

COMMONWEALTH OF PENNSYLVANIA
(Public Utility Commission)

-----*
KEVIN BRABANK, :
Complainant, : Case No.:
vs. : F-2023-3042345
PECO ENERGY COMPANY and :
TOMORROW ENERGY COMPANY, :
Respondent. :
-----*

Pages 1 through 97 TELEPHONIC HEARING
Judge's Chambers
State Office Bldg.
801 Market Street
Philadelphia, PA 19107

Tuesday, October 31, 2023
Met, pursuant to notice, at 10:04 a.m.

BEFORE: THE HONORABLE DARLENE D. HEEP
Administrative Law Judge

INDEX TO EXHIBITS
Docket No.: F-2023-3042345
Hearing Date: October 31, 2023

EXHIBITS INDEX

EXHIBIT:	FOR IDENTIFICATION	IN EVIDENCE
COMPLAINANT EXHIBITS:	(Not Attached)	
NUMBER		
A (Email Exchange and Attachment)	22	23
B (Excel Spreadsheet with Calculations)	22	23
PECO EXHIBITS:	(Attached)	
NUMBER:		
1 (Standard Offer Program)	89	89
2 (Utility Supplier History)	89	89
3 (Contract History)	89	89
4 (Electric Supplier Switch Letter)	89	89
5 (PECO Energy Bill 9/24/21)	89	89
6 (Electric Supplier Return Letter)	89	89

INDEX TO EXHIBITS
Docket No.: F-2023-3042345
Hearing Date: October 31, 2023

		EXHIBITS INDEX	
PECO EXHIBITS:		(Attached)	
NUMBER:			
7	(Utilities Billing History)	89	89
8	(PUC Complaint Response Letter)	89	89
9	(BCS Decision Report)	89	89
10	(F-2020-3022291 Initial Decision)	89	89



Direct Dial: 267-533-1830
khadijah.scott@exeloncorp.com

October 25, 2023

VIA E-MAIL

Honorable Darlene Heep
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107

Kevin Brabank v. PECO Energy Company
Docket No. F-2023-3042345
Date of Hearing: October 31st 2023 @ 10:00 a.m.

Dear Judge Heep:

Enclosed please find a copy of PECO Energy Company's Exhibits 1 through 10, which it intends to use in the above referenced hearing. By copy of this letter, I am sending a copy of same to the Complainant.

Please call my direct dial number if you have any questions regarding this case.

Respectfully submitted,

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

Khadijah Scott

KS/ab
Enclosure

Cc: Kevin Brabank (via email)

EXHIBIT 1



Innovation and Savings: The PUC's Standard Offer

Shop. Switch. Save.
The Power is in Your Hands.

www.PAPowerSwitch.com

PAPowerSwitch 
Pennsylvania Public Utility Commission

WHAT IS THE STANDARD OFFER PROGRAM?

The Pennsylvania Public Utility Commission (PUC) launched the Standard Offer Program (Standard Offer) in August 2013 to give non-shopping customers greater access to the competitive electricity market and its benefits. Standard Offer is voluntary, and made available to all residential and small business customers by electric distribution companies (EDCs) that have competitive suppliers actively participating in their program at a given time. Depending upon market conditions, Standard Offer may not always be available in all areas. Prior to Standard Offer, non-shopping customers remained on the sidelines, giving up their right to choose a supplier, take advantage of dozens of new products on the market and potentially save on their monthly bills. Standard Offer is a “win-win” for the electric shopper and supplier alike. The customer wins with potential savings on electric generation over the course of a year, with little or no risk, while the supplier gains a new customer now actively participating in the competitive retail market.

HOW DOES IT WORK?

The PUC requires electric utilities to refer certain customers calling the utility (such as customers with a high bill complaints) to a randomly selected retail electric supplier participating in Standard Offer. The supplier, or a third-party acting on behalf of the supplier, must make the Standard Offer, which includes a fixed-rate price, 7 percent below the electric utility's current Price to Compare (PTC, the price the utility pays for electricity), for a term of one-year with no cancellation or termination fees. A Standard Offer customer can cancel the agreement at any time.

EXAMPLE: If an electric utility's current PTC is 10 cents per kilowatt hour (kWh), then the customer could enroll in Standard Offer at 9.3 cents per kWh – a 7 percent discount off the current PTC with the rate remaining fixed at that price for one year.

HOW DOES A CUSTOMER SIGN UP FOR THE STANDARD OFFER PROGRAM?

Terms and conditions of the standard offer are presented to customers before they decide to enter the program. The standard offer and its 12-month term are uniform for all customers within a rate class, within an EDC's service territory. Customers who enroll with a participating supplier are free to leave the Standard Offer Program at any time during the 12 months with no termination/cancellation fee imposed.

WHAT HAPPENS AFTER ONE YEAR?

All existing customer notification requirements apply, including notices relating to any proposed changes in the contract between the supplier and customer. Customers will receive contract renewal notices prior to the end of the standard offer period. At that time, they have three options:

- Remain with their current supplier;
- Switch to another competitive supplier; or
- Return to default service offered by their EDC.

If a customer fails to respond with one of these options, they will automatically remain with the current supplier on a month-to-month basis without any early termination fees.

www.puc.pa.gov
www.PAPowerSwitch.com

 @PA_PUC
 PA PowerSwitch

PA PUBLIC UTILITY COMMISSION
Bureau of Consumer Services
P.O. Box 3265
Harrisburg, PA 17105-3265
1-800-692-7380



PAPowerSwitch 
Pennsylvania Public Utility Commission

EXHIBIT 2

SUPPLIER HISTORY

KEVIN BRABANK v. PECO ENERGY COMPANY

F-2023-3042345

Account 46556-31033 for KEVIN BRABANK PECO

Account 46556-31033

View Supplier Data for Service Point 36780072

Period Edit Help

Rate: **Electric Residential Heating Service**

Current Supplier Information:

Effective	Status	Record Type	Supplier
06/08/23	Active	Relationship	PECO ENERGY
08/19/19	Active	Eligibility	

Add...
View...
Delete
Undelete

Supplier History:

Effective	Record Type	Supplier	Id	Bill
08/26/19	Relationship	Tomorrow Energy Corp.	8236	EDC Co ^

EXHIBIT 3

KY_BA	NM_USER	DT_CNCT	TIME_CNCT	CD_CNCT_TY	KY_REMARKS	NO_REMARKS	STX_REMARKS_GENERIC
4655631033	SAWYER-CHIVERTON, CYNTHIA	10/1/2021	8:39:42	EL01	792572249	1	ENROLL SUCCESSFUL DISTRIBUTION
4655631033	SAWYER-CHIVERTON, CYNTHIA	10/1/2021	8:39:42	EL01	792572249	1	X st Hickory Lane cov No customer calling because there is a
4655631033	SAWYER-CHIVERTON, CYNTHIA	10/1/2021	8:39:42	EL01	792572249	2	tree in the wires hanging low on property in the front hang
4655631033	SAWYER-CHIVERTON, CYNTHIA	10/1/2021	8:39:42	EL01	792572249	3	ing low enough to touch Lights Ok/Unknown Tree in Wires (Po
4655631033	SAWYER-CHIVERTON, CYNTHIA	10/1/2021	8:39:42	EL01	792572249	4	e to Pole)
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	1	\$73.47 due 3-5-09
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	1	WR# 1001836
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	1	(312) 765-3505 CALL RESULT: Call was not attempted
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	1	ami high bill cust calling about bill 7/20/12 to 8/18/12 use
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	2	ge from amr meter 2193 high bill not inline with other bills:
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	2	TIME OF CALL: 09:09 SERVICE CLASS: RES RECOR
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	3	did cost est 7rm,3tv,top & bot refr, micr, gas stove, wash
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	3	D TYPE: Field Notification Call AMOUNT D
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	4	dry, gas water heater, 2 ac, window fan potential =1349 bil
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	4	UE AT TIME OF CALL: \$893.16 SERVICE AMOUNT DUE: \$89
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	5	ed 2363 check amr end read think its off PUC rights not giv
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	5	3.16 TOTAL BALANCE: \$1,396.53 PHN NBR UPDATED: NO EFT
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:30:08	SV22	136773800	6	: Customer does not want to enroll in EFT. VENDOR: NCO
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	1	cust sts that the payment 211.11 shows deducted from her ban
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	1	Crew status read by employee: T-Man Dispatched Ou
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	1	170508-001992 ENROLLED EFT
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	1	ACCT-2817245035: COMPLETED CUT-IN
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	2	k - advised of bank hold Total balance \$307.45 Past due a
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	2	tage ID: D2109270PROBABLE CAUSE: Cause Undetermined
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	2	LEFT OFF TO RANGE AND REFERRED TO CONTRACTO
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	3	R FOR SERVICE OR REPLACEMENT.
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	3	mount of \$ 211.11 due immediately Current bill \$ 9€
4655631033	MUZEKARI, THEODORE M.	9/29/2021	9:24:18	VR16	841528814	4	.34 due by 12/20/10 Unbilled amount \$
4655631033	OLMI, JENNIFER A	9/27/2021	16:58:04	SO22	6027408	1	xstr baltimore pike cov unknown birch tree in front yard lay
4655631033	OLMI, JENNIFER A	9/27/2021	16:58:04	SO22	6027408	1	Account phone number (413) 884-3186 has been identified as
4655631033	OLMI, JENNIFER A	9/27/2021	16:58:04	SO22	6027408	1	72 Hour Notice: 104690601:No Answer
4655631033	OLMI, JENNIFER A	9/27/2021	16:58:04	SO22	6027408	1	set appt on unit 701 there was an error message on unit 70C
4655631033	OLMI, JENNIFER A	9/27/2021	16:58:04	SO22	6027408	2	ing on top electrical wires toward road easy access kevin brabank 302 468 025€
4655631033	OLMI, JENNIFER A	9/27/2021	16:58:04	SO22	6027408	2	a wrong number based on TCPA authentication and has been removed
4655631033	OLMI, JENNIFER A	9/27/2021	16:58:04	SO22	6027408	2	the service order# 281766625 is for foreign wiring unit 700-
4655631033	OLMI, JENNIFER A	9/27/2021	16:58:04	SO22	6027408	3	call ahead for the 20th of may 717 203 3345. e-mailed hb escalation
4655631033	OLMI, JENNIFER A	9/27/2021	16:57:50	EL01	673422057	1	xstr baltimore pike and spring ln cov unknown birch tree lea
4655631033	OLMI, JENNIFER A	9/27/2021	16:57:50	EL01	673422057	1	DEPOSIT REQUESTED AT CONNECT. REFER CUSTOMER CREDIT INQUIRI
4655631033	OLMI, JENNIFER A	9/27/2021	16:57:50	EL01	673422057	1	RIDER RRS SUCCESSFULLY ADDED TO THE CUSTOMER'S ACCOUNT ON 0
4655631033	OLMI, JENNIFER A	9/27/2021	16:57:50	EL01	673422057	2	3/23/07. RIDER RRS IS EFFECTIVE 04/17/07.
4655631033	OLMI, JENNIFER A	9/27/2021	16:57:50	EL01	673422057	2	ning over in front yard leaning on top wire toward street ea
4655631033	OLMI, JENNIFER A	9/27/2021	16:57:50	EL01	673422057	2	ES TO EQUIFAX CUSTOMER SERVICES AT 1-888-259-2689
4655631033	OLMI, JENNIFER A	9/27/2021	16:57:50	EL01	673422057	3	sy access Lights Ok/Unknown Tree in Wires (Pole to Pole)
4655631033	SCHMIDT, CHRISTINA	4/26/2021	22:00:44	CC31	870102440	1	WO# 17215200 REF TO BRYAN TAYLOR
0	DIAZ JR, JOSE E	4/20/2021	12:35:41	CC31	121039145	1	KEVIN BRABANK called to have off peak meter removed and serv
0	DIAZ JR, JOSE E	4/20/2021	12:35:41	CC31	121039145	2	ice upgraded - sent S&M for upgrade of service request
0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	1	Cust says lights are on Cust not sure of gas, meter has use
0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	1	CPI to find out about getting second off peak meter removed,
0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	1	User ID: Deerstalker66@verizon.net ; Name: MARCELLA MCBRIDE
0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	2	; A \$8.45 ECHECK PAYMENT USING BANK ACCOUNT ENDING IN *1714
0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	2	advised to combine loads and we can get old meter, cust ask
0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	2	CAP Transfer Fee Sales Tax ROI: Private WP AYSY
0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	3	HAS BEEN SCHEDULED FOR 01/29/2018
0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	3	ed about getting garage added as a separate meter, adv to co

0	ADAMS, PATRICK	4/19/2021	16:37:25	MS01	571841527	4	ntact NB.
4655631033	C1 IVR	8/17/2020	18:02:27	CS01	17431722	1	User ID: leepaige41@yahoo.com ; Name: PAIGE D LEE ; CREDIT/D
4655631033	C1 IVR	8/17/2020	18:02:27	CS01	17431722	1	Enrolled 3024680256 for outage alerts by text in pref center
4655631033	C1 IVR	8/17/2020	18:02:27	CS01	17431722	1	Electric power off...pls restore...mtr accessib
4655631033	C1 IVR	8/17/2020	18:02:27	CS01	17431722	1	Electronic Check; AMT PD: \$ 100.00; AUTH NO:098257
4655631033	C1 IVR	8/17/2020	18:02:27	CS01	17431722	2	EBIT CARD ENDING IN *2694 HAS BEEN DELETED FROM MYACCOUNT PROFILE
4655631033		8/17/2020	18:01:35	VR22	826440531	1	TIME CUSTOMER CONTACTED: 08/17 19:00 ALL OUT
4655631033		8/17/2020	18:01:35	VR22	826440531	1	(215) 462-6877 CALL RESULT: Customer abandoned call
4655631033		8/17/2020	18:01:35	VR22	826440531	2	TIME OF CALL: 08:58 SERVICE CLASS: RES RECOR
4655631033		8/17/2020	18:01:35	VR22	826440531	3	D TYPE: PA Reinstatement Call AMOUNT D
4655631033		8/17/2020	18:01:35	VR22	826440531	4	UE AT TIME OF CALL: \$1,005.47 SERVICE AMOUNT DUE: \$1,00
4655631033		8/17/2020	18:01:35	VR22	826440531	5	5.47 TOTAL BALANCE: \$1,005.47 PHN NBR UPDATED: NO EFT
4655631033	PARNELL, NIKKIA M.	5/26/2020	14:08:37	MS01	624683738	1	CUST RENATA BRABANK INFO ON METER REMOVALTRF TO NEW BUSINESS
4655631033	PARNELL, NIKKIA M.	5/26/2020	14:08:37	MS01	624683738	1	LINE DROP INFO FOR TREE REMOVAL
4655631033	PARNELL, NIKKIA M.	5/26/2020	14:08:37	MS01	624683738	2	n on 01-20-05 - to correct estimated bills.
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	1	Account phone number (509) 217-9747 has been added or updated
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	1	x greyhorse 30 to 40 jomes are our down wires at 242 All
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	1	(215) 475-2274 CALL RESULT: Answering machine was reached.
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	1	Disconnect Notice Residential
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	2	Left message TIME OF CALL: 19:48 SERVICE CLASS: COM RECOR
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	3	D TYPE: Proactive Call 4 AMOUNT D
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	4	UE AT TIME OF CALL: \$318.06 SERVICE AMOUNT DUE: \$31
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	5	8.06 TOTAL BALANCE: \$322.74 PHN NBR UPDATED: NO EFT
4655631033	TCPA CONSENT MAINTENANCE	3/26/2020	11:56:29	TC01	57603926	6	: Customer does not want to enroll in EFT. VENDOR: PAR3
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	12:02:39	CXE4	588148932	1	User ID: kbrabank@gmail.com ; Name: KEVIN BRABANK ; CREDIT/D
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	12:02:39	CXE4	588148932	1	User ID: osttwin@gmail.com ; Name: JACQUILINE OST ; A \$176.05
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	12:02:39	CXE4	588148932	1	THE CUSTOMER HAS APPLIED FOR A DVP GRANT APPLICATION
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	12:02:39	CXE4	588148932	2	E CHECK PAYMENT USING BANK ACCOUNT ENDING IN *9496 HAS BEEN
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	12:02:39	CXE4	588148932	2	EBIT CARD ENDING IN *1497 HAS BEEN STORED UNDER MYACCOUNT PR
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	12:02:39	CXE4	588148932	3	SCHEDULED FOR 09/05/2016
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	1	(312) 765-3259 CALL RESULT: Telephone system errors
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	1	ALTERNATE NUMBER WAS CHANGED FROM - TO 509-2
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	1	cust all out, cust checked circuit breakers, neighbors are o
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	2	ut also, called in by Donna Allgood All Out
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	2	17-9747
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	2	TIME OF CALL: 18:35 SERVICE CLASS: RES RECOR
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	3	D TYPE: Field Notification Call AMOUNT D
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	4	UE AT TIME OF CALL: \$452.33 SERVICE AMOUNT DUE: \$45
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	5	2.33 TOTAL BALANCE: \$452.33 PHN NBR UPDATED: NO EFT
4655631033	ONLINE CONVENIENCE CENTER	3/26/2020	11:56:29	GM03	615513926	6	: Customer does not want to enroll in EFT. VENDOR: NCO
4655631033	ELISCA, AMANDA J.	3/26/2020	11:42:43	MS09	934595342	1	Removed from EFT due to Invalid Account Status.
4655631033	ELISCA, AMANDA J.	3/26/2020	11:42:43	MS09	934595342	1	wife ci sttd didnt rcv bill adv bills are sent thru ebill a
4655631033	ELISCA, AMANDA J.	3/26/2020	11:42:43	MS09	934595342	1	Deposit Certificate
4655631033	ELISCA, AMANDA J.	3/26/2020	11:42:43	MS09	934595342	1	Meter Number: 015212647
4655631033	ELISCA, AMANDA J.	3/26/2020	11:42:43	MS09	934595342	2	dv acct was registered online in sept with email address kbr
4655631033	ELISCA, AMANDA J.	3/26/2020	11:42:43	MS09	934595342	3	annot read reason: NOT HOME
4655631033	ELISCA, AMANDA J.	3/26/2020	11:42:43	MS09	934595342	3	abank@gmail.com asst cust with online login for peco site
4655631033	LUGO, MICHAEL C	3/4/2020	15:11:15	EL01	117226511	1	xstr baltimore pike cstmr rprrt down wires preventing from le
4655631033	LUGO, MICHAEL C	3/4/2020	15:11:15	EL01	117226511	1	AMI Complete-3-AMI Complete
4655631033	LUGO, MICHAEL C	3/4/2020	15:11:15	EL01	117226511	2	aving home rprrt verizon at property waiting for peco to repl
4655631033	LUGO, MICHAEL C	3/4/2020	15:11:15	EL01	117226511	3	ace pole crntly lights ok Lights Ok/Unknown Wire Down (Pole
4655631033	LUGO, MICHAEL C	3/4/2020	15:11:15	EL01	117226511	4	to Pole)
0	EVANS, KIAHFA	11/21/2019	11:39:16	MS01	808093619	1	EIO ON #BD
0	EVANS, KIAHFA	11/21/2019	11:39:16	MS01	808093619	1	called to confirm EFT on account

4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	10:39:19	CXE8	765872919	1	User ID: kbrabank@gmail.com ; Name: KEVIN BRABANK
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	10:39:19	CXE8	765872919	2	Eligible for Cut as of: 10/04/2021
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	1	User ID: kbrabank@gmail.com ; Name: KEVIN BRABANK ; BANK ACC
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	2	COUNT ENDING IN *6900 HAS BEEN STORED UNDER MY ACCOUNT PROFILE
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:28:07	CXE3	996509708	2	363-****6900 HAS BEEN SCHEDULED FOR 09/24/2019
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	1	Spoke to Heather cci to discuss bill, CNO NXT READ DATE,CNO
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	1	Total balance \$28.78 Past due amount of \$_____due immediate
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	2	CB \$195.34,CNO UB CHRGS \$1,348.35,CNO DD,CNO TOTAL BAL \$362.
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	2	ly Current bill \$_____due by Unbilled amount \$ Amount paic
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	3	today \$0.00 Confirmation # Total remaining balance \$28.78
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	3	28,CNO PD \$166.94 cust paid 166.94 +2.35 Confirmation Code:
4655631033	ONLINE CONVENIENCE CENTER	9/13/2019	14:27:52	CXE4	780254257	4	031826\\ rem bal 195.34
4655631033		8/30/2019	0:37:31	GM03	860764137	1	Tariff changed from Residential - Single
4655631033		8/30/2019	0:37:31	GM03	860764137	1	Tariff changed from Electric Residential Heating Service
4655631033		8/30/2019	0:37:31	GM03	860764137	2	to Supplier Electric Residential Heating Service
4655631033		8/30/2019	0:37:31	GM03	860764137	2	to Retail Delivery Service - Res Single
4655631033	NEWTON, LATAE J.	8/21/2019	7:00:13	SC02	316733310	1	ACCT-4655631033: AMI Remote Connect New Customer
4655631033		8/20/2019	2:14:34	RES1	99424434	1	Msg: ASM Time: 10/18 16:30
4655631033		8/20/2019	2:14:34	RES1	99424434	1	Customer enrolled with Tomorrow Energy Corp.(8236) and enrollment letter sent.
4655631033	MAYFIELD, LORIAH	8/19/2019	17:31:32	MS42	60561231	1	PSEC 2019-08-19; Tomorrow Energy Corp.
4655631033	NEWTON, LATAE J.	8/19/2019	17:01:19	SO02	232039911	1	AMI Remote Connect - New Customer cnotf,cap,wp,roi alt s
4655631033	NEWTON, LATAE J.	8/19/2019	17:01:19	SO02	232039911	2	up yes sales tax no pers yes ,psec yes
4655631033	SYSTEM GENERATED	8/19/2019	0:01:16	REF1	543610611	1	Customer Referred to Supplier: Tomorrow Energy Corp. on 08/19/2019
4655631033	MAYFIELD, LORIAH	8/19/2019	17:32:08	MS01	631494802	1	Enrolled in PSEC

EXHIBIT 4

0089

PECO
 PO BOX 13778
 Philadelphia, PA 19101

Account Number: 0123456789
 December 05, 2016

0000003 01 SP 0.500 **SNGLP H1 1 0146 19148-523433 -C03-P00003-I



JOHN CUSTOMER
 100 SERVICE ST
 PHILADELPHIA PA 19000-1000



For Service to:
 100 SERVICE ST
 PHILADELPHIA, PA 19000

Confirmation of Your Electric Supplier Switch

Dear JOHN CUSTOMER:

In Pennsylvania, you can choose the supplier that provides your electricity without impacting the quality of service provided by PECO. You recently chose to purchase the supply of your electricity from a competitive supplier other than PECO.

The details of your switch are listed below. If the below information is correct, there is no further action needed. If the information is incorrect or you did not choose the supplier listed, please contact the supplier directly or call PECO at 1-800-494-4000.

Your PECO Account Number: 0123456789
Current Electric Supplier: *Supplier Name*

Requested Electric Supplier: *Supplier Name*
Requested Supplier Phone Number: 800-500-1000
Effective Date of your supplier switch: *December 09, 2016*

Your new supplier will provide you with an enrollment packet that includes the details of your agreement including - the rate you'll be paying, whether it is fixed or variable, the length of the agreement, or if cancellation fees apply. If you have any questions about the details of your agreement, please contact your new supplier directly.

PECO will be sending you a bill in the next few days that closes out the charges from your previous supplier through the date of your switch. Following that, you will receive your regular monthly bill which will include the new charges since your supplier switch as well as any unpaid balance from previous bills. You can check your account balance and due date at any time through the PECO mobile app or online at peco.com/MyAccount.

Remember, the electric rate charged by your supplier could be higher or lower than the prices charged by PECO. In most cases, the supplier rate you're paying is listed on page 2 of your PECO bill in the "Electric Supply" section. If you do not see it listed and have questions, please contact your supplier directly. By comparison, PECO's rate ("Price to Compare") is listed on page two of your bill in the Message Center.

At PECO, we strongly support the competitive energy market in Pennsylvania. Regardless of the supplier you choose, PECO will continue to safely deliver electricity, provide billing and customer support, and respond to outages and other emergencies for all customers.

For more information about shopping for electricity, visit PApowerswitch.com as well as peco.com/Choice.

Sincerely,
 PECO Customer Care



EXHIBIT 5

Name: KEVIN BRABANK
Account Number: 46556-31033
Phone Number: 302-468-0256
Service Address: 250 Harvey Rd, Chadds Ford

Emergency and Repair

800-841-4141

This is the number to call to report power outages, gas leaks or odors, and safety hazards related to PECO Equipment.

Billing Summary

Bill Date 09/24/2021

Thank you for your payment of \$313.80 on 09/16/2021

Current Period Charges

Electric \$325.00
Total New Charges \$325.00

Total Amount Due on 10/18/2021 \$325.00

General Information

Next scheduled meter reading: 10/26/2021

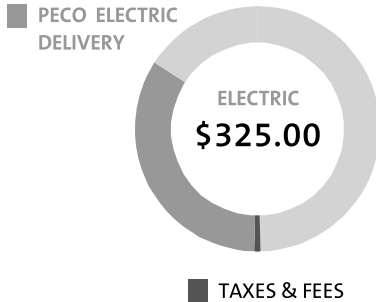
1-800-494-4000

If you have any questions or concerns, please call 800-494-4000 before the due date. Si tiene alguna pregunta, favor de llamar al numero 1-800-494-4000 antes de la fecha de vencimiento.

peco.com/service

Customer Self Service - Manage Your Account 24/7

Start, stop and move your service



ELECTRIC SUPPLY
Tomorrow Energy Corp.
3010 Briarpark Dr.
Suite #200
Houston TX 77042
888-682-8082

8888-30-0116497-0001-0008523

Online: peco.com

In Person: 2301 Market St., Philadelphia, PA 19103

By Phone: 1-800-494-4000

Return only this portion with your check made payable to PECO. Please write your account number on your check.



An Exelon Company
2301 Market Street
Philadelphia, PA 19103-1380

Pay Today!

peco.com/ebill

Go paperless: receive and pay your bill online.

0116497 01 AB 0.458 **AUTO T8 0 8888 19317-974750 -C30-B1-P16513-I 2 5 8



KEVIN BRABANK
250 HARVEY RD
CHADDS FORD, PA 19317-9747

- Enroll in Automatic Payment. Complete form on reverse side.
- Pledge a donation to MEAF. Complete form on reverse side.

Account # 46556-31033

877-432-9384

Pay by phone, a convenience fee will apply.

Automatic Payment Deducted on 10/18/2021 \$325.00

Payment Amount \$



PECO - Payment Processing
PO Box 37629
Philadelphia, PA 19101-0629

465563103301003250012910325008



Account Number: **46556-31033**

Meter Information

Read Dates	Meter Number	Load Type	Reading Type	Meter Reading		Difference	Multiplier X	Total Usage
				Previous	Present			
08/24-09/23	125658914	General Service Meter 2	Tot kWh	16373 Actual	16820 Actual	447	1	447
08/24-09/23	125659472	General Service	Tot kWh	146059 Actual	147116 Actual	1,057	1	1,057

Total kWh Used: 1,504



Electric Residential Heating Service

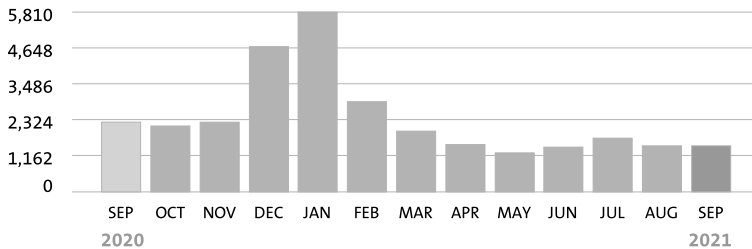
Service Period **08/24/2021 to 09/23/2021 - 30 days**

PECO ELECTRIC DELIVERY	\$109.96
Customer Charge	10.02
Customer Charge Meter 2	1.94
Distribution Charges	1,504 kWh X 0.06463
Distribution System Improvement Charge	97.20
	0.80
ELECTRIC SUPPLY	\$215.06
Tomorrow Energy Corp. Charges (888-682-8082)	
Commodity Charge 1503.999 KWH @ 0.14240701	214.18
Sales Tax	0.88
TAXES & FEES	-\$0.02
State Tax Adjustment	-0.02

Total Current Charges \$325.00

Your Usage Profile
ANNUAL ELECTRIC USAGE

peco.com/smartideas
Save energy and money



Period	Usage	Avg Daily Usage	Days	Avg Daily Temp
Current Month	1,504	50.1	30	75
Last Month	1,497	51.6	29	78
Last Year	2,260	75.3	30	72

Avg kWh per Month: 2,402
Total Annual kWh Usage: 28,825

Message Center

From PECO:

New charges contain estimated total state taxes of \$8.17, including \$6.49 for State Gross Receipts Tax.

Your estimated electric price to compare is \$0.0660 per kWh. This may change in March, June, September and December. For more information and supplier offers visit PAPowerSwitch.com and oca.state.pa.us.

The amount of this bill will be automatically deducted from your bank account on October 18, 2021.

Shopping Information Box

When shopping for a competitive electric/natural gas supplier, please provide the following:

Account Number: 46556-31033

Electric Rate: Electric Residential Heating Service

If you are purchasing the energy you use from a competitive supplier, it is important to understand the terms of your contract and expiration date.

8888-30-0116497-0001-0008524

Ways to Pay



Online

Visit peco.com/paybill where you can enroll in AutoPay, or make a one-time payment using your credit card or bank account.



Mobile App

Download the PECO mobile app for your Apple or Android device for the quickest and easiest way to manage your account and pay bill with one swipe of the finger.



Mail

Mail checks payable to PECO and write your account # on your check. Make sure to include the tear-off portion of your bill at the bottom of page 1.



Phone

Call 1-877-432-9384 to make a payment with a credit card, debit card, or your bank account.*



* Fees apply for card & phone payments.
No fees apply when you create a PECO My Account and pay using your bank account

EXHIBIT 6

0204

PECO
PO BOX 13778
Philadelphia, PA 19101

Account Number: 0123456789
December 05, 2016

0000002 01 SP 0.500 **SNGLP H1 1 0146 19126-163115 -C03-P00002-I



JANE CUSTOMER
100 SERVICE ST
PHILADELPHIA PA 19000-0001



For Service to:
100 SERVICE ST
PHILADELPHIA, PA 19000

Confirmation of returning to PECO as your Electric Supplier

Dear JANE CUSTOMER:

In Pennsylvania, you can choose the supplier that provides your electricity without impacting the quality of service provided by PECO. You recently chose to switch back to PECO for your electric supply. The details of your switch are listed below.

Your PECO Account Number: 0123456789

Current Electric Supplier: *Supplier Name*

Requested Electric Supplier: PECO ENERGY

Requested Supplier Phone Number: 800-494-4000

Effective Date of your supplier switch: December 09, 2016

PECO will be sending you a bill in the next few days that closes out the charges from your previous supplier through the date of your switch. Following that, you will receive your regular monthly bill which will include the new charges since your supplier switch back to PECO as well as any unpaid balance from previous bills. You can check your account balance and due date at any time through the PECO mobile app or online at peco.com/MyAccount.

To evaluate offers from competitive suppliers, you can reference PECO's rate per kWh ("Price to Compare") on page two of your PECO bill in the Message Center.

At PECO, we strongly support the competitive energy market in Pennsylvania. For more information about shopping for electricity, visit PApowerswitch.com as well as peco.com/Choice.

Sincerely,

PECO Customer Care



EXHIBIT 7

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
1	Account Number: 4655631033			Service Address:			Current Bill:			\$0.00	Account Balance: \$0.00						
2	Account Name: KEVIN BRABANK			250 HARVEY RD			Billed Prior:			\$0.00							
3	Account Status: ACTIVE			CHADDS FORD, PA 19317			Balance Due:			\$0.00							
4	Meter Bill Group: 20																
5				Mail To:			Credit Amount:			\$0.00	Rates:						
6				KEVIN BRABANK			Deposit Requested:			\$0.00	ELECTRIC RESIDENTIAL HEATING SERVICE						
7				250 HARVEY RD			Deposit On-Hand:			\$0.00							
8				CHADDS FORD, PA 19317			CAP Pre-program Arrears:			\$0.00							
9							Payment Agreement Balance:			\$0.00							
10																	
11																	
12	Account Transaction Activity																

13	Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Cd	KWH	CCF	Transaction Amount	Balance Forward	Current Charges	Amt Due	Bill Due Dt	Total Balance	Heating Degree Days	Budget Bill Deferred Amt
14	08/28/2019	CONNECTION CHARGE - STANDARD								\$6.00							
15	08/30/2019	ELECTRIC SERVICE		08/21/2019-08/26/2019	7092	ACTUAL	125658914	12			\$0.00	\$46.37	\$46.37	09/24/2019	\$46.37		\$0.00
16	08/30/2019	ELECTRIC SERVICE		08/21/2019-08/26/2019	90472	ACTUAL	125659472	279		\$40.37							
17	09/24/2019		PAYMENT							-\$46.37							
18	09/26/2019	ELECTRIC SERVICE		08/26/2019-09/24/2019	7174	ACTUAL	125658914	82			\$0.00	\$268.19	\$268.19	10/18/2019	\$268.19		\$0.00
19	09/26/2019	ELECTRIC SERVICE		08/26/2019-09/24/2019	92405	ACTUAL	125659472	1933		\$141.12							
20	09/26/2019	ALTERNATE ELEC SERVICE								\$127.07							
21	10/18/2019		PAYMENT							-\$268.19							
22	10/25/2019	ELECTRIC SERVICE		09/24/2019-10/23/2019	7274	ACTUAL	125658914	100									
23	10/25/2019	ELECTRIC SERVICE		09/24/2019-10/23/2019	93899	ACTUAL	125659472	1494		\$90.50	\$0.00	\$191.02	\$191.02	11/18/2019	\$191.02	41	\$0.00
24	10/25/2019	ALTERNATE ELEC SERVICE								\$100.52							
25	11/18/2019		PAYMENT							-\$191.02							
26	11/25/2019	ELECTRIC SERVICE		10/23/2019-11/21/2019	7361	ACTUAL	125658914	87									
27	11/25/2019	ELECTRIC SERVICE		10/23/2019-11/21/2019	95954	ACTUAL	125659472	2055		\$117.31	\$0.00	\$252.38	\$252.38	12/17/2019	\$252.38	469	\$0.00
28	11/25/2019	ALTERNATE ELEC SERVICE								\$135.07							
29	12/17/2019		PAYMENT							-\$252.38							
30	12/30/2019	ELECTRIC SERVICE		11/21/2019-12/26/2019	7445	ACTUAL	125658914	84									
31	12/30/2019	ELECTRIC SERVICE		11/21/2019-12/26/2019	102623	ACTUAL	125659472	6669		\$354.00	\$0.00	\$779.84	\$779.84	01/21/2020	\$779.84	890	\$0.00
32	12/30/2019	ALTERNATE ELEC SERVICE								\$425.84							
33	01/21/2020		PAYMENT							-\$779.84							
34	01/30/2020	ELECTRIC SERVICE		12/26/2019-01/28/2020	8016	ACTUAL	125658914	571									
35	01/30/2020	ELECTRIC SERVICE		12/26/2019-01/28/2020	108148	ACTUAL	125659472	5525		\$306.40	\$0.00	\$690.81	\$690.81	02/21/2020	\$690.81	812	\$0.00
36	01/30/2020	ALTERNATE ELEC SERVICE								\$384.41							
37	02/21/2020		PAYMENT							-\$690.81							
38	02/27/2020	ELECTRIC SERVICE		01/28/2020-02/26/2020	8342	ACTUAL	125658914	326									
39	02/27/2020	ELECTRIC SERVICE		01/28/2020-02/26/2020	111203	ACTUAL	125659472	3055		\$175.14	\$0.00	\$388.35	\$388.35	03/20/2020	\$388.35	711	\$0.00
40	02/27/2020	ALTERNATE ELEC SERVICE								\$213.21							
41	03/20/2020		PAYMENT							-\$388.35							
42	03/27/2020	ELECTRIC SERVICE		02/26/2020-03/26/2020	8711	ACTUAL	125658914	369									
43	03/27/2020	ELECTRIC SERVICE		02/26/2020-03/26/2020	113043	ACTUAL	125659472	1840		\$118.56	\$0.00	\$257.86	\$257.86	04/20/2020	\$257.86	522	\$0.00
44	03/27/2020	ALTERNATE ELEC SERVICE								\$139.30							
45	04/20/2020		PAYMENT							-\$257.86							
46	04/27/2020	ELECTRIC SERVICE		03/26/2020-04/24/2020	9177	ACTUAL	125658914	466									
47	04/27/2020	ELECTRIC SERVICE		03/26/2020-04/24/2020	114644	ACTUAL	125659472	1601		\$111.75	\$0.00	\$242.10	\$242.10	05/19/2020	\$242.10	408	\$0.00

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
13	Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Cd	KWH	CCF	Transaction Amount	Balance Forward	Current Charges	Amt Due	Bill Due Dt	Total Balance	Heating Degree Days	Budget Bill Deferred Amt
48	04/27/2020	ALTERNATE ELEC SERVICE								\$130.35							
49	05/19/2020		PAYMENT							-\$242.10							
50	05/27/2020	ELECTRIC SERVICE		04/24/2020-05/26/2020	9629	ACTUAL	125658914	452									
51	05/27/2020	ELECTRIC SERVICE		04/24/2020-05/26/2020	116240	ACTUAL	125659472	1596		\$110.84	\$0.00	\$239.99	\$239.99	06/18/2020	\$239.99	238	\$0.00
52	05/27/2020	ALTERNATE ELEC SERVICE								\$129.15							
53	06/18/2020		PAYMENT							-\$239.99							
54	06/25/2020	ELECTRIC SERVICE		05/26/2020-06/24/2020	9938	ACTUAL	125658914	309									
55	06/25/2020	ELECTRIC SERVICE		05/26/2020-06/24/2020	118054	ACTUAL	125659472	1814		\$145.05	\$0.00	\$278.93	\$278.93	07/17/2020	\$278.93		\$0.00
56	06/25/2020	ALTERNATE ELEC SERVICE								\$133.88							
57	07/17/2020		PAYMENT							-\$278.93							
58	07/28/2020	ELECTRIC SERVICE		06/24/2020-07/24/2020	10256	ACTUAL	125658914	318									
59	07/28/2020	ELECTRIC SERVICE		06/24/2020-07/24/2020	120133	ACTUAL	125659472	2079		\$169.51	\$0.00	\$320.66	\$320.66	08/19/2020	\$320.66		\$0.00
60	07/28/2020	ALTERNATE ELEC SERVICE								\$151.15							
61	08/19/2020		PAYMENT							-\$320.66							
62	08/25/2020	ELECTRIC SERVICE		07/24/2020-08/24/2020	10628	ACTUAL	125658914	372									
63	08/25/2020	ELECTRIC SERVICE		07/24/2020-08/24/2020	122223	ACTUAL	125659472	2090		\$173.78	\$0.00	\$329.03	\$329.03	09/16/2020	\$329.03		\$0.00
64	08/25/2020	ALTERNATE ELEC SERVICE								\$155.25							
65	09/16/2020		PAYMENT							-\$329.03							
66	09/24/2020	ELECTRIC SERVICE		08/24/2020-09/23/2020	11068	ACTUAL	125658914	440									
67	09/24/2020	ELECTRIC SERVICE		08/24/2020-09/23/2020	124043	ACTUAL	125659472	1820		\$160.41	\$0.00	\$441.66	\$441.66	10/16/2020	\$441.66		\$0.00
68	09/24/2020	ALTERNATE ELEC SERVICE								\$281.25							
69	10/16/2020		PAYMENT							-\$441.66							
70	10/26/2020	ELECTRIC SERVICE		09/23/2020-10/23/2020	11580	ACTUAL	125658914	512									
71	10/26/2020	ELECTRIC SERVICE		09/23/2020-10/23/2020	125671	ACTUAL	125659472	1628		\$152.61	\$0.00	\$443.44	\$443.44	11/17/2020	\$443.44	59	\$0.00
72	10/26/2020	ALTERNATE ELEC SERVICE								\$290.83							
73	11/17/2020		PAYMENT							-\$443.44							
74	11/20/2020	ELECTRIC SERVICE		10/23/2020-11/23/2020	12048	ACTUAL	125658914	468		-\$35.98							
75	11/20/2020	ELECTRIC SERVICE		10/23/2020-11/23/2020	127468	ACTUAL	125659472	1797		-\$35.98						374	
76	11/20/2020		MISC BILLING ADJUSTMENT							-\$35.98							
77	11/24/2020	ELECTRIC SERVICE		10/23/2020-11/23/2020	12048	ACTUAL	125658914	468									
78	11/24/2020	ELECTRIC SERVICE		10/23/2020-11/23/2020	127468	ACTUAL	125659472	1797		\$122.75	\$0.00	\$394.58	\$394.58	12/16/2020	\$394.58	374	\$0.00
79	11/24/2020		EXCESS CREDIT							-\$35.98							
80	11/24/2020	ALTERNATE ELEC SERVICE								\$307.81							
81	12/16/2020		PAYMENT							-\$394.58							
82	12/29/2020	ELECTRIC SERVICE		11/23/2020-12/28/2020	12574	ACTUAL	125658914	526									
83	12/29/2020	ELECTRIC SERVICE		11/23/2020-12/28/2020	131642	ACTUAL	125659472	4174		\$241.04	\$0.00	\$879.77	\$879.77	01/20/2021	\$879.77	808	\$0.00
84	12/29/2020	ALTERNATE ELEC SERVICE								\$638.73							
85	01/20/2021		PAYMENT							-\$879.77							
86	01/28/2021	ELECTRIC SERVICE		12/28/2020-01/27/2021	13201	ACTUAL	125658914	627									
87	01/28/2021	ELECTRIC SERVICE		12/28/2020-01/27/2021	136825	ACTUAL	125659472	5183		\$299.00	\$0.00	\$1,088.58	\$1,088.58	02/19/2021	\$1,088.58	825	\$0.00
88	01/28/2021	ALTERNATE ELEC SERVICE								\$789.58							
89	02/19/2021		PAYMENT							-\$1,088.58							
90	02/26/2021	ELECTRIC SERVICE		01/27/2021-02/25/2021	13616	ACTUAL	125658914	415									
91	02/26/2021	ELECTRIC SERVICE		01/27/2021-02/25/2021	139345	ACTUAL	125659472	2520		\$157.16	\$0.00	\$556.03	\$556.03	03/22/2021	\$556.03	950	\$0.00
92	02/26/2021	ALTERNATE ELEC SERVICE								\$398.87							
93	03/22/2021		PAYMENT							-\$556.03							
94	03/29/2021	ELECTRIC SERVICE		02/25/2021-03/26/2021	14004	ACTUAL	125658914	388									

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
13	Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Cd	KWH	CCF	Transaction Amount	Balance Forward	Current Charges	Amt Due	Bill Due Dt	Total Balance	Heating Degree Days	Budget Bill Deferred Amt
95	03/29/2021	ELECTRIC SERVICE		02/25/2021-03/26/2021	140925	ACTUAL	125659472	1580		\$109.32	\$0.00	\$377.91	\$377.91	04/20/2021	\$377.91	595	\$0.00
96	03/29/2021	ALTERNATE ELEC SERVICE								\$268.59							
97	04/20/2021		PAYMENT							-\$377.91							
98	04/27/2021	ELECTRIC SERVICE		03/26/2021-04/26/2021	14568	ACTUAL	125658914	564									
99	04/27/2021	ELECTRIC SERVICE		03/26/2021-04/26/2021	141898	ACTUAL	125659472	973		\$88.34	\$0.00	\$298.11	\$298.11	05/19/2021	\$298.11	329	\$0.00
100	04/27/2021	ALTERNATE ELEC SERVICE								\$209.77							
101	05/19/2021		PAYMENT							-\$298.11							
102	05/26/2021	ELECTRIC SERVICE		04/26/2021-05/25/2021	15120	ACTUAL	125658914	552									
103	05/26/2021	ELECTRIC SERVICE		04/26/2021-05/25/2021	142616	ACTUAL	125659472	718		\$75.10	\$0.00	\$248.43	\$248.43	06/17/2021	\$248.43	21	\$0.00
104	05/26/2021	ALTERNATE ELEC SERVICE								\$173.33							
105	06/17/2021		PAYMENT							-\$248.43							
106	06/25/2021	ELECTRIC SERVICE		05/25/2021-06/24/2021	15613	ACTUAL	125658914	493									
107	06/25/2021	ELECTRIC SERVICE		05/25/2021-06/24/2021	143584	ACTUAL	125659472	968		\$107.54	\$0.00	\$306.94	\$306.94	07/19/2021	\$306.94		\$0.00
108	06/25/2021	ALTERNATE ELEC SERVICE								\$199.40							
109	07/19/2021		PAYMENT							-\$306.94							
110	07/28/2021	ELECTRIC SERVICE		06/24/2021-07/26/2021	15978	ACTUAL	125658914	365									
111	07/28/2021	ELECTRIC SERVICE		06/24/2021-07/26/2021	144957	ACTUAL	125659472	1373		\$125.17	\$0.00	\$362.37	\$362.37	08/19/2021	\$362.37		\$0.00
112	07/28/2021	ALTERNATE ELEC SERVICE								\$237.20							
113	08/19/2021		PAYMENT							-\$362.37							
114	08/25/2021	ELECTRIC SERVICE		07/26/2021-08/24/2021	16373	ACTUAL	125658914	395									
115	08/25/2021	ELECTRIC SERVICE		07/26/2021-08/24/2021	146059	ACTUAL	125659472	1102		\$109.49	\$0.00	\$313.80	\$313.80	09/16/2021	\$313.80		\$0.00
116	08/25/2021	ALTERNATE ELEC SERVICE								\$204.31							
117	09/16/2021		PAYMENT							-\$313.80							
118	09/24/2021	ELECTRIC SERVICE		08/24/2021-09/23/2021	16820	ACTUAL	125658914	447									
119	09/24/2021	ELECTRIC SERVICE		08/24/2021-09/23/2021	147116	ACTUAL	125659472	1057		\$109.94	\$0.00	\$325.00	\$325.00	10/18/2021	\$325.00		\$0.00
120	09/24/2021	ALTERNATE ELEC SERVICE								\$215.06							
121	10/18/2021		PAYMENT							-\$325.00							
122	10/25/2021	ELECTRIC SERVICE		09/23/2021-10/22/2021	17273	ACTUAL	125658914	453									
123	10/25/2021	ELECTRIC SERVICE		09/23/2021-10/22/2021	147779	ACTUAL	125659472	663		\$66.11	\$0.00	\$245.19	\$245.19	11/16/2021	\$245.19		\$0.00
124	10/25/2021	ALTERNATE ELEC SERVICE								\$179.08							
125	11/16/2021		PAYMENT							-\$245.19							
126	11/23/2021	ELECTRIC SERVICE		10/22/2021-11/22/2021	17679	ACTUAL	125658914	406									
127	11/23/2021	ELECTRIC SERVICE		10/22/2021-11/22/2021	149149	ACTUAL	125659472	1370		\$98.05	\$0.00	\$388.79	\$388.79	12/15/2021	\$388.79	398	\$0.00
128	11/23/2021	ALTERNATE ELEC SERVICE								\$290.74							
129	12/15/2021		PAYMENT							-\$388.79							
130	12/28/2021	ELECTRIC SERVICE		11/22/2021-12/27/2021	18048	ACTUAL	125658914	369									
131	12/28/2021	ELECTRIC SERVICE		11/22/2021-12/27/2021	151265	ACTUAL	125659472	2116		\$132.28	\$0.00	\$656.03	\$656.03	01/19/2022	\$656.03	712	\$0.00
132	12/28/2021	ALTERNATE ELEC SERVICE								\$523.75							
133	01/19/2022		PAYMENT							-\$656.03							
134	01/28/2022	ELECTRIC SERVICE		12/27/2021-01/27/2022	18367	ACTUAL	125658914	319									
135	01/28/2022	ELECTRIC SERVICE		12/27/2021-01/27/2022	153658	ACTUAL	125659472	2393		\$155.76	\$0.00	\$727.36	\$727.36	02/22/2022	\$727.36	901	\$0.00
136	01/28/2022	ALTERNATE ELEC SERVICE								\$571.60							
137	02/22/2022		PAYMENT							-\$727.36							
138	02/28/2022	ELECTRIC SERVICE		01/27/2022-02/25/2022	18751	ACTUAL	125658914	384									
139	02/28/2022	ELECTRIC SERVICE		01/27/2022-02/25/2022	155829	ACTUAL	125659472	2171		\$150.65	\$0.00	\$689.15	\$689.15	03/22/2022	\$689.15	788	\$0.00
140	02/28/2022	ALTERNATE ELEC SERVICE								\$538.50							
141	03/22/2022		PAYMENT							-\$689.15							
142	03/29/2022	ELECTRIC SERVICE		02/25/2022-03/28/2022	19257	ACTUAL	125658914	506									

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
13	Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Cd	KWH	CCF	Transaction Amount	Balance Forward	Current Charges	Amt Due	Bill Due Dt	Total Balance	Heating Degree Days	Budget Bill Deferred Amt
143	03/29/2022	ELECTRIC SERVICE		02/25/2022-03/28/2022	157576	ACTUAL	125659472	1747		\$134.33	\$0.00	\$609.18	\$609.18	04/20/2022	\$609.18	536	\$0.00
144	03/29/2022	ALTERNATE ELEC SERVICE								\$474.85							
145	04/20/2022		PAYMENT							-\$609.18							
146	04/27/2022	ELECTRIC SERVICE		03/28/2022-04/26/2022	19813	ACTUAL	125658914	556									
147	04/27/2022	ELECTRIC SERVICE		03/28/2022-04/26/2022	158763	ACTUAL	125659472	1187		\$106.59	\$0.00	\$473.96	\$473.96	05/19/2022	\$473.96	368	\$0.00
148	04/27/2022	ALTERNATE ELEC SERVICE								\$367.37							
149	05/19/2022		PAYMENT							-\$473.96							
150	05/26/2022	ELECTRIC SERVICE		04/26/2022-05/25/2022	20429	ACTUAL	125658914	616									
151	05/26/2022	ELECTRIC SERVICE		04/26/2022-05/25/2022	159536	ACTUAL	125659472	773		\$87.49	\$0.00	\$382.16	\$382.16	06/17/2022	\$382.16	45	\$0.00
152	05/26/2022	ALTERNATE ELEC SERVICE								\$294.67							
153	06/17/2022		PAYMENT							-\$382.16							
154	06/27/2022	ELECTRIC SERVICE		05/25/2022-06/24/2022	20953	ACTUAL	125658914	524									
155	06/27/2022	ELECTRIC SERVICE		05/25/2022-06/24/2022	160369	ACTUAL	125659472	833		\$114.16	\$0.00	\$427.42	\$427.42	07/19/2022	\$427.42		\$0.00
156	06/27/2022	ALTERNATE ELEC SERVICE								\$313.26							
157	07/19/2022		PAYMENT							-\$427.42							
158	07/27/2022	ELECTRIC SERVICE		06/24/2022-07/26/2022	21078	ACTUAL	125658914	125									
159	07/27/2022	ELECTRIC SERVICE		06/24/2022-07/26/2022	161290	ACTUAL	125659472	921		\$91.30	\$0.00	\$366.90	\$366.90	08/18/2022	\$366.90		\$0.00
160	07/27/2022	ALTERNATE ELEC SERVICE								\$275.60							
161	08/18/2022		PAYMENT							-\$366.90							
162	08/25/2022	ELECTRIC SERVICE		07/26/2022-08/24/2022	21406	ACTUAL	125658914	328									
163	08/25/2022	ELECTRIC SERVICE		07/26/2022-08/24/2022	162316	ACTUAL	125659472	1026		\$114.50	\$0.00	\$481.45	\$481.45	09/16/2022	\$481.45		\$0.00
164	08/25/2022	ALTERNATE ELEC SERVICE								\$366.95							
165	09/16/2022		PAYMENT							-\$481.45							
166	09/26/2022	ELECTRIC SERVICE		08/24/2022-09/23/2022	21929	ACTUAL	125658914	523									
167	09/26/2022	ELECTRIC SERVICE		08/24/2022-09/23/2022	163364	ACTUAL	125659472	1048		\$130.84	\$0.00	\$564.54	\$564.54	10/18/2022	\$564.54		\$0.00
168	09/26/2022	ALTERNATE ELEC SERVICE								\$433.70							
169	10/18/2022		PAYMENT							-\$564.54							
170	10/25/2022	ELECTRIC SERVICE		09/23/2022-10/24/2022	22350	ACTUAL	125658914	421									
171	10/25/2022	ELECTRIC SERVICE		09/23/2022-10/24/2022	164403	ACTUAL	125659472	1039		\$93.53	\$0.00	\$504.07	\$504.07	11/16/2022	\$504.07	186	\$0.00
172	10/25/2022	ALTERNATE ELEC SERVICE								\$410.54							
173	11/16/2022		PAYMENT							-\$504.07							
174	11/23/2022	ELECTRIC SERVICE		10/24/2022-11/22/2022	22839	ACTUAL	125658914	489									
175	11/23/2022	ELECTRIC SERVICE		10/24/2022-11/22/2022	165622	ACTUAL	125659472	1219		\$107.28	\$0.00	\$587.54	\$587.54	12/19/2022	\$587.54	325	\$0.00
176	11/23/2022	ALTERNATE ELEC SERVICE								\$480.26							
177	12/19/2022		PAYMENT							-\$587.54							
178	12/28/2022	ELECTRIC SERVICE		11/22/2022-12/27/2022	23334	ACTUAL	125658914	495									
179	12/28/2022	ELECTRIC SERVICE		11/22/2022-12/27/2022	168040	ACTUAL	125659472	2418		\$172.16	\$0.00	\$991.25	\$991.25	01/19/2023	\$991.25	855	\$0.00
180	12/28/2022	ALTERNATE ELEC SERVICE								\$819.09							
181	01/19/2023		PAYMENT							-\$991.25							
182	01/27/2023	ELECTRIC SERVICE		12/27/2022-01/26/2023	23744	ACTUAL	125658914	410									
183	01/27/2023	ELECTRIC SERVICE		12/27/2022-01/26/2023	170006	ACTUAL	125659472	1966		\$147.18	\$0.00	\$815.28	\$815.28	02/21/2023	\$815.28	660	\$0.00
184	01/27/2023	ALTERNATE ELEC SERVICE								\$668.10							
185	02/21/2023		PAYMENT							-\$815.28							
186	02/27/2023	ELECTRIC SERVICE		01/26/2023-02/24/2023	24154	ACTUAL	125658914	410									
187	02/27/2023	ELECTRIC SERVICE		01/26/2023-02/24/2023	171811	ACTUAL	125659472	1805		\$139.19	\$0.00	\$762.01	\$762.01	03/21/2023	\$762.01	631	\$0.00
188	02/27/2023	ALTERNATE ELEC SERVICE								\$622.82							
189	03/21/2023		PAYMENT							-\$762.01							
190	03/28/2023	ELECTRIC SERVICE		02/24/2023-03/27/2023	24666	ACTUAL	125658914	512		\$136.61							

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
13	Transaction Dt	Product Type	Credit Source	Billing Period	Read	Reading Type	Meter Equip Cd	KWH	CCF	Transaction Amount	Balance Forward	Current Charges	Amt Due	Bill Due Dt	Total Balance	Heating Degree Days	Budget Bill Deferred Amt
191	03/28/2023	ELECTRIC SERVICE		02/24/2023-03/27/2023	173469	ACTUAL	125659472	1658		\$136.61	\$0.00	\$718.32	\$718.32	04/19/2023	\$718.32	652	\$0.00
192	03/28/2023	ALTERNATE ELEC SERVICE								\$581.71							
193	04/19/2023		PAYMENT							-\$718.32							
194	04/26/2023	ELECTRIC SERVICE		03/27/2023-04/25/2023	25227	ACTUAL	125658914	561									
195	04/26/2023	ELECTRIC SERVICE		03/27/2023-04/25/2023	174328	ACTUAL	125659472	859		\$93.79	\$0.00	\$472.68	\$472.68	05/18/2023	\$472.68	233	\$0.00
196	04/26/2023	ALTERNATE ELEC SERVICE								\$378.89							
197	05/18/2023		PAYMENT							-\$472.68							
198	05/25/2023	ELECTRIC SERVICE		04/25/2023-05/24/2023	25746	ACTUAL	125658914	519		\$83.33							
199	05/25/2023	ELECTRIC SERVICE		04/25/2023-05/24/2023	175046	ACTUAL	125659472	718		\$83.33	\$0.00	\$424.94	\$424.94	06/16/2023	\$424.94	150	\$0.00
200	05/25/2023	ALTERNATE ELEC SERVICE								\$341.61							
201	06/09/2023	ELECTRIC SERVICE		05/24/2023-06/08/2023	25990	ACTUAL	125658914	244		\$43.87							
202	06/09/2023	ELECTRIC SERVICE		06/08/2023-06/23/2023	26223	ACTUAL	125658914	233		\$43.87							
203	06/09/2023	ELECTRIC SERVICE		05/24/2023-06/08/2023	175286	ACTUAL	125659472	240		\$43.87	\$0.00	\$602.47	\$602.47	07/03/2023	\$602.47		\$0.00
204	06/09/2023	ELECTRIC SERVICE		06/08/2023-06/23/2023	175616	ACTUAL	125659472	330		\$43.87	\$0.00	\$602.47	\$602.47	07/03/2023	\$602.47		\$0.00
205	06/09/2023	ALTERNATE ELEC SERVICE								\$133.66							
206	06/16/2023		PAYMENT							-\$424.94							
207	06/23/2023	ELECTRIC SERVICE		05/24/2023-06/08/2023	25990	ACTUAL	125658914	244		\$108.29							
208	06/23/2023	ELECTRIC SERVICE		06/08/2023-06/23/2023	26223	ACTUAL	125658914	233		\$108.29							
209	06/23/2023	ELECTRIC SERVICE		05/24/2023-06/08/2023	175286	ACTUAL	125659472	240		\$108.29	\$0.00	\$285.82	\$285.82	07/17/2023	\$285.82		\$0.00
210	06/23/2023	ELECTRIC SERVICE		06/08/2023-06/23/2023	175616	ACTUAL	125659472	330		\$108.29	\$0.00	\$285.82	\$285.82	07/17/2023	\$285.82		\$0.00
211	07/03/2023		PAYMENT							-\$177.53							
212	07/17/2023		PAYMENT							-\$108.29							
213	07/25/2023	ELECTRIC SERVICE		06/23/2023-07/25/2023	26387	ACTUAL	125658914	164									
214	07/25/2023	ELECTRIC SERVICE		06/23/2023-07/25/2023	176349	ACTUAL	125659472	733		\$175.25	\$0.00	\$175.25	\$175.25	08/16/2023	\$175.25		\$0.00
215	07/31/2023	End of Month Balance													\$175.25		
216	08/16/2023		PAYMENT							-\$175.25							
217	08/23/2023	ELECTRIC SERVICE		07/25/2023-08/23/2023	26747	ACTUAL	125658914	360									\$0.00
218	08/23/2023	ELECTRIC SERVICE		07/25/2023-08/23/2023	177208	ACTUAL	125659472	859		\$233.64	\$0.00	\$233.64	\$233.64	09/14/2023	\$233.64		\$0.00
219	08/31/2023	End of Month Balance													\$233.64		
220	09/14/2023		PAYMENT							-\$233.64							
221	09/22/2023	ELECTRIC SERVICE		08/23/2023-09/22/2023	27162	ACTUAL	125658914	415									\$0.00
222	09/22/2023	ELECTRIC SERVICE		08/23/2023-09/22/2023	178024	ACTUAL	125659472	816		\$227.94	\$0.00	\$227.94	\$227.94	10/16/2023	\$227.94		\$0.00
223	09/29/2023	End of Month Balance													\$227.94		
224	10/16/2023		PAYMENT							-\$227.94							

EXHIBIT 8

July 6, 2023

Kevin Brabank
250 Harvey Road
Chadds Ford, PA 19317

RE: PUC Complaint filed for 250 Harvey Road, Chadds Ford, PA 19137

Kevin Brabank,

I am writing in response to the complaint (BCS#003916000) that was filed with the Public Utility Commission (PUC) on 6/8/23. The company's final position is as follows:

The company's position is company records show the account on your behalf is returned to PECO effective 6/8/23. The account was enrolled with Tomorrow Energy Corp. effective 8/26/19 through the company's standard offering program at the time the connect for new service was issued on 8/19/19. A supplier enrollment letter was sent at that time. Company records confirm the supplier information has appeared on all bills rendered between 8/26/19 – 6/9/23. PECO is not involved in the determination of the supplier rates, notification if rates are changing, or terms of the contracts put forth by the suppliers. Mr. Brabank must contact the supplier directly regarding any reimbursement/credits. The balance due is \$108.29 due 7/17/23. The next scheduled meter reading date is 7/27/23.

A report will be sent to the PUC outlining the information above. The PUC will be in contact with you once a final decision regarding your complaint has been rendered.

Cordially,

Tyler Brennan
Sr. Supervisor, Customer Relations

EXHIBIT 9



October 25, 2023

BCS Decision Report

BCS Case #: 003916000 **Open Date:** 2023-06-08
Customer Name: KEVIN BRABANK
Service Address: 250 HARVEY RD

CHADDS FORD, PA 19317
BCS Bill Account #: 8888888888 **Previous Case #:**
Violation Type: NO **Chapter Type:**
Decision Type: W **Section / Rule:**
Investigator Name: NATHAN PROUGH

Decision Issued Date:
Case Closed Date: 2023-07-24

Letter Description:

Total Balance: \$108.29 **Balance Date:** 2023-07-07
Amount to Restore Service: \$0.00 **Amount to Continue Service:** \$0.00
Date Payment Due: **Regular Budget Amount:** \$0.00
Special Budget Payment: \$0.00 **Final Bill Monthly Payment:** \$0.00
Plus Arrears Payment: \$0.00 **End of Month Payment:** \$0.00
Current Monthly Payment: \$0.00
Payment Terms:

PAR Description:

Resolution Description:

DECISION ISSUED: CASE DISMISSED. BASED ON THE INFORMATION OBTAINED FROM PECO ENERGY AND TOMORROW ENERGY, THE CUSTOMER AGREED TO ENROLL ACCOUNT WITH EGS SERVICE, TOMORROW ENERGY. TOMORROW ENERGY AND PECO ENERGY PROPERLY ENROLLED CUSTOMER'S ACCOUNT IN ACCORDANCE WITH PA REGULATION. THE PUC DOES NOT REGULATE THE RATE BILLED FOR THE GENERATION OF ELECTRIC SERVICE. THE INFORMATION PROVIDED BY PECO ENERGY AND TOMORROW ENERGY SHOWS CUSTOMER DID NOT DISPUTE THE EGS ENROLLMENT WITHIN THE FIRST TWO BILLING PERIODS. TOMORROW ENERGY PROPERLY NOTIFIED THE CUSTOMER OF A CHANGE IN TERMS OF THE CONTRACT. PECO ENERGY AND TOMORROW ENERGY PROPERLY CANCELLED THE CUSTOMER'S ACCOUNT IN ACCORDANCE WITH PA REGULATION. THE CUSTOMER IS RESPONSIBLE FOR THE CURRENT ACCOUNT BALANCE OF \$108.29.

EXHIBIT 10

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jacqueline M. Dooling	:	
	:	
v.	:	F-2020-3022291
	:	
PECO Energy Company	:	
and Viridian Energy PA LLC	:	

INITIAL DECISION

Before
Darlene Heep
Administrative Law Judge

INTRODUCTION

The Complainant alleged that: 1) her electric generation supplier was improperly switched to Viridian Energy PA LLC from PECO Energy Company; and 2) her automatic bill payments were improperly discontinued by PECO. This decision finds that the Complainant’s enrollment with Viridian, the handling of her switch to PECO, and the discontinuation of her automatic payments, do not rise to violations of the Code, regulations or a Commission Order and the Complaint is dismissed.

HISTORY OF THE PROCEEDING

On October 5, 2020, Jacqueline M. Dooling (Ms. Dooling or Complainant) filed a formal Complaint (Complaint) against Viridian Energy PA LLC (Viridian) and PECO Energy Company (PECO) with the Pennsylvania Public Utility Commission (Commission) alleging that she received a letter from PECO stating that she had an outstanding bill of several hundred dollars despite being enrolled in automatic electronic payments. She also alleges that she

subsequently learned that her electric energy supplier was switched from PECO to Viridian without her authorization. Further, during the hearing, the Complainant explained that she was also contesting PECO's decision to stop her automatic payments without notification, which resulted in a large bill.¹ As relief, Complainant wants her bill adjusted.

On October 23, 2020, PECO filed an Answer to the Complaint. PECO denied all material allegations of the Complaint and asserted that the Complainant signed up with Viridian on April 10, 2015.

On October 26, 2020, Viridian filed an Answer with New Matter, and Preliminary Objections. In its Answer, Viridian again denied all material allegations in the Complaint and averred that the Complainant was properly enrolled in 2015. In its New Matter, Viridian asserted that any claim regarding the 2015 enrollment was beyond the three-year statute of limitations and was barred pursuant to 66 Pa. C.S. § 3314(a). In its Preliminary Objections Viridian sought dismissal of the Complaint based on its statute of limitations claim.

The Complainant filed a "Reply to the Preliminary Objections" on November 5, 2020, and a "Reply to the Answer and New Matter of Viridian" on November 16, 2020. In both replies, she asserted that she did not become aware of the enrollment with Viridian until 2020 and therefore the Complaint was not barred by the statute of limitations.

On December 2, 2020, this matter was assigned to the undersigned administrative law judge. By order dated December 22, 2020, the Preliminary Objections were overruled. An Initial Call-In Telephonic Hearing Notice was issued on December 23, 2020, setting a hearing for February 11, 2021. A Prehearing Order was issued on December 28, 2020.

The evidentiary hearing was held on February 11, 2021, as scheduled. Ms. Dooling appeared *pro se* and testified on her own behalf. PECO was represented by Khadijah Scott, Esquire, who presented two witnesses: Sharon Sanders, a Senior Business Analyst in the

¹ Tr. 14.

PECO energy acquisition group, and Wanda Rucker, PECO Regulatory Assessor. Viridian was represented by Lauren Burge, Esquire, who presented one witness, Carmen McMillan-English, Corporation Supervisor III, Customer Advocacy for Vistra Corporation, which owns Viridian.²

The following exhibits were admitted into the record during the hearing.

PECO Energy Exhibits:

- PECO 1- Billing Statement
- PECO 2- Prior Account Billing Statement
- PECO 3- Provider Enrollment
- PECO 4- Case Details Report
- PECO 5- BCS Decision

Viridian Energy Exhibits:

- Viridian 1- Screenshots of PECO's Online Portal
- Viridian 2- Renewal Letter
- Viridian 3- Second Renewal Letter
- Viridian 4- Price Change Notification
- Viridian 5- Price Change Notification
- Viridian 6- Price Change Notification
- Viridian 7- BCS Decision

During the hearing, PECO was directed to submit customer contact records for the Complainant's account.³ On March 3, 2021, PECO submitted two additional exhibits. They are:

- PECO 6 – Dooling Account Number (XX080) customer contacts
- PECO 7 – Dooling Account Number (XX053) customer contacts

² Tr. 95.

³ Tr. 76.

A copy of PECO 6 and PECO 7 were emailed to the Complainant on March 24, 2021, and Complainant was advised to submit income information and respond to PECO 6 and PECO 7 no later than April 2, 2021. On June 1, 2021, Ms. Dooling submitted a letter in response to PECO exhibits 6 and 7. It is marked Complainant 1.

Complainant 1 and PECO 6 and PECO 7 are admitted herein.⁴ A 105-page hearing transcript was generated. The record closed on June 1, 2021 when the Complainant submitted her response.

FINDINGS OF FACT

1. The Complainant is Jacqueline M. Dooling.
2. The Complainant receives electric utility service on York Road in Hatboro, Pennsylvania.
3. The Complainant resides in an apartment complex in Hatboro. (Tr. 9).
4. Respondent PECO Energy Company provides electricity and gas service and is a jurisdictional utility of the Commission.
5. Respondent Viridian Energy PA, LLC is an alternate electric generation supplier (EGS).
6. The Complainant contacted PECO and applied for PECO electric and gas service in Unit D-3 of her apartment complex on March 25, 2015. (Tr. 23).
7. The effective service connection date to Viridian was March 25, 2015, account number ending in 053. (Tr. 23)

⁴ Although submitted beyond the deadline, Complainant 1 is admitted because the Complainant is acting *pro se* and because the first email sent to her regarding the PECO late-filed exhibits was returned as undeliverable.

8. Ms. Dooling had automatic electronic payments set up to pay her electric bill. (Tr. 7).

9. On the same day that she applied for PECO service, March 25, 2015, the Complainant was referred to Viridian through the PECO standard offer program. (Tr. 23; PECO Exhibits 3, 6).

10. The standard offer program provides residential and small commercial customers a seven percent discount off of PECO's current price to compare at the time the referral was made. (Tr. 22).

11. March 25, 2015 is the date of the Complainant's standard offer enrollment with Viridian. (Viridian Exhibit 1, Tr. 82-83).

12. Suppliers participating in the PECO standard offer program must provide a discounted rate for 12 billing cycles. *Id.*

13. Customers can terminate the third-party supplier relationship at any time without penalty or early termination fees. *Id.*

14. PECO mailed the Complainant a confirmation of new electric service supplier letter on April 7, 2015. (Tr. 25).

15. Viridian submitted the Complainant's enrollment form to PECO on April 6, 2015. (Tr. 23; PECO Exhibit 6).⁵

16. On February 5, 2016, Viridian sent the Complainant a renewal letter, which explained that she had the option of discontinuing her enrollment with Viridian. (Tr. 84; Viridian Exhibit 2).

⁵ The PECO testimony was that the confirmation letter of Complainant's switch to Viridian was mailed on April 7, 2015. The PECO client contacts document records the letter as being issued on April 6, 2015.

17. The Complainant did not respond to the February 5, 2016, Viridian re-enrollment letter. (Tr. 84).

18. On February 17, 2016, the Complainant was sent a letter from Viridian advising that she could reenroll in a fixed rate plan; the Complainant did not respond to the letter. (Tr.84-85; Viridian Exhibit 3).

19. The Complainant continued as a month-to-month customer of Viridian because she did not discontinue Viridian service or enroll in a fixed-rate plan. (Tr. 85).

20. The Complainant did not respond to enrollment and fixed rate letters sent to her by Viridian in 2017 and 2018. (Tr. 86, Viridian Exhibits 4,5,6).

21. Each bill sent to the Complainant for an approximate five-year period indicated that Viridian was the Complainant's electric generation supplier. (Tr 41.)

22. In the winter of 2020, the Complainant received mail from PECO stating that she owed several hundred dollars for service. (Tr. 7).

23. After receiving the large bill, Ms. Dooling checked her bank statements and noted that there were no PECO payments for two or three months and called PECO on March 2, 2020. (Tr. 7).

24. When the Complainant contacted PECO about the large bill, PECO advised the Complainant to contact Viridian regarding the amount of the bill because she was a Viridian customer. (Tr. 12).

25. PECO also advised the Complainant that there had been a meter mix up and that PECO removed her from automatic debit because of the mix up. (Tr. 7).

26. On October 21, 2019, the property manager of the Complainant's apartment building contacted PECO regarding a meter mix-up. (Tr. 46).

27. PECO investigated the report of the meter mix-up, completed the investigation on November 12, 2019, and found that the Complainant was being underbilled for gas usage. (Tr. 46).

28. PECO left a voice mail for the Complainant on November 5, 2019, and two voice mails on November 6, 2019, to discuss the meter mix-up. (Tr. 48; PECO Exhibit 7).

29. The Complainant did not contact PECO regarding the messages left regarding the meter mix-up. (Tr. 47).

30. When investigating the meter mix-up, PECO removed the Complainant from automatic payments to prevent charging her the incorrect amount. (Tr. 49).

31. PECO did not send a letter to the Complainant regarding the meter mix-up or discontinuation of her automatic payments. (Tr. 61-62).

32. PECO did not discuss with the Complainant re-enrolling in automatic payments until March of 2020, when the Complainant contacted PECO regarding the Viridian related charges bill. (Tr. 70).

33. On March 20, 2020, the Complainant contacted PECO to switch back to PECO as her electric generation supplier. (Tr. 26).

34. The Complainant was switched back to PECO service on March 25, 2020. (Tr. 26).

35. The Complainant was switched back to PECO with a telephone call; no paperwork was required. (Tr. 18-19).

36. The Complainant did not regularly look at her electric bills that she received in the mail when she was signed up for automatic payments. (Tr. 17-18).

37. PECO does not determine whether a customer chooses or switches to a third-party supplier. (Tr. 21).

38. The Complainant was a Viridian customer from March 25, 2015 until March 25, 2020. (Tr. 25-26).

DISCUSSION

As the proponent of a rule or order, the Complainant bears the burden of proof pursuant to Section 332(a) of the Code. 66 Pa.C.S. § 332(a). To satisfy this burden, the Complainant must demonstrate by a preponderance of the evidence that the Respondent was responsible for the problems alleged in the Complaint through a violation of the Code or a regulation or order of the Commission.

Preponderance of the evidence means that the party with the burden of proof has presented evidence that is more convincing than that presented by the other party. *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa.Cmwlth. 1990), *alloc. den.*, 529 Pa. 654, 602 A.2d 863 (1992). In addition, the Commission's decision must be supported by "substantial evidence," which consists of evidence that a reasonable mind might accept as adequate to support a conclusion. A "trace of evidence or a suspicion of the existence of a fact" is insufficient. *Norfolk & W. Ry. Co. v. Pa. Pub. Util. Comm'n*, 489 Pa. 109, 413 A.2d 1037 (1980).

Upon the presentation by the Complainant of evidence sufficient to initially satisfy the burden of proof, the burden of going forward with the evidence to rebut the evidence of the Complainant shifts to the Respondent. If the evidence presented by the Respondent is of co-equal weight to the evidence presented by the Complainant, the Complainant has not satisfied his burden of proof. The Complainant would then be required to provide additional evidence to

rebut the evidence of the Respondent. *Burleson v. Pa. Pub. Util. Comm'n*, 443 A.2d 1373 (Pa.Cmwlth. 1982), *aff'd*, 501 Pa. 433, 461 A.2d 1234 (1983).

While the burden of persuasion may shift back and forth during a proceeding, the burden of proof never shifts. The burden of proof always remains on the party seeking affirmative relief from the Commission. *Milkie v. Pa. Pub. Util. Comm'n*, 768 A.2d 1217 (Pa.Cmwlth. 2001).

The Pennsylvania Public Utility Code (“Code”) requires each public utility to comply with the following:

Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities . . . Such service and facilities shall be in conformity with the regulations and orders of the commission. . . .

6 Pa.C.S. § 1501. The statutory definition of “service” is to be broadly construed. *Betchy v. West Penn Power Company*, Docket Number C-2018-3000257 (Order and Opinion entered October 8, 2020) citing *Country Place Waste Treatment Co., Inc. v. Pa. Pub. Util. Comm'n*, 654 A.2d 72 (Pa.Cmwlth. 1995). As defined in the Code:

“Service.” Used in its broadest and most inclusive sense, includes any and all acts done, rendered, or performed, and any and all things furnished or supplied, and any and all facilities used, furnished, or supplied by public utilities, or contract carriers by motor vehicle, in the performance of their duties under this part to their patrons, employees, other public utilities, and the public, as well as the interchange of facilities between two or more of them

66 Pa.C.S. § 102.

With respect to claims disputing an EGS change, the law provides as follows:

§ 57.177. Customer dispute procedures.

- (a) When a customer contacts an EDC or an EGS and alleges that the EGS has been changed without consent, the company contacted shall:
 - (1) Consider the matter a customer registered dispute.
 - (2) Investigate and respond to the dispute consistent with §§ 56.151 and 56.152 (relating to utility company dispute procedures).
- (b) When the customer's dispute has been filed within the first two billing periods since the customer should reasonably have known of a change of the EGS and the dispute investigation establishes that the change occurred without the customer's consent, the customer is not responsible for EGS bills rendered during that period. If the customer has made payments during this period, the company responsible for initiating the change of supplier shall issue a complete refund within 30 days of the close of the dispute. The refund or credit provision applies only to the generation charges.
- (c) A customer who has had an EGS changed without having consented to that change shall be switched back to the original EGS for no additional fee. Any charges involved in the switch back to the prior EGS are the responsibility of the company that initiated the change without the customer's consent.
- (d) If a customer files an informal complaint with the Commission alleging that the customer's EGS was changed without the customer's consent, the Bureau of Consumer Services will issue an informal decision that includes a determination of customer liability for any EGS bills or administrative charges that might otherwise apply, rendered since the change of the EGS.
- (e) In addition to customer-specific remedies, the Commission may, after investigation and decision, assess fines under 66 Pa.C.S. Chapter 33 (relating to violations and penalties) and initiate proceedings to revoke the license of an EGS that demonstrates a pattern of violating this subchapter. The Commission may order a particular EGS that has a pattern of violating this subchapter to obtain written authorization from every new customer as a condition of providing service in this Commonwealth. Nothing in this subchapter is intended to limit the Commission's authority.

52 Pa. Code § 57.177. The Complainant has the burden of showing that the Respondent has not complied with Section 1501 and 52 Pa. Code § 57.177.

Ms. Dooling avers that she was not aware of and did not consent to switching her electric generation service from PECO to Viridian. (Tr. 6-7, 14). She testified that she became

aware that she was a Viridian customer after she received a notice letter from PECO that she owed several hundred dollars for service. Thinking that she had automatic payments for PECO set up, the Complainant reviewed her bank statements, and discovered that there were no payments for her electric service for two or three months. (FOF 23).

On March 20, 2020, the Complainant called PECO and was informed that she was a Viridian customer. During that call, the Complainant stated that she wanted her service from PECO. PECO then contacted Viridian to confirm the transfer and the Complainant was transferred back to PECO on March 25, 2020. (FOFs 33-35).

The Complainant raises two issues: 1) she was not aware that she was a Viridian customer; and 2) the improper discontinuation of her automatic payments by PECO. The record does not support a finding that there was a violation here by either Viridian or PECO.

First, the record shows that the Complainant became a Viridian customer in March of 2015. In response to the Complainant asking how she was enrolled with Viridian, PECO witness Sanders testified that there was a “standard offer” alternate EGS program regulated by the Commission and initiated in 2013. As part of the program, when a customer called PECO, at the end of the call, the PECO Call Center operator would give a customer a brief overview of the alternate EGS program and ask whether the customer was interested. (Tr. 27).

Interested customers would be transferred to a third-party vendor hired by PECO to handle the referral program who would give the terms and conditions of a supplier offer and ask whether the customer was interested in a discounted rate for 12 billing cycles. If the customer is interested, a number of participating suppliers were available from which to choose. (Tr. 27-28, 33).

PECO records show that the Complainant applied for PECO service on March 25, 2015, and a referral to Viridian was made on the same day. (PECO Exhibits 2, 6). PECO witness Sanders testified that after PECO received notice that the Complainant had enrolled with Viridian, PECO sent a letter to the Complainant on April 7, 2015 to confirm her enrollment. (Tr.

25). PECO records contain a notation dated April 6, 2015 that states “Contact Supplier Enrollment. Customer enrolled with Viridian Energy (8187) and enrollment.” (PECO Exhibit 6).

Additionally, the Complainant was sent notifications regarding her Viridian service by letter on at least 5 separate occasions from 2016-2018 and the Complainant did not respond or discontinue her service with Viridian. The Complainant had multiple opportunities to be aware of and discontinue her service with Viridian and did not. (FOFs 17-21).

When it was noted during the hearing that her PECO bills for five years showed that she was a Viridian customer (Tr. 41), the Complainant responded that for a few years she was going through medical treatment and had set up her bills for automatic payments, so she did not look at the billing documents sent in the mail which stated that she was a Viridian customer. (Complainant Exhibit 1). While this is an unfortunate circumstance, Viridian and PECO did not violate any Commission statute, regulation or order.

The record also shows that PECO and Viridian complied with 52 Pa. Code § 57.177. PECO investigated and responded when the Complainant informed PECO that she did not wish to be a Viridian customer. PECO contacted Viridian and the Complainant was switched back to PECO service within 5 days of her request for the switch back to PECO, with no fees charged. (Tr. 26, 47).

The Complainant contacted PECO on March 20, 2020, informed the company that she wanted PECO as her supplier rather than Viridian and her service was transferred back to PECO from Viridian on March 25, 2020, after the switch back was investigated and confirmed. According to the PECO and Viridian records, the Complainant had been a Viridian customer for five years. (FOFs 11, 14, 15, 38). Nothing supports a finding that the Complainant was enrolled with Viridian through surreptitious means, especially given that the Complainant did not respond to the notices regarding her Viridian enrollment sent to her throughout the years.

Second, regarding discontinuation of the Complainant’s automatic payments, the record shows a deficit all around. The Complainant testified that she did not regularly review

her PECO bills (Tr. 17-18), which could have brought the discontinuation of her automatic billing to her attention. The record also shows that PECO called the Complainant two or three times between November 5, 2019 and November 6, 2019, to inform her about the circumstances of the meter mix-up. The company representative simply left messages and did not actually speak with the Complainant. Complainant did not respond to those messages. (FOFs 28, 29).

When a customer is removed from automatic payment, a written notice sent by PECO may be more a prudent and effective notification. However, one cannot conclude that there was inadequate or unreasonable service in violation of Section 1501 given PECO's calls to the Complainant that were unreturned, and that the removal of the Complainant from automatic billing would be reflected in the bills issued to the Complainant and the Complainant's testimony that she did not regularly open or review her bills.

There is no Commission order, regulation, or section of the Public Utility Code upon which to find that PECO committed a violation by not sending a letter notifying Complainant about her removal from the automatic billing. Therefore, there is no violation here.

Accordingly, the Complaint is denied.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties of this proceeding.
66 Pa.C.S. § 701.
2. The party filing the Complaint bears the burden of proving by a preponderance of the evidence that he is entitled to relief from the Commission.
66 Pa.C.S. § 332(a).
3. A Commission decision must be supported by "substantial evidence," which consists of evidence that a reasonable mind might accept as adequate to support a

conclusion. A “trace of evidence or a suspicion of the existence of a fact” is insufficient. *Norfolk & W. Ry. Co. v. Pa. Pub. Util. Comm’n*, 489 Pa. 109, 413 A.2d 1037 (1980).

4. When a customer contacts an EGS and alleges that the EGS has been changed without consent, the company contacted shall treat it as a dispute and initiate an investigation. *See* 52 Pa. Code § 57.177.

5. The Complainant has not established by a preponderance of the evidence that PECO or Viridian violated the Pennsylvania Code, regulations, or a Commission Order. *See Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm’n*, 578 A.2d 600 (Pa.Cmwlth. 1990), *alloc. den.*, 529 Pa. 654, 602 A.2d 863 (1992).

ORDER

THEREFORE,

IT IS ORDERED:

1. That Complainant Exhibit 1 and PECO Exhibits 6 and 7 are admitted into the record.
2. That the Complaint filed by Jacqueline M. Dooling against PECO Energy Company and Viridian Energy PA LLC at Docket No. F-2020-3022291 is denied and dismissed.
3. That the Secretary mark this docket closed.

Date: June 29, 2021

/s/
Darlene Heep
Administrative Law Judge