

Public Utility Commission

Mary Cressman – Complainant

V.

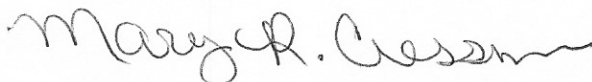
PECO Energy Company – Respondent

Docket No C-2021-3028358

Response to New Matter of Respondent, PECO Energy Company

Mary R. Cressman further responds:

1. Claim is based on property damage caused by equipment fail, not storm damage. PECO employee acknowledged damage and error to neighbors on date July 2, 2021. Additionally, PECO acknowledges liability by providing a negligible \$1,000 compensation, limiting their responsibility.
2. Agreed
3. Agreed, however PUC does have regulatory administrative governance over PECO and should have authority over damage awards. Does PECO set their own damage awards.
4. Disagree, Although Feingold V. Bell of Pennsylvania stipulates that “This Court has long recognized and applied the general rule requiring a petitioner to exhaust all available administrative remedies before seeking judicial redress for an alleged wrongdoing by a public utility” The Court also established exceptions to the rule “Thus, a court may exercise jurisdiction where the administrative remedy is inadequate” Feingold v. Bell of Pennsylvania also states “The mere existence of a remedy does not dispose of the question of adequacy”. The PUC regulates the rates and profits of PECO and should also regulate and rule upon the liabilities of PECO. I contend the PECO’s offer of \$1,000 does not meet the requirement of adequacy. PECO in as much admitted guilt by offering a payment of \$1,000. If there is guilt, shouldn’t the entire liability be covered?



Mary R. Cressman

October 3, 2021