



Direct Dial: 215.841.6841
khadijah.scott@exeloncorp.com

March 28, 2023

VIA E-FILING

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

RE: Wesley Collier v. PECO Energy Company
Docket No. C-2022-3037194

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is the *Reply of PECO Energy Company in Opposition to Reopening the 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,

A handwritten signature in blue ink that reads "Khadijah Scott".

Khadijah Scott, Esquire
Assistant General Counsel, PECO Energy Company

Encl.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

WESLEY COLLIER	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022-3037194
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

**REPLY OF PECO ENERGY COMPANY IN OPPOSITION TO REOPENING THE
FORMAL COMPLAINT**

PECO Energy Company ("PECO Energy") hereby files its Reply in Opposition to the Complainant's Motion to Reopening the Formal Complaint in the above-captioned proceeding. In support thereof, PECO Energy represents as follows:

1. On December 9, 2022, PECO Energy was served with a formal complaint filed by Wesley Collier ("Complainant").
2. On December 21, 2022, PECO Energy filed its Answer to the Complainant¹.
3. On February 27, 2023, the Complainant engaged in a twenty (20) minute settlement conference call with Respondent's counsel, Khadijah Scott, and PECO Energy regulatory assessor, Anna Mae Migliaccio.
4. On February 27, 2023, at the conclusion of the settlement conference call, the matter settled. As requested, the deposit has been returned to the Complainant.
5. On February 27, 2023, a settlement letter was forwarded to the Complainant advising that he had ten (10) days in which to file a written objection with the Public Utility Commission

¹ A Motion to Dismiss was not filed by PECO Energy in this matter.

(“PUC”) if he chose to object to the settlement. *See*, Letter dated February 27, 2023, attached hereto as Exhibit “1”.

6. On February 27, 2023, a Certificate of Service was filed by PECO Energy with the PUC and a copy was forwarded to the Complainant on the same date. *Id.*

7. The Certificate of Service advised the Complainant that he must file a written objection to the settlement with the PUC if he chose to object to the settlement. *Id.*

8. The Complainant had ten (10) days, *i.e.*, March 9, 2023, in which to file an objection with the PUC.

9. The Complainant failed to file an objection with the PUC as required.

10. On March 22, 2023, thirteen (13) days after the expiration of a right to object to the settlement, the Complainant faxed an objection to the PUC.

11. The faxed letter of objection was untimely.

12. The faxed letter of objection did not meet the PUC’s filing requirements.

13. The PUC’s website specifically advises that faxed submissions are not accepted:

The Commission’s Emergency Order at M-2020-3019362 expired on September 30, 2021. Therefore, **emailed and faxed submissions are no longer acceptable**, and all filers are strongly encouraged to open and use an eFiling account through our website. The account is free of charge.

Pennsylvania Public Utility Commission Website (*emphasis added*)

14. The PUC’s website also advises that if a submission cannot be *E-filed*, then it must be mailed via overnight mail.

If you do NOT have the capability to open and use an eFiling account, you may file paper documents with the Secretary of the Commission. Filing of paper documents **must be sent by overnight delivery** to:

Secretary of the Commission
400 North Street
Harrisburg, PA 17120

Id. (emphasis added)

15. The Complainant was provided proper instructions if he wished to file an objection the settlement.

16. The Complainant failed to comply with the PUC's filing requirements in both timeliness and formality.

17. On March 28, 2023, the Complainant filed a Motion to Reopen the Formal Complaint.

18. Pursuant to 52 Pa. Code 5.571 (b):

(b) A petition to reopen must set forth clearly the facts claimed to constitute grounds requiring reopening of the proceeding, including material changes of fact or of law alleged to have occurred since the conclusion of the hearing.

19. Within his Motion, the Complainant failed to state any grounds upon which to reopen the Complaint, but instead merely repeats all of the original averments alleged in the Complaint, which were known to him at the time of settlement on February 27, 2023.

20. Within his Motion, the Complainant failed to state any new facts that have arisen since the settlement of his Complaint on February 27, 2023.

21. Within his Motion, the Complainant failed to state any new law(s) which have arisen since the settlement of his Complaint on February 27, 2023.

22. Within his Motion, the Complainant failed to state any legal basis upon which to reopen the Complaint.

23. Accordingly, the Formal Complaint should remain closed.

WHEREFORE, PECO Energy Company respectfully requests that the Commission deny the Motion to Reopen the Formal Complaint as it is without merit and should be dismissed.

Respectfully Submitted,



KHADIJAH SCOTT
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
Tel: (215) 841-6841
Fax: (215) 568-3389

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

WESLEY COLLIER	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022-3037194
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

VERIFICATION

I, KHADIJAH SCOTT, hereby declare that I am counsel for 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: March 28, 2023



KHADIJAH SCOTT

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

WESLEY COLLIER	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022-3037194
	:	
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 Reply in Opposition to the Reopening of the Formal Complaint in the above matter upon all interested parties by E-mailing a copy, properly addressed to:

WESLEY COLLIER
3807 POPLAR ST
PHILADELPHIA PA 19104
Via email: wesleycollier49@gmail.com

Dated: March 28, 2023



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



Direct Dial: 215.841.6841
khadijah.scott@exeloncorp.com

February 27, 2023

Via email: wesleycollier49@gmail.com
WESLEY COLLIER
3807 POPLAR ST
PHILADELPHIA PA 19104

**Re: Wesley Collier v. PECO Energy Company
PUC Docket No. C-2022-3037194**

Dear Mr. Collier:

Per your conversation with regulatory assessor, Anna Mae Migliaccio, this letter confirms the settlement of the above-referenced Public Utility Commission (PUC) Complaint. As the parties desire to amicably resolve the dispute without the need for further litigation, PECO Energy has agreed to resolve your formal complaint as follows:

- Your account will be credited \$110.55 as a customer courtesy within 24 hours.
- Your account will be credited \$20.00 as reimbursement for postage and paper products within 24 hours.
- You will be credited late payment charges in the amount of \$2.84 within 24 hours.
- You will be refunded your deposit in the amount of \$230.00. This may take up to six (6) weeks, but an expedited request has been made on your behalf.
- A Customer Assistance Program (CAP) application will be sent to your attention.

This letter memorializes the entire agreement between you and PECO Energy Company. Any other terms or promises, written or oral, not in the body of this letter will not be a part of this settlement agreement and, therefore, will be void.

A Certificate of Satisfaction will be forwarded to the PUC to inform them of the status of this complaint. Unless you file a written objection to the PUC within ten (10) days, the Certificate of Satisfaction will sufficiently confirm to the PUC that the Complaint has been resolved and the file will be closed.

If you have any questions, please do not hesitate to contact me or Anna Mae Migliaccio at (215) 841-5776.

Very truly yours,

Khadijah Scott

Khadijah Scott, Esquire
Assistant General Counsel, Exelon BSC
cc: Anna Mae Migliaccio, Regulatory Assessor, PECO Energy



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

Date Created	Filing Number
2/27/2023	2459006

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-2022-3037194
Case Description: Certificate of Satisfaction
Transmission Date: 2/27/2023 2:51 PM
Filed On: 2/27/2023 2:51 PM
eFiling Confirmation Number: 2459006

File Name	Document Type	Upload Date
CERT_OF_SATISFACTION.pdf	Certificate of Satisfaction	2/27/2023 2:51:16 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

February 27, 2023

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

**RE: Wesley Collier v. PECO Energy Company
PUC Docket No. C-2022-3037194**

Dear Ms. Chiavetta:

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that this matter has been resolved.

By copy of this letter, I am alerting the Complainant of the right to object to the closing of this matter in writing to the Public Utility Commission within ten (10) days of the date of this letter.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you.

Very truly yours,

A handwritten signature in blue ink that reads "Khadijah Scott".

Khadijah Scott, Esquire
Assistant General Counsel
PECO Energy Company

Encl.

Cc: Honorable Darlene Heep (via email)

#: 5169529

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Wesley Collier	:	
Complainant	:	
	:	
v.	:	C-2022-3037194
	:	
	:	
	:	
PECO Energy Company	:	
Respondent	:	

CERTIFICATE OF SATISFACTION

I, Khadijah Scott, Esquire, representing PECO Energy Company (“PECO”) in this matter, hereby certify that the issues raised in the Formal Complaint against PECO Energy Company filed by Complainant with the Pennsylvania Public Utility Commission and docketed at Complaint Docket No. **C-2022-3037194** has been satisfied.

This Certificate of Satisfaction is provided pursuant to 52 Pa. Code §5.24(b). Unless Complainant files an objection to this Certificate within ten (10) days of its filing, the Formal Complaint shall be withdrawn and the Commission’s file closed.

Respectfully Submitted,



Khadijah Scott, Esquire
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: (215) 568-3389

Dated: February 27, 2023

**BEFORE THE
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Wesley Collier	:	
Complainant	:	
	:	
v.	:	C-2022-3037194
	:	
	:	
PECO Energy Company	:	
Respondent	:	

CERTIFICATE OF SERVICE

I, Khadijah Scott, hereby certify that I have this day served a copy of the Certificate of Satisfaction on behalf of PECO Energy Company in the above matter upon all interested parties via electronic mail and/or first class mail:

Wesley Collier
3807 Poplar St
Philadelphia Pa 19104

Dated at Philadelphia, Pennsylvania, February 27, 2023



Khadijah Scott, Esquire
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: (215) 568-3389