

NEW MATTER OF RESPONDENT, PECO ENERGY COMPANY

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code §5.62(b), further responds:

1. PECO Energy avers that the Complainant has failed to state a claim upon which relief may be granted.

Answer: I'm filing a formal complaint now. I would like to have this problem "fixed" and I have never asked for monetary damages since I believe the water I'm getting in the basement right under where they put the transformer was caused by the people who put the PECO electrical transformer on my property. It was put very close to the corner of my building and that is where the utility closet is underneath in the basement where I was getting the most water and then I had the transformer moved through the PUC to the center common ground area and I think the water problem could be from the earth being disturbed by digging up the same area twice and possibly the soil not settling. Hopefully, it's not a cracked foundation, like many people I spoke to thought they could have done when they moved it. I'm still not sure how the water is coming in, whether it's from the under the ground or if it's streaming down the walls. I do see some water stains on the wood on the wall in the utility closet where it looks like it may be streaming down. It has puddled underneath the new flooring. I looked there on January 29 after it rained a few days and stepped on the floor and only a very minuscule amount of water surfaced to the top of the new flooring. I've been making a point to always look there when it's raining and afterwards. In the beginning of August 2022, I believed the water problem had stopped or the previous dug up ground had settled because I wasn't having any more water problems. I had had a water saturated ceiling tile that was next to the utility closet fall on the floor after the 2nd transformer was moved and had it replaced by the same guy who installed my flooring on August 9, 2022 thinking that I wasn't going to get any more water there. I do not have a receipt from this guy but a copy of the check that I gave him for his work and our text messages. I had a Damp Rid moisture absorber in the utility closet that I put there a long time ago to keep it from smelling musty even though I was not getting water there before this, only once a very long time ago when my father left a running hose on the building when I wasn't here that caused me to get water in the utility closet. My father was starting to get dementia back then. The handyman floor installer was from Thumbtack. He was originally from South America and didn't speak English well but communicated better in writing. He did not tell me that the Damp Rid canister that was in the utility closet was completely filled with water. I saw it after he put the new flooring in the closet and put the water filled canister back in there. On May 9, 2022, I had a plumber fix the small leak on the valve in the ceiling (where the ceiling tile fell down) that goes to the outside hose bib. I have the plumber sales receipt (attached) saying he fixed it but unbeknownst to me, he didn't fix it. When Tim Grow came over on August 26, 2022 and took the ceiling tile down to look at it further, he saw the small leak on the valve that goes to the hose bib but I didn't know that it was still leaking because this plumber said he fixed it. I do not believe this had anything to do with the water saturated ceiling tile because that very small leak was there for almost as long as I lived here and I never had a ceiling tile fall down before. Tim pointed out water that I did not see that was outside of the utility closet on the same wall and floor. I also have a witness to the water puddle under the floor in the closet. I had called ServPro of Southern Delaware County in Glen Mills, PA and had scheduled for someone to come out to my house to see if there was mold on the ceiling insulation in the utility closet.

On August 22, 2022 when the owner of ServPro named Kevin Jones (see his attached business card) came to my house and stepped on the newly laid flooring in the closet, water gushed out and he said to me "you got a big problem here." This made me get very upset because I was thinking my water problem was solved or I wouldn't have had new flooring installed or the ceiling tile replaced. Hopefully not, but I can only think that maybe they cracked my foundation or that the water was caused by digging up the ground twice. My other witness is Tim Grow from PECO who came to my house also on August 26, 2022 and pointed out water on the floor right outside of the utility closet on the same wall which I wasn't aware of at the time. He also pointed out water stains on the white baseboard that I didn't see before. Tim Grow also pointed out a very small drip coming from the valve going to the outside hose bid that was in the ceiling above the tile. Right after Kevin Jones from ServPro left my house, I got the gutters checked and they were all clear, I had a 24" splash block (picture enclosed) put under the drain spout to extend the corner drain spout away from the building where the transformer was originally put. My neighbor Randy Merkins who lives a few houses down from me got up on a ladder and checked my front and back gutters to my house on 8/23/2022 and they we're both entirely clear of debris. Randy lives at 637 W Saint Andrews Dr., Media, PA 19063. On 8/31/22 I had a plumber from Thumbtack called GenServ come out to my house and he replaced the 1/2" ball valve for the hose bib (see Thumbtack receipt below.). I have also installed a water detector in the utility closet (see below pic).

2. The Complainant's formal complaint seeks the PUC to order PECO Energy to award monetary damages for property damage that she incurred as a result of a water leak in her home that she alleges is a result of the installation of a transformer.

Not true, I want it fixed.

3. The Public Utility Commission Formal Complaint form specifically states on the bottom of page 3: "Under state law the PUC cannot decide whether a utility or a company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court."

I just want it fixed.

4. To the extent that the Complainant seeks an award of monetary damages against PECO Energy for damage caused to her property, such relief is beyond the power of the PUC to order. It is well settled that the PUC does not have the power or jurisdiction to award monetary damages for the actions of a utility company. *Feingold v. Bell of Pennsylvania*, 477 Pa. 1, 383 A.2d 791 (1977).

Okay, can it be fixed?

5. Accordingly, the Complainant's request should be denied pursuant to 52 Pa. Code §5.101(a)(1).

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Kevin Jones
Owner

Servpro9185@Comcast.net

35 LaCruce Ave, Suite 5
Glen Mills, PA 19342

**SERVPRO® of Southern
Delaware County**
484-841-6669

SERVPRO® of West Chester
610-692-8884

8/31/22...



GenServ >

Plumbing Drain Repair
Media • 19063



1:43 PM

💰 Payment request

\$175.00

1/2" Ball valve replacement for hose bib.

Complete payment

Hi Cheryl,

I'd really appreciate you taking a few minutes to write a review of my work that I can include on my Thumbtack profile. Reviews are important because they help me get new customers.

Check Payment

-\$1,300.00

\$2,961.41



CHERYL STANGO
629 W. SAINT ANDREWS DR.
MEDIA, PA 19063

1112

DATE August 9, 2012

PAY TO THE
ORDER OF

Junior

\$ 1,300.00

One thousand and three hundred and

00 DOLLARS



MEMO Basement flooring misc.

Cheryl Stango

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⑆34721965⑆

1112

Front of Check | Back of Check











