Complainant also requests forgiveness of any additional arrearages as appropriate.

PECO's records indicate that the Complainant has electric service at 871 N. 41st Street, 1st Floor, Philadelphia, PA 19104 under account number 03331-22179. See Account Activity Statement, attached hereto as Exhibit "1". The Complainant was enrolled in the program

on July 26, 2019. The CAP-FCO notification requirements and program announcement are set forth under 52 Pa. Code §58.9, et. seq. Consistent with the program requirements, 16% for electric heat, the company calculated the Complainant's annual energy burden at \$1,453.63 based on a monthly income of \$757.00 for one adult. In order to determine this, the Complainant's energy burden is subtracted from the undiscounted amount that the Complainant spent for service over the past 12 months. The difference is the Complainant's annual CAP credit. This amount is then divided into 12 credits which are applied to the Complainant's bill each month. The amount of the credit will vary based on the Complainant's historic usage, but total credit for the year would not exceed the Complainant's annual CAP credit.

Under the CAP-FCO program, a customer may receive a monthly credit to their bill based upon their income and their historical usage. At the time of CAP enrollment in 2019, PECO Energy did not have 12 previous months of data for this specific Complainant and premise combination. The next default usage is to use the premise usage from a previous customer, which was available.

Every quarter the oldest quarter of data is rolled off and the most recent quarter is added. In June 2020, as the quarters began to roll off and Complainant had actual usage at the premises, the Complainant obtained an FCO. At the most recent assessment in March 2021, the Annual Spend was \$2,683.96 and the Affordable Burden was \$1,522.56. The annual FCO was then calculated to be \$1,161.40. Complainant did qualify for a LIHEAP Crisis Grant and was given a Payment Arrangement in July 2020. (See Exhibit "1".)

The customer was charged the \$30.00 minimum from June 2020 to November 2020. Any credit that was not used for those bills went towards the Complainant's subsequent bills.

The Complainant's outstanding balance is \$341.24. See Exhibit "1".

32-33. Denied as stated. USECP at 31 n.7. provides:

The maximum Annual Credit was calculated to provide bills within Commission energy burden guidelines to approximately 93% of Rate R customers (including dual fuel customers), and approximately 96% of Rate RH customers. In addition, application of the Commission-required minimum monthly bills (\$12 for Rate R; \$30 for Rate RH) results in bills above Commission energy burden guidelines for approximately 6% of PECO's CAP customers overall. The combination of those two effects will result in 12% of PECO's Rate R. and 10% for PECO's Rate RH, with bills exceeding Commission energy burden guidelines, assuming a normal weather year. The maximum Annual Credit levels set forth above will remain at these levels for four years after the program is implemented in October 2016. After four years, PECO will confer with the other signatories to determine whether there is a consensus new maximum Annual Credit level. If so, PECO will adopt that new level in its next-filed Three-Year Plan. If no consensus is reached, PECO may propose a new maximum Annual Credit level in its next-filed Three-Year Plan. The maximum Annual Credits set forth in the table have been determined in an effort to reduce the number of CAP customers whose bills exceed commission energy burden guidelines. The Commission has previously granted PECO permission to apply maximum annual credits on a system-wide average, rather than as an individual customer limit. This settlement continues that practice.

33-52. Admitted.

53. Admitted.

54. Denied as stated. PECO Energy specifically denies the allegation that 16% of Complainant's monthly income is \$125.28 per month and \$1,503.36 per year.

55. Admitted.

56. Admitted in part; denied in part. Complainant's income in 2019 was reported by Complainant to be \$757 per month. In June 2020 and March 2021, her reported income was \$793. Ten percent of Complainant's reported income in 2019 would be \$75.70 per month and \$908.40 per year; in 2020 and 2021, ten percent of Complainant's reported income would be \$79.30 per month and \$951.60 per year.

57-61. Denied. *See* Response to paragraphs 30-31. By way of further Answer, all financial information is reported to PECO Energy by Complainant. PECO Energy has no other way of knowing what other bills Complainant may or may not have.

62. Admitted. By way of further Answer, PECO Energy sent Complainant a termination notice in February 2020.

63. Denied. PECO Energy is without sufficient knowledge or information to properly Answer this averment as to whether Complainant uses a nebulizer. By way of further Answer, PECO Energy did offer a LIHEAP audit to this Complainant, but the Complainant did not participate and did not show for the scheduled audit.

64. Denied.

65. Denied. *See* response to paragraphs 30-31 above.

66-69. Admitted.

70-72. Denied. No changes to the cap-FCO Energy Burden have been made at this time.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,



Khadijah Scott
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841
Fax: 215.568.3389
Khadijah.scott@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

VERIFICATION

I, Khadijah Scott, hereby declare that I am counsel on behalf of PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.

Date: August 4, 2021



Khadijah Scott

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DENISE EUBANKS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2021-3025997
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

CERTIFICATE OF SERVICE

I, Khadijah Scott, hereby certify that I have this day served a copy of PECO Energy Company's Answer in the above matter upon all interested parties via e-mail to:

Joline R. Price, Esq.
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
Email: jprice@clsphila.org

Dated: August 4, 2021



Khadijah Scott
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841
Fax: 215.568.3389
Khadijah.scott@exeloncorp.com

EXHIBIT 1

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
1	Account Number: 333122179			Service Address:			Current Bill: \$61.46			Account Balance: \$431.24									
2	Account Name: DENISE L EUBANKS			1ST FL871 N 41ST ST			Billed Prior: \$369.78												
3	Account Status: ACTIVE			PHILADELPHIA, PA 19104			Balance Due: \$431.24												
4	Meter Bill Group: 18																		
5				Mail To:			Credit Amount: \$0.00			Rates:									
6				DENISE L EUBANKS			Deposit Requested: \$0.00			CAP FCO ELECTRIC RESIDENTIAL HEATING SVC									
7				PO BOX 34274			Deposit On-Hand: \$0.00												
8				PHILADELPHIA, PA 19104			CAP Pre-program Arrears: \$0.00												
9							Payment Agreement Balance: \$0.00												
10																			
11																			
12	Account Transaction Activity																		

13	Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Cd	KWH	KW	CCF	Transaction Amount	Balance Forward	Current Charges	Amt Due	Bill Due Dt	Total Balance	Heating Degree Days	Budget Bill Deferred Amt
14	07/26/2019	CONNECTION CHARGE - STANDARD									\$6.00							
15	08/07/2019		PAYMENT								-\$6.00							
16	08/21/2019	ELECTRIC SERVICE		07/26/2019-08/21/2019	68364	ACTUAL	127930804	215	0		\$38.34	\$0.00	\$38.34	\$38.34	09/12/2019	\$38.34		\$0.00
17	09/04/2019	TRANSFER DEBIT									\$6.57							
18	09/10/2019		PAYMENT								-\$38.34							
19	09/17/2019	LATE PAYMENT CHARGE									\$0.10							
20	09/20/2019	ELECTRIC SERVICE		08/21/2019-09/20/2019	68567	ACTUAL	127930804	203	0		\$36.86	\$6.67	\$36.86	\$43.53	10/15/2019	\$43.53		\$0.00
21	10/14/2019		PAYMENT								-\$43.43							
22	10/21/2019	ELECTRIC SERVICE		09/20/2019-10/21/2019	69626	ACTUAL	127930804	1059	0		\$134.63	\$0.10	\$134.63	\$134.73	11/12/2019	\$134.73		\$0.00
23	11/04/2019		PAYMENT								-\$60.00							
24	11/19/2019	LATE PAYMENT CHARGE									\$1.12							
25	11/19/2019	ELECTRIC SERVICE		10/21/2019-11/19/2019	72108	ACTUAL	127930804	2482	0		\$301.49	\$75.85	\$301.49	\$377.34	12/11/2019	\$377.34	439	\$0.00
26	12/05/2019		PAYMENT								-\$100.00							
27	12/11/2019		LATE PAYMENT CHARGE								-\$1.12							
28	12/17/2019	LATE PAYMENT CHARGE									\$4.14							
29	12/20/2019	ELECTRIC SERVICE		11/19/2019-12/20/2019	75445	ACTUAL	127930804	3337	0		\$390.37	\$280.36	\$390.37	\$670.73	01/13/2020	\$670.73	749	\$0.00
30	01/02/2020		LIHEAP PAYMENT								-\$218.00							
31	01/08/2020		PAYMENT								-\$76.22							
32	01/24/2020	ELECTRIC SERVICE		12/20/2019-01/24/2020	79555	ACTUAL	127930804	4110	0		\$470.42	\$376.51	\$470.42	\$846.93	02/18/2020	\$846.93	900	\$0.00
33	02/11/2020		PAYMENT								-\$100.00							
34	02/24/2020	ELECTRIC SERVICE		01/24/2020-02/24/2020	82760	ACTUAL	127930804	3205	0		\$365.11	\$746.93	\$365.11	\$1,112.04	03/17/2020	\$1,112.04	766	\$0.00
35	03/09/2020		PAYMENT								-\$100.00							
36	03/24/2020	ELECTRIC SERVICE		02/24/2020-03/24/2020	85252	ACTUAL	127930804	2492	0		\$208.85	\$1,012.04	\$208.85	\$1,220.89	04/15/2020	\$1,220.89	521	\$0.00
37	04/02/2020		PAYMENT								-\$98.25							
38	04/22/2020	ELECTRIC SERVICE		03/24/2020-04/22/2020	87301	ACTUAL	127930804	2049	0		\$181.09	\$1,122.64	\$181.09	\$1,303.73	05/14/2020	\$1,303.73	409	\$0.00
39	05/04/2020		PAYMENT								-\$98.25							
40	05/21/2020	ELECTRIC SERVICE		04/22/2020-05/21/2020	89067	ACTUAL	127930804	1766	0		\$174.63	\$1,205.48	\$174.63	\$1,380.11	06/12/2020	\$1,380.11	264	\$0.00
41	06/02/2020		PAYMENT								-\$98.25							
42	06/22/2020	ELECTRIC SERVICE		05/21/2020-06/22/2020	89630	ACTUAL	127930804	563	0		\$30.00	\$1,281.86	\$30.00	\$1,311.86	07/14/2020	\$1,311.86		\$0.00
43	07/15/2020		LIHEAP PAYMENT								-\$800.00							
44	07/16/2020		PAYMENT AGREEMENT								-\$511.86							
45	07/22/2020	DEFERRED PAYMENT AGREEMENT									\$42.66							
46	07/22/2020	ELECTRIC SERVICE		06/22/2020-07/22/2020	90105	ACTUAL	127930804	475	0		\$30.00	\$0.00	\$72.66	\$72.66	08/13/2020	\$72.66		\$0.00
47	08/04/2020		MISCELLANEOUS								-\$469.20							
48	08/04/2020	PAID IN ADVANCE									\$469.20							
49	08/04/2020	PAID IN ADVANCE									\$0.00							
50	08/13/2020		PAYMENT								-\$30.00							

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
13	Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Cd	KWH	KW	CCF	Transaction Amount	Balance Forward	Current Charges	Amt Due	Bill Due Dt	Total Balance	Heating Degree Days	Budget Bill Deferred Amt	
51	08/20/2020	ELECTRIC SERVICE		07/22/2020-08/20/2020	90376	ACTUAL	127930804	271	0		\$30.00	\$511.86	\$30.00	\$541.86	09/11/2020	\$541.86		\$0.00	
52	09/11/2020		PAYMENT								-\$30.00								
53	09/21/2020	ELECTRIC SERVICE		08/20/2020-09/21/2020	90779	ACTUAL	127930804	403	0		\$30.00	\$511.86	\$30.00	\$541.86	10/13/2020	\$541.86		\$0.00	
54	10/12/2020		PAYMENT								-\$30.00								
55	10/21/2020	ELECTRIC SERVICE		09/21/2020-10/21/2020	91806	ACTUAL	127930804	1027	0		\$30.00	\$511.86	\$30.00	\$541.86	11/12/2020	\$541.86	74	\$0.00	
56	11/09/2020		PAYMENT								-\$30.00								
57	11/19/2020	ELECTRIC SERVICE		10/21/2020-11/19/2020	93519	ACTUAL	127930804	1713	0		\$30.00	\$511.86	\$30.00	\$541.86	12/11/2020	\$541.86	309	\$0.00	
58	11/25/2020		MISC BILLING ADJUSTMENT								-\$17.26								
59	11/25/2020	ELECTRIC SERVICE		10/21/2020-11/19/2020	93519	ACTUAL	127930804	1713	0		-\$17.26						309		
60	12/07/2020		LIHEAP PAYMENT								-\$218.00								
61	12/08/2020		PAYMENT								-\$30.00								
62	12/22/2020	ELECTRIC SERVICE		11/19/2020-12/22/2020	96665	ACTUAL	127930804	3146	0		\$196.91	\$276.60	\$196.91	\$473.51	01/13/2021	\$473.51	718	\$0.00	
63	01/14/2021		PAYMENT								-\$100.00								
64	01/20/2021	RETURNED CHECK									\$100.00								
65	01/21/2021		CREDIT								-\$1.75								
66	01/21/2021	DESCRIPTION UNDEFINED									-\$1.75								
67	01/22/2021		PAYMENT								-\$100.00								
68	01/25/2021	ELECTRIC SERVICE		12/22/2020-01/25/2021	100394	ACTUAL	127930804	3729	0		\$250.46	\$371.76	\$250.46	\$622.22	02/16/2021	\$622.22	916	\$0.00	
69	02/02/2021		PAYMENT								-\$150.00								
70	02/23/2021	ELECTRIC SERVICE		01/25/2021-02/23/2021	104391	ACTUAL	127930804	3997	0		\$277.33	\$472.22	\$277.33	\$749.55	03/17/2021	\$749.55	966	\$0.00	
71	03/05/2021		PAYMENT								-\$148.25								
72	03/11/2021		LIHEAP PAYMENT								-\$472.22								
73	03/24/2021	ELECTRIC SERVICE		02/23/2021-03/24/2021	107399	ACTUAL	127930804	3008	0		\$196.41	\$129.08	\$196.41	\$325.49	04/15/2021	\$325.49	621	\$0.00	
74	04/09/2021		PAYMENT								-\$98.00								
75	04/22/2021	ELECTRIC SERVICE		03/24/2021-04/22/2021	109456	ACTUAL	127930804	2057	0		\$130.27	\$227.49	\$130.27	\$357.76	05/14/2021	\$357.76	295	\$0.00	
76	04/30/2021		PAYMENT								-\$120.00								
77	05/21/2021	ELECTRIC SERVICE		04/22/2021-05/21/2021	111123	ACTUAL	127930804	1667	0		\$132.02	\$237.76	\$132.02	\$369.78	06/14/2021	\$369.78	111	\$0.00	
78	06/04/2021		PAYMENT								-\$137.76								
79	06/10/2021	RETURNED CHECK									\$137.76								
80	06/22/2021	ELECTRIC SERVICE		05/21/2021-06/22/2021	112018	ACTUAL	127930804	895	0		\$61.46	\$369.78	\$61.46	\$431.24	07/14/2021	\$431.24		\$0.00	
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