

DOCKET # C-2021-3028188

Hearing Date: November 17, 2021

PECO Exhibits 1 through 5

Complainant's Exhibits 1 through 5

EXHIBIT 1

2301 Market St.
P.O. Box 8699
Philadelphia, PA 19101-8699

www.peco.com

PECO CLAIM REGISTRATION FORM

Claims Division
1 (877) 538-7769

Dear GENE S GOEBEL:

To officially register your claim, please complete and return this form in the enclosed self-addressed return envelope, or fax it to 1 (215) 841-4919. If returning the form via mail, please send to:

PECO ENERGY
ATTN: CLAIMS DIVISION
2301 MARKET ST, S16-1
PHILADELPHIA PA 19103

Once this form is received in our office, you will be contacted by one of our Case Managers.

GENE GOEBEL
Name

(484) 352-8920
Daytime Phone No.

7 QUAKER LANE
Address

GOEBEL2000@COMCAST.NET
E-mail Address

GLEN MILLS PA 19342
City, State, Zip

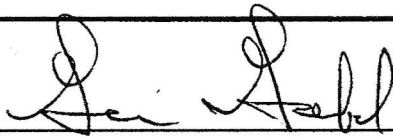
7/25/21 ~ 9:00PM
Date & Time of Loss or Damage

0313300102
PECO Account No. (if applicable)

7 QUAKER LANE
Address of Loss Location

Please describe the details of the incident and list the item(s) damaged.

POWER SURGE WITH A POPPING SOUND, POWERED FLICKERED
FOR A SECOND, NEIGHBORS HAD SAME ISSUE. WASHING MACHINE,
COMPUTER, WALL OVEN/MICROWAVE, HVAC, & SWIMMING POOL PUMP
NO LONGER WORKING


Signature

7/29/21
Date

**THIS FORM IS A REQUEST FOR INFORMATION ONLY AND DOES NOT
CONSTITUTE ANY ADMISSION OF LIABILITY ON THE PART OF PECO
ENERGY COMPANY.**

EXHIBIT 2

Lund, Greg A:(PECO)

From: Nickens Jr, Robert L:(PECO)
Sent: Friday, July 30, 2021 7:00 AM
To: 'goebel2000@comcast.net'
Subject: PECO Claim #: C2021118908
Attachments: 2016 Tariff.pdf

Dear Mr. Goebel,

This email is in response to the condition you experienced on or around July 25, 2021. Thank you for giving us the opportunity to investigate this situation. We know how important reliable electric service is in the lives of our customers.

Our investigation does not reveal any liability on the part of the company. Although PECO Energy compensates customers for certain costs incurred as a result of our negligent actions, we cannot pay for damages resulting from this event and similar events pursuant to our Electric Service Tariff. As a result, we are not able to compensate you for any damages that you may have suffered.

I have attached a copy of section 12.1 of the PECO Energy Electric Service Tariff for your review. If you have any questions, or would like to discuss this situation, please do not hesitate to contact me at (215) 740-9131.

Kind Regards,

Robert Nickens
Sr. Claims Case Manager
PECO Energy



400 Park Ave.
Warminster, PA 18974
Office: 215 956-3136 | Fax: 215 841-4919 | Cell 215 740-9131
Robert.Nickens@Exeloncorp.com

EXHIBIT 3

PECO Energy Company

Electric Service Tariff

COMPANY OFFICE LOCATION

2301 Market Street

Philadelphia, Pennsylvania 19101

For List of Communities Served, See Page 4.

Issued December 18, 2015

Effective January 1, 2016

**ISSUED BY: C. L. Adams – President & CEO
PECO Energy Distribution Company
2301 MARKET STREET
PHILADELPHIA, PA. 19101**

NOTICE

RULES AND REGULATIONS (continued)

12. SERVICE CONTINUITY

12.1 LIMITATION ON LIABILITY FOR SERVICE INTERRUPTIONS AND VARIATIONS. The Company does not guarantee continuous, regular and uninterrupted supply of service. The Company may, without liability, interrupt or limit the supply of service for the purpose of making repairs, changes, or improvements in any part of its system for the general good of the service or the safety of the public or for the purpose of preventing or limiting any actual or threatened instability or disturbance of the system. The Company is also 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.

In all other circumstances, the liability of the Company to customers or other persons for damages, direct or consequential, including damage to computers and other electronic equipment and appliances, loss of business, or loss of production caused by any interruption, reversal, spike, surge or variation in supply or voltage, transient voltage, or any other failure in the supply of electricity shall in no event, unless caused by the willful and/or wanton misconduct of the Company, exceed an amount in liquidated damages equivalent to the greater of \$1000 or two times the charge to the customer for the service affected during the period in which such interruption, reversal, spike, surge or variation in supply or voltage, transient voltage, or any other failure in the supply of electricity occurs. In addition no charge will be made to the customer for the affected service during the period in which such interruption, reversal, spike, surge or variation in supply or voltage, transient voltage, or any other failure in the supply of electricity occurs. A variety of protective devices and alternate power supplies that may prevent or limit such damage are available for purchase by the customer from third parties.

The Company makes no warranty as to merchantability or fitness for a particular purpose, express or implied, by operation of law or otherwise. To the extent applicable under the Uniform Commercial Code or on any theory of contract or products liability, the Company limits its liability in accordance with the previous paragraph to any Customer or third party for claims involving and including, but not limited to, strict products liability, breach of contract, and breach of actual or implied warranties of merchantability or fitness for an intended purpose.

12.2 ADDITIONAL LIMITATIONS ON LIABILITY IN CONNECTION WITH DIRECT ACCESS. Other than its duty to deliver electric energy and capacity, the Company shall have no duty or liability to a customer receiving Competitive Energy Supply arising out of or related to a contract or other relationship between such a customer and an EGS.

The Company shall implement customer selection of an EGS consistent with applicable rules of the Commission and shall have no liability to a customer receiving Competitive Energy Supply arising out of or related to switching EGSs, unless the Company is negligent in switching or failing to switch a customer.

The Company shall have no duty or liability with respect to electric energy before it is delivered by an EGS to a point of delivery on the PECO Energy distribution system. After its receipt of electric energy and capacity at the point of delivery, the Company shall have the same duty and liability for distribution service to customers receiving Competitive Energy Supply as to those receiving electric energy and capacity from the Company.

12.3 EMERGENCY LOAD CONTROL. Pursuant to order of Pennsylvania Public Utility Commission, the following provision is incorporated in this Tariff:

Whenever the demands for power on all or part of the Company's system exceed or threaten to exceed the capacity than actually and lawfully available to supply such demands, or whenever system instability or cascading outages could result from actual or expected transmission overloads or other contingencies, or whenever such conditions exist in the system of another public utility or power pool with which the Company's system is interconnected and cause a reduction in the capacity available to the Company from that source or threaten the integrity of the Company's system, a load emergency situation exists. In such case, the Company shall take such reasonable steps as the time available permits to bring the demands within the then-available capacity or otherwise control load. Such steps shall include but shall not be limited to reduction or interruption of service to one or more customers, in accordance with the Company's procedures for controlling load.

The Company shall establish procedures for controlling load including schedules of load shedding priorities to be followed in compliance with the foregoing paragraph, may revise such procedures from time to time, and shall revise them if so required by Pennsylvania Public Utility Commission. A copy of such procedures or of the revision thereof currently in effect shall be kept available for public inspection at the Company's Principle Office, and another such copy shall be kept on file with the Pennsylvania Public Utility Commission.

12.4 EMERGENCY ENERGY CONSERVATION. Pursuant to order of the Pennsylvania Public Utility Commission, the following provision is incorporated in this Tariff:

Whenever events occur which are actually resulting, or in the judgment of the Company threaten to result, in a restriction of the fuel supplies available to the Company or its energy suppliers, such that the amount of electric energy which the Company is able to supply is or will be adversely affected, an emergency energy situation exists.

In the event of an emergency energy conservation situation, the Company shall take such reasonable measures as it believes necessary and proper to conserve available fuel supplies. Such measures may include, but shall not be limited to reduction, interruption, or suspension of service to one or more of its customers or classes of customers in accordance with the Company's procedure for emergency energy conservation.

The Company shall establish procedures for emergency energy conservation, including, if it deems necessary, schedules of service interruption and suspension priorities to be followed as prescribed by the foregoing paragraph.

The Company may revise such procedure from time to time, and shall revise them if so required by the Pennsylvania Public Utility Commission. A copy of such procedures or of the revision thereof currently in effect shall be kept available for public inspection at each office at which the Company maintains a copy of its Tariff for public inspection, and another such copy shall be kept on file with the Pennsylvania Public utility Commission.

12.5 NOTICE OF TROUBLE. The customer must immediately notify the Company if service is interrupted or is otherwise unsatisfactory due to defects, trouble, or accident, affecting the supply of service.

EXHIBIT 4

Event Number: EV20210118519 * Claim Number: C2021118908 * Claimant Name: GOEBEL, GENE

Activity Date: 07/30/2021

Date Time Created:07/30/2021 5:53 AM

Entered by:Robert Nickens

Note Type:ADJ_T Adjuster Dated Text

Subject:

Important:No

30-Jul-2021 6:48 AM (Robert Nickens)

Customer is fed from the Scott 002 circuit.

Appliance damage after a surge on 7/25 @ approx 9 pm.

OMS records show no outage events for the customer. Netviewer shows 2 events on the circuit. Both have no comments and no probable cause. (D21072500051 & D21072500054).

Weather records show heavy thunderstorms in the area around the time reported.

Attached denial sent. Close claim.

13-Aug-2021 9:21 AM (Robert Nickens)

Writer spoke with Mr. Goebel this date. He advised he did not receive the original denial. Writer resent same along with escalation info as the customer disagreed with the claim assessment.

8/16/2021

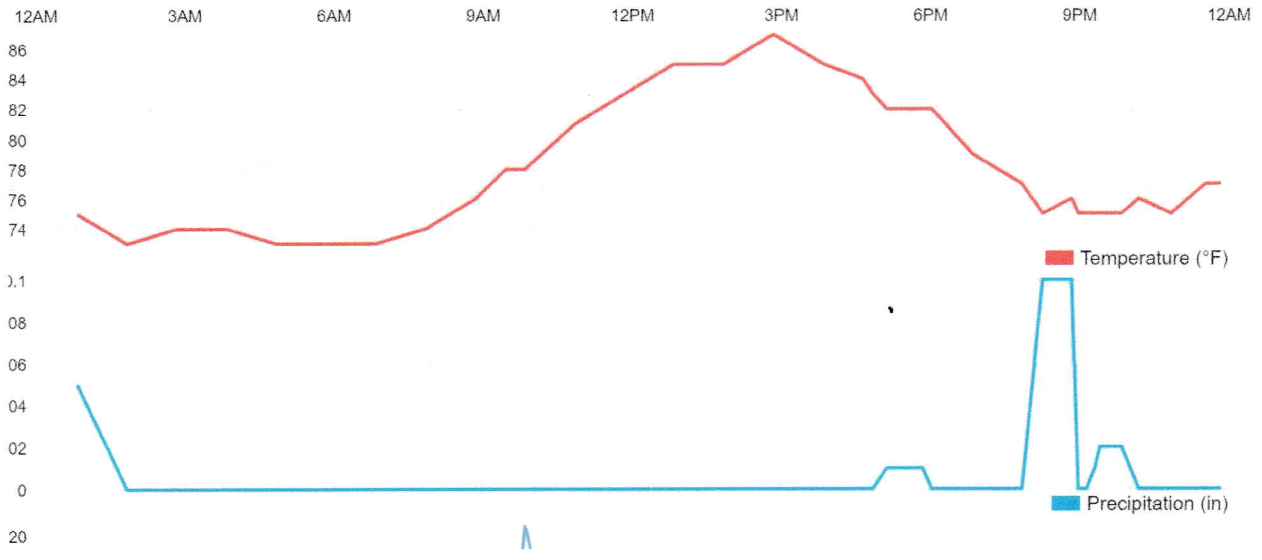
8:15 AM (GAL) E-mail to OCC Shift Manager's to look into the surge allegation further. Also sent follow up e-mail to claimant

16-Aug-2021 10:17 AM (Greg Lund) Denial e-mail sent

EXHIBIT 5



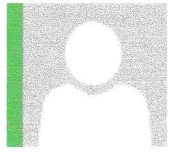
https://www.wunderground.com/history/daily/us/de/new-castle/KILG/date/2021-7-25



Daily Observations

Time	Temperature	Dew Point	Humidity	Wind	Wind Speed	Wind Gust	Pressure	Precip.	Condition ↑
12:51 AM	75 °F	60 °F	60 %	SSW	9 mph	0 mph	29.94 in	0.1 in	Cloudy
1:51 AM	73 °F	63 °F	71 %	S	6 mph	0 mph	29.92 in	0.0 in	Mostly Cloudy
2:51 AM	74 °F	63 °F	68 %	S	7 mph	0 mph	29.91 in	0.0 in	Cloudy
3:51 AM	74 °F	64 °F	71 %	S	10 mph	0 mph	29.88 in	0.0 in	Cloudy
4:51 AM	73 °F	65 °F	76 %	S	10 mph	0 mph	29.87 in	0.0 in	Mostly Cloudy
5:51 AM	73 °F	65 °F	76 %	S	9 mph	0 mph	29.86 in	0.0 in	Fair
6:49 AM	73 °F	64 °F	73 %	S	9 mph	0 mph	29.86 in	0.0 in	Cloudy
6:51 AM	73 °F	65 °F	76 %	S	9 mph	0 mph	29.86 in	0.0 in	Cloudy
7:51 AM	74 °F	66 °F	76 %	S	9 mph	0 mph	29.87 in	0.0 in	Cloudy
8:51 AM	76 °F	67 °F	74 %	SSW	8 mph	0 mph	29.87 in	0.0 in	Cloudy
9:28 AM	78 °F	69 °F	74 %	SW	8 mph	0 mph	29.86 in	0.0 in	Partly Cloudy
9:51 AM	78 °F	68 °F	71 %	SSW	10 mph	21 mph	29.86 in	0.0 in	Fair

10:51 AM	81 °F	70 °F	69 %	SW	9 mph	0 mph	29.84 in	0.0 in	Fair
11:51 AM	83 °F	71 °F	67 %	SW	12 mph	0 mph	29.84 in	0.0 in	Fair
12:51 PM	85 °F	71 °F	63 %	SW	9 mph	0 mph	29.84 in	0.0 in	Fair
1:51 PM	85 °F	71 °F	63 %	SSW	8 mph	0 mph	29.81 in	0.0 in	Partly Cloudy
2:51 PM	87 °F	73 °F	63 %	WSW	10 mph	0 mph	29.80 in	0.0 in	Partly Cloudy
3:51 PM	85 °F	71 °F	63 %	SSW	12 mph	0 mph	29.80 in	0.0 in	Mostly Cloudy
4:39 PM	84 °F	71 °F	65 %	SW	7 mph	0 mph	29.79 in	0.0 in	T-Storm
4:51 PM	83 °F	72 °F	69 %	WSW	5 mph	0 mph	29.80 in	0.0 in	Light Rain
5:08 PM	82 °F	73 °F	74 %	W	7 mph	0 mph	29.80 in	0.0 in	T-Storm
5:23 PM	82 °F	73 °F	74 %	WSW	5 mph	0 mph	29.79 in	0.0 in	Mostly Cloudy
5:42 PM	82 °F	73 °F	74 %	WSW	6 mph	0 mph	29.79 in	0.0 in	Thunder in the Vi
5:51 PM	82 °F	73 °F	74 %	W	7 mph	0 mph	29.79 in	0.0 in	Thunder in the Vi
6:02 PM	82 °F	74 °F	76 %	W	12 mph	0 mph	29.79 in	0.0 in	Partly Cloudy
6:51 PM	79 °F	73 °F	82 %	WSW	9 mph	0 mph	29.78 in	0.0 in	Cloudy
7:51 PM	77 °F	73 °F	88 %	WNW	8 mph	0 mph	29.80 in	0.0 in	Heavy Rain
8:16 PM	75 °F	71 °F	87 %	SSW	6 mph	0 mph	29.80 in	0.1 in	Heavy Rain
8:51 PM	76 °F	73 °F	91 %	N	6 mph	0 mph	29.80 in	0.1 in	Light Rain
8:59 PM	75 °F	73 °F	94 %	NNW	8 mph	0 mph	29.80 in	0.0 in	T-Storm
9:09 PM	75 °F	73 °F	94 %	NNW	5 mph	0 mph	29.81 in	0.0 in	Heavy T-Storm
9:19 PM	75 °F	73 °F	94 %	N	5 mph	0 mph	29.81 in	0.0 in	Heavy T-Storm
9:25 PM	75 °F	73 °F	94 %	VAR	3 mph	0 mph	29.81 in	0.0 in	Heavy Rain
9:31 PM	75 °F	74 °F	96 %	CALM	0 mph	0 mph	29.81 in	0.0 in	Light Rain
9:51 PM	75 °F	74 °F	96 %	S	6 mph	0 mph	29.82 in	0.0 in	T-Storm
10:12 PM	76 °F	75 °F	97 %	SW	6 mph	0 mph	29.82 in	0.0 in	Light Rain
10:51 PM	75 °F	74 °F	96 %	SW	3 mph	0 mph	29.81 in	0.0 in	Light Rain
11:33 PM	77 °F	74 °F	90 %	SSW	5 mph	0 mph	29.81 in	0.0 in	Thunder in the Vi
11:48 PM	77 °F	73 °F	89 %	W	9 mph	0 mph	29.81 in	0.0 in	Light Rain
11:51 PM	77 °F	74 °F	90 %	W	10 mph	0 mph	29.82 in	0.0 in	Light Rain



Mon 8/16/2021 10:30 AM

Goebel (US), Eugene S

RE: [EXTERNAL] Fwd: FW: PECO Claim #: C2021118908

To Lund, Greg A:(PECO); Nickens Jr, Robert L:(PECO)

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

EXT email: be mindful of links/attachments.

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

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

From: GEAN GOEBEL [mailto:goebel2000@comcast.net]
Sent: Friday, August 13, 2021 11:30 AM
To: Goebel (US), Eugene S <eugene.s.goebel@boeing.com>
Subject: [EXTERNAL] Fwd: FW: PECO Claim #: C2021118908

EXT email: be mindful of links/attachments.

----- Original Message -----

From: "Nickens Jr, Robert L:(PECO)" <Robert.Nickens@exeloncorp.com>
To: "'goebel2000@comcast.net'" <goebel2000@comcast.net>
Date: 08/13/2021 9:19 AM
Subject: FW: PECO Claim #: C2021118908

Hello Mr. Goebel,

Below is a copy of the original email that was sent in regard to your claim. As discussed, you can appeal my claim decision to the claim manager, Greg Lund. His contact # is (215) 841-6815.

Kind regards,

Robert Nickens

Sr. Claims Case Manager
PECO Energy



400 Park Ave.

Warminster, PA 18974

Office: 215 956-3136 | Fax: 215 841-4919 | Cell 215 740-9131

Robert.Nickens@Exeloncorp.com

From: Nickens Jr, Robert L:(PECO)
Sent: Friday, July 30, 2021 7:00 AM
To: 'goebel2000@comcast.net' <goebel2000@comcast.net>
Subject: PECO Claim #: C2021118908

Dear Mr. Goebel,

This email is in response to the condition you experienced on or around July 25, 2021. Thank you for giving us the opportunity to investigate this situation. We know how important reliable electric service is in the lives of our customers.

Our investigation does not reveal any liability on the part of the company. Although PECO Energy compensates customers for certain costs incurred as a result of our negligent actions, we cannot pay for damages resulting from this event and similar events pursuant to our Electric Service Tariff. As a result, we are not able to compensate you for any damages that you may have suffered.

I have attached a copy of section 12.1 of the PECO Energy Electric Service Tariff for your review. If you have any questions, or would like to discuss this situation, please do not hesitate to contact me at (215) 740-9131.

Kind Regards,

Robert Nickens

Sr. Claims Case Manager
PECO Energy



400 Park Ave.

Warminster, PA 18974

Office: 215 956-3136 | Fax: 215 841-4919 | Cell 215 740-9131

Robert.Nickens@Exeloncorp.com

PECO used 19342 area to claim Thunderstorms at 7 Quaker Lane, but further and more expansive than Chester Heights

<https://www.wunderground.com/history/daily/KILIS/date/2021-7-25>

Time	Temp	Humidity	Wind	Wind Dir	Wind Spd	Pressure	Clouds	Precip
6:51 PM	79 °F	73 %	82 %	WSW	9 mph	29.78 in	0.0 in	Cloudy
7:51 PM	77 °F	73 %	89 %	WNW	8 mph	29.80 in	0.0 in	Heavy Rain
8:16 PM	75 °F	71 %	87 %	SSW	6 mph	29.80 in	0.1 in	Heavy Rain
8:51 PM	76 °F	73 %	84 %	N	3 mph	29.80 in	0.1 in	Light Rain
8:59 PM	75 °F	73 %	94 %	NNW	8 mph	29.80 in	0.0 in	T-Storm
9:09 PM	75 °F	73 %	94 %	NNW	5 mph	29.81 in	0.0 in	Heavy T-Storm
9:19 PM	75 °F	73 %	94 %	N	3 mph	29.81 in	0.0 in	Heavy T-Storm
9:25 PM	75 °F	73 %	94 %	VAR	3 mph	29.81 in	0.0 in	Heavy Rain
9:31 PM	75 °F	74 %	96 %	CALM	0 mph	29.81 in	0.0 in	Light Rain
9:51 PM	75 °F	74 %	96 %	S	6 mph	29.82 in	0.0 in	T-Storm
10:12 PM	76 °F	75 %	97 %	SW	6 mph	29.82 in	0.0 in	Light Rain
10:51 PM	75 °F	74 %	96 %	SW	3 mph	29.81 in	0.0 in	Light Rain

Historical Weather

Find historical weather by searching for a city, zip code, or airport code. Include a date for range of dates in the results on the next page.

Location: Chester Heights PA

Date: July 25, 2021

Time	Temp	Humidity	Wind	Wind Dir	Wind Spd	Pressure	Clouds	Precip
6:54 PM	80 °F	72 %	63 %	SW	10 mph	29.83 in	0.0 in	Mostly Cloudy
7:54 PM	84 °F	73 %	60 %	WSW	12 mph	29.84 in	0.0 in	Partly Cloudy
8:54 PM	81 °F	72 %	74 %	SW	10 mph	29.86 in	0.0 in	Mostly Cloudy
9:54 PM	80 °F	72 %	76 %	SW	9 mph	29.88 in	0.0 in	Mostly Cloudy
10:54 PM	80 °F	73 %	79 %	SW	9 mph	29.88 in	0.0 in	Cloudy

7 Quaker Lane closer to center of Chester Heights which had NO rain, and NO thunderstorms

WJ WEATHER UNDERGROUND | Sensor No: 68691-153-008 (AVNPA)

EXHIBIT 2

11/17/21 AM

Gene, thanks for your order on 07/27/21.

Order #
BBY01-806477856215

Below is a summary of your purchase. Please be sure to review the **What You Need to Know** section for important details about your order.

Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Thank you for shopping at Best Buy®. We appreciate your business and look forward to seeing you soon.

Sincerely,

Your Customer Care Team

Order Pickup Items

Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Samsung - 5.2 Cu. Ft. High Efficiency Top Load Washer with Activewash - Black stainless steel
Model: WA52M7750AV
SKU: 5784008

Qty Price
1 \$649.99

Estimated Pickup Date:

Fri 7/30

Concord Pike
4807 Concord Pike
Wilmington, 19803-1410

Order info

Time placed Aug 1, 2021 at 10:40 AM
Order number 17-07412-88100
Total \$115.01 (1 item)
Sold by shadow-1226

Shipping address

Kim A. Goebel
7 Quaker Ln
Glen Mills, Pennsylvania 19342-1330
United States

Delivery info

Delivered on **Wed, Aug 4, 2021**



Tracking details

Carrier USPS Priority Mail
Number 9505512706771214412332

Track package

Payment info

Payment: g***0@comcast.net \$115.01
Aug 1 at 10:40 AM

1 item \$99.95
Shipping \$8.55
Tax \$6.51

Order total \$115.01

Item info

ecobee3 lite Pro Smart Thermostat - Black \$99.95
Item number: 353599168383

Contact the seller

More actions



EXHIBIT

3
8/17/21 AM

PENGAD 800-631-8689



Southwire 64170422 18/7 Solid Copper Class 2 Power-Limited Thermostat Wire, 50 feet

[Visit the Southwire Store](#)

★★★★★ 316 ratings

List Price: ~~\$31.68~~ [Details](#)

Price: **\$24.92** Get **Fast, Free Shipping** with **Amazon Prime & FREE Returns**

You Save: **\$6.66 (21%)**

Get \$50 off instantly: Pay \$0.00 \$24.92 upon approval for the Amazon Rewards Visa Card. No annual fee.

Size: -

Brand	Southwire
Material	Copper
Gauge	18_gauge
Voltage	150 Volts



Patio, Lawn & Garden > Pools, Hot Tubs & Supplies > Pumps



Blue Torrent Cyclone 1.5 HP Variable Speed Pump for In Ground Swimming Pools

[Visit the Blue Torrent Pumps Store](#)

★★★★★ 8 ratings

List Price: ~~\$699.99~~ [Details](#)

Price: **\$519.99**

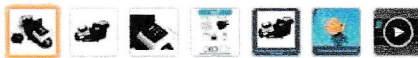
You Save: **\$180.00 (26%)**

Coupon: Save an extra 10% when you apply this coupon. [Terms](#)

Pay \$28.89/month for 18 months, interest-free upon approval for the Amazon Rewards Visa Card

- Energy Star Certified. Save Up To 80% In Energy Costs.
- 1.5 Horsepower for Efficient Filtration. Variable Speed. Quiet Motor and Built to Last.
- Can Be Wired for 220V-240V. Cooler-Running Than The Competition. POWER CORD NOT INCLUDED
- Features 2 Inch Plumbing Ports
- 2 Year Warranty

New (2) from \$519.99 & FREE Shipping



VIDEO

PECO Energy Company

Electric Service Tariff

COMPANY OFFICE LOCATION

2301 Market Street

Philadelphia, Pennsylvania 19101

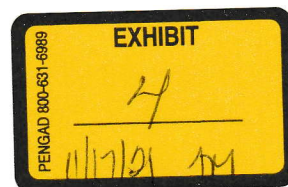
For List of Communities Served, See Page 4.

Issued December 18, 2015

Effective January 1, 2016

**ISSUED BY: C. L. Adams – President & CEO
PECO Energy Distribution Company
2301 MARKET STREET
PHILADELPHIA, PA. 19101**

NOTICE



RULES AND REGULATIONS (continued)

12. SERVICE CONTINUITY

12.1 LIMITATION ON LIABILITY FOR SERVICE INTERRUPTIONS AND VARIATIONS. The Company does not guarantee continuous, regular and uninterrupted supply of service. The Company may, without liability, interrupt or limit the supply of service for the purpose of making repairs, changes, or improvements in any part of its system for the general good of the service or the safety of the public or for the purpose of preventing or limiting any actual or threatened instability or disturbance of the system. The Company is also 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.

In all other circumstances, the liability of the Company to customers or other persons for damages, direct or consequential, including damage to computers and other electronic equipment and appliances, loss of business, or loss of production caused by any interruption, reversal, spike, surge or variation in supply or voltage, transient voltage, or any other failure in the supply of electricity shall in no event, unless caused by the willful and/or wanton misconduct of the Company, exceed an amount in liquidated damages equivalent to the greater of \$1000 or two times the charge to the customer for the service affected during the period in which such interruption, reversal, spike, surge or variation in supply or voltage, transient voltage, or any other failure in the supply of electricity occurs. In addition no charge will be made to the customer for the affected service during the period in which such interruption, reversal, spike, surge or variation in supply or voltage, transient voltage, or any other failure in the supply of electricity occurs. A variety of protective devices and alternate power supplies that may prevent or limit such damage are available for purchase by the customer from third parties.

The Company makes no warranty as to merchantability or fitness for a particular purpose, express or implied, by operation of law or otherwise. To the extent applicable under the Uniform Commercial Code or on any theory of contract or products liability, the Company limits its liability in accordance with the previous paragraph to any Customer or third party for claims involving and including, but not limited to, strict products liability, breach of contract, and breach of actual or implied warranties of merchantability or fitness for an intended purpose.

12.2 ADDITIONAL LIMITATIONS ON LIABILITY IN CONNECTION WITH DIRECT ACCESS. Other than its duty to deliver electric energy and capacity, the Company shall have no duty or liability to a customer receiving Competitive Energy Supply arising out of or related to a contract or other relationship between such a customer and an EGS.

The Company shall implement customer selection of an EGS consistent with applicable rules of the Commission and shall have no liability to a customer receiving Competitive Energy Supply arising out of or related to switching EGSs, unless the Company is negligent in switching or failing to switch a customer.

The Company shall have no duty or liability with respect to electric energy before it is delivered by an EGS to a point of delivery on the PECO Energy distribution system. After its receipt of electric energy and capacity at the point of delivery, the Company shall have the same duty and liability for distribution service to customers receiving Competitive Energy Supply as to those receiving electric energy and capacity from the Company.

12.3 EMERGENCY LOAD CONTROL. Pursuant to order of Pennsylvania Public Utility Commission, the following provision is incorporated in this Tariff:

Whenever the demands for power on all or part of the Company's system exceed or threaten to exceed the capacity than actually and lawfully available to supply such demands, or whenever system instability or cascading outages could result from actual or expected transmission overloads or other contingencies, or whenever such conditions exist in the system of another public utility or power pool with which the Company's system is interconnected and cause a reduction in the capacity available to the Company from that source or threaten the integrity of the Company's system, a load emergency situation exists. In such case, the Company shall take such reasonable steps as the time available permits to bring the demands within the then-available capacity or otherwise control load. Such steps shall include but shall not be limited to reduction or interruption of service to one or more customers, in accordance with the Company's procedures for controlling load.

The Company shall establish procedures for controlling load including schedules of load shedding priorities to be followed in compliance with the foregoing paragraph, may revise such procedures from time to time, and shall revise them if so required by Pennsylvania Public Utility Commission. A copy of such procedures or of the revision thereof currently in effect shall be kept available for public inspection at the Company's Principle Office, and another such copy shall be kept on file with the Pennsylvania Public Utility Commission.

12.4 EMERGENCY ENERGY CONSERVATION. Pursuant to order of the Pennsylvania Public Utility Commission, the following provision is incorporated in this Tariff:

Whenever events occur which are actually resulting, or in the judgment of the Company threaten to result, in a restriction of the fuel supplies available to the Company or its energy suppliers, such that the amount of electric energy which the Company is able to supply is or will be adversely affected, an emergency energy situation exists.

In the event of an emergency energy conservation situation, the Company shall take such reasonable measures as it believes necessary and proper to conserve available fuel supplies. Such measures may include, but shall not be limited to reduction, interruption, or suspension of service to one or more of its customers or classes of customers in accordance with the Company's procedure for emergency energy conservation.

The Company shall establish procedures for emergency energy conservation, including, if it deems necessary, schedules of service interruption and suspension priorities to be followed as prescribed by the foregoing paragraph.

The Company may revise such procedure from time to time, and shall revise them if so required by the Pennsylvania Public Utility Commission. A copy of such procedures or of the revision thereof currently in effect shall be kept available for public inspection at each office at which the Company maintains a copy of its Tariff for public inspection, and another such copy shall be kept on file with the Pennsylvania Public utility Commission.

12.5 NOTICE OF TROUBLE. The customer must immediately notify the Company if service is interrupted or is otherwise unsatisfactory due to defects, trouble, or accident, affecting the supply of service.

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:

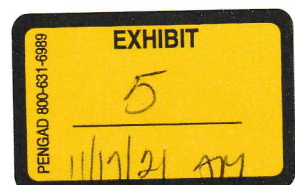
1. DENIED

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

EXHIBIT 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

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