

2021 SEP 20 AM 10: 22

PA P.U.C.
SECRETARY'S BUREAU

Sept 14, 2021

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

Copied: Khadijah Scott
Counsel for PECO Energy
2301 Market Street S-23
Philadelphia, PA 19103
khadijah.scott@exeloncorp.co

RE: Gene Goebel v. PECO Energy Company
PUC Docket No. C-2021-3028188

Dear Ms. Chiavetta:

The Complainant Gene Goebel responds to PECO Energy's NEW MATTER on the complaint and states:

1. DENIED

Per Section 12.1 of PECO Energy's Commission approved tariff PECO is "**not liable for any damages due to accident, strike, storm, riot, fire, flood, legal process, state or municipal interference, or any other cause beyond the company's control**". However, the malfunction at 9:00 pm on July 25, 2021 was NOT beyond the company's control. Therefore, the company's liability would be limited to \$1,000 since the complainant's damages exceed \$1,000. However, per Section 12.1 in cases of "**willful and/or wanton misconduct of the company**" there is no artificial restriction on PECO's liability.

See EXHIBIT A for email exchanges between GOEBEL and PECO. PECO (Robert Nickens) originally tries to blame their equipment's failure on a thunderstorm documented on a web site at the time of the incident at some undocumented location in the expansive area code 19342. When GOEBEL provided PECO with conflicting evidence from the PECO used weather website PECO (Greg Lund) then changed their story from a weather issue to a "**Scott 002 unit momentary outage at approximately at 9:41 PM excuse**". When Goebel responded with PECO's 9:41 PM incident had nothing to do with the 9:00 PM (+/- 3 minutes) damage causing incident, PECO did not respond further causing GOEBEL to contact PUC.

2. Admitted

3. DENIED, without knowledge and therefore denies

4. **DENIED**, without knowledge and therefore denies

5. DENIED

Per the Electric Service Tariff PECO's willful and wanton conduct must result in PECO taking full responsibility for the damage their equipment caused at 9:00 PM July 25, 2021. PECO would not even accept the invitation to inspect their Quaker Lane equipment to help ensure their faulty equipment is repaired to prevent future damages. Less expensive for PECO to deny rightful claims than to properly maintain their equipment.

WHEREFORE, Gene Goebel respectfully requests that your Honorable Commission schedule a hearing on this issue at your earliest convenience.

Respectfully Submitted

Gene Goebel
7 Quaker Lane

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SECRETARY'S BUREAUEXHIBIT A

Greg-

- 1) The power surge which caused the damage happened some 40 minutes before the Scott 002 unit incident you reference below the 9:00 PM surge and the 9:41 PM tripping are unrelated. There was no loss of power on Quaker Lane at 9:41.
- 2) There were no storm events on Quaker Lane on July 25th
- 3) I understand you do not guarantee continuity of service that is not the issue. I've lived on Quaker Lane for 25 years and have lost power many times before. I've had my equipment damaged many times before during past electrical storms. This is the first time I've submitted a claim form because this is the first time I've had damage from an event that is NOT something beyond your control.
- 4) The fact you refuse to inspect the Quaker Lane equipment may result in willful and/or wanton misconduct by PECO

Please call me at (484) 352-8920 to discuss this matter further

Thank You


Gene Goebel

From: Lund, Greg A:(PECO) [mailto:Greg.Lund@exeloncorp.com]**Sent:** Monday, August 16, 2021 10:17 AM**To:** Goebel (US), Eugene S <eugene.s.goebel@boeing.com>; Nickens Jr, Robert L:(PECO) <Robert.Nickens@exeloncorp.com>**Subject:** RE: [EXTERNAL] Fwd: FW: PECO Claim #: C2021118908

Mr. Goebel – I had a chance to see if our OCC group had any additional records to identify the cause of the event on July 25th. The Scott 002 unit which feeds your area experienced a momentary outage at approximately 9:41 PM. This did occur during and around several storm related events. We are unable to determine the cause of the momentary tripping. Unfortunately, since we do not guarantee continuity of service, we cannot accept liability for your loss.

From: Lund, Greg A:(PECO)**Sent:** Monday, August 16, 2021 8:17 AM**To:** Goebel (US), Eugene S <eugene.s.goebel@boeing.com>; Nickens Jr, Robert L:(PECO) <Robert.Nickens@exeloncorp.com>**Subject:** RE: [EXTERNAL] Fwd: FW: PECO Claim #: C2021118908

08/13/21 05:47:10
Good morning Mr. Goebel – I was away on vacation last week. I'm looking into the event further and will get back to you. Thanks.

Greg

From: Goebel (US), Eugene S <eugene.s.goebel@boeing.com>
Sent: Friday, August 13, 2021 1:31 PM
To: Nickens Jr, Robert L:(PECO) <Robert.Nickens@exeloncorp.com>; Lund, Greg A:(PECO) <Greg.Lund@exeloncorp.com>
Cc: Goebel (US), Eugene S <eugene.s.goebel@boeing.com>
Subject: RE: [EXTERNAL] Fwd: FW: PECO Claim #: C2021118908

Hey Robert-

Although my mailing address includes zip code 19342 that is a much larger geographic area which extends much further from my home than the nearest Pa Borough which is Chester Heights, PA. If you look at the underground weather site you referenced in our conversation you'll see there was no rain, no lightening, and no thunder in the borough closest to Quaker Lane, which is Chester Heights, PA. There is no evidence the power surge was caused by storm damage as there was no storm in the immediate area of Quaker Lane that evening. Additionally, since all Quaker Lane homes experienced the power surge per my personal conversations with the property owners and you've received other claim forms for Quaker Lane but for no other properties in the general area I think it is reasonable to assume there may be a problem with the Quaker Lane transformer box, as we all have underground electrical service. Could you please have that transformer inspected on Quaker Lane to determine if aged/worn equipment led to the problem? Additionally, I've not heard back from Greg Lund so trying to guess his email address to include on this. More investigation is required, please

Thank You

Gene Goebel



Mr. Eugene S. Goebel III
7 Quaker Ln.
Glen Mills, PA 19342

PHILADELPHIA PA 190

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ROSEMARIE CHIAUETTA, SECRETARY
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COMMONWEALTH KEYSONE BLDG.
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HARRISBURG, PA 17120

RECEIVED

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