



Direct Dial: 267.533.1830
khadijah.scott@exeloncorp.com

January 19, 2024

VIA E-FILING

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

RE: Joseph McGuckin v. PECO Energy Company
Docket No. C-2022-3033313

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *Motion to Dismiss of Respondent, PECO Energy Company*.

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.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOSEPH MCGUCKIN	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022-3033313
	:	
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §5.102(a), you are hereby notified that, if you do not file a written response denying or correcting the enclosed Motion to Dismiss of PECO Energy Company, within twenty (20) days from service of this notice, a decision may be rendered against you. All pleadings, such as a Reply to PECO’s Motion to Dismiss, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Khadijah Scott, and where applicable, the Administrative Law Judge presiding over the issue.

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

With a copy to:
Khadijah Scott, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103
Khadijah.scott@exeloncorp.com

Dated: January 19, 2024



Khadijah Scott
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19103
(267) 533-1830
Khadijah.scott@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOSEPH MCGUCKIN	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022-3033313
	:	
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

**MOTION TO DISMISS OF RESPONDENT,
PECO ENERGY COMPANY**

Respondent, PECO Energy Company (“PECO Energy”), pursuant to 52 Pa. Code §5.102(a) respectfully petitions this Honorable Commission to dismiss the instant Complaint for the following reasons:

1. On June 28, 2022, PECO Energy was served with a formal complaint filed by Joseph McGuckin (hereafter “Complainant”) in the above captioned docket. A copy of the Complaint is attached hereto as Exhibit “1”.
2. On July 13, 2022, PECO Energy filed an Answer to the Complainant’s Complaint. A copy of the Answer is attached hereto as “Exhibit 2”.
3. In the Complaint, the Complainant alleged that PECO Energy removed concrete sidewalk slabs in the front of his property, located at 339 Pepper Road, Huntingdon Valley, PA 19006, but did not replace the slabs with the required compacted crushed stone and instead placed the slabs above subbase soils of unknown bearing weights. The Complainant requested that PECO Energy remediate, remove or replace all unsatisfactory soil foundation subbase used at his property in line with local ordinances. *See* Exhibit “1”.

II. PROCEDURAL HISTORY:

4. On July 14, 2022, this matter entered into the Public Utility Commission's Mediation Unit.

5. On December 23, 2023, PECO Energy requested that this matter be scheduled for a formal complaint hearing.

6. On January 3, 2024, the Honorable Administrative Law Judge, Darlene Heep, issued a Hearing Notice to both parties.

7. On March 14, 2024, a Formal Complaint Hearing is scheduled to commence.

III. LEGAL ARGUMENT

8. The Commission's regulations at 52 Pa. Code §5.102(a) permits any party to move for summary judgment or judgment on the pleadings after the pleadings are closed, but within such time as to not delay a hearing.

9. Under 52 Pa. Code §5.102(d)(1), the presiding officer will grant the motion if the pleadings, depositions, answers to interrogatories, admissions and affidavits show that there is no genuine issue as to a material fact and that the moving party is entitled to judgment as a matter of law.

10. The moving party bears the burden of showing that no genuine issue of material fact exists and that it is entitled to judgment as a matter of law. The Commission must view the record in the light most favorable to the non-moving party, giving that party the benefit of all reasonable inferences. First Mortgage Co. of Pennsylvania v. McCall, 459 A.2d 406 (Pa. Super. 1983).

11. The provision at 52 Pa. Code §5.102(c) serves judicial economy by avoiding a hearing where no factual dispute exists. If no factual issue pertinent to the resolution of the case exists, a hearing is unnecessary. Lehigh Valley Power Committee v. Pennsylvania Public Utility Commission, 563 A.2d. 557 (Pa. Cmwlth. 1989).

12. Section 332(a) of the Public Utility Code provides that the party seeking relief from the Commission has the burden of proof. 66 Pa.C.S. §332(a).

13. As a matter of law, the Complainant must show that PECO Energy is responsible or accountable for the problem described in the Complaint in order to prevail. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa. PUC 196 (1990).

14. “Burden of proof” means a duty to establish a fact by a preponderance of the evidence, or evidence more convincing, by even the smallest degree, than the evidence presented by the other party. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

15. The offense alleged must be a violation of the Public Utility Code, the Commission’s regulations, or an outstanding order of the Commission. *See*, 66 Pa.C.S. §701.

16. The PUC has jurisdiction over the Public Utility Code, the Commission’s regulations, or an outstanding order of the Commission.

17. In the matter *sub judice*, the Complainant lacks standing to pursue the formal complaint filed against PECO Energy or to participate in the formal complaint hearing.

18. Section 703 of the Public Utility Code, 66 Pa. C.S.A. § 703(b) provides that the Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary to the public interest.

19. A hearing is required only when there is a disputed question of fact, and is not required to resolve questions of law. Dee-Dee Cab, Inc. v. Pa.Pub. Util. Comm'n, 817 A.2nd 593 (Pa.Comm. Ct. 2003), petition for allowance of appeal denied, 836 A.2d 123 (Pa. 2003).

20. The Complainant's Complaint is legally insufficient as the Complainant, Joseph McGuckin, is not PECO's customer of record at 339 Pepper Road, Huntingdon Valley, PA 19006. See letter dated January 11, 2024 and Electronic Mail Communication dated January 19, 2024, collectively attached hereto as Exhibit "3".

21. PECO Energy's customer of record at 339 Pepper Road, Huntingdon Valley, PA 19006, is Joseph McGuckin. *Id.*

22. However, PECO Energy's customer of record, Joseph McGuckin, is the deceased father of the Complainant, Joseph McGuckin. *Id.*

23. Complainant, Joseph McGuckin, is not the property owner of 339 Pepper Road, Huntingdon Valley, PA 19006. *Id.*

24. The Complainant's mother, Margaret McGuckin, is the property owner of 339 Pepper Road, Huntingdon Valley, PA 19006. *Id.*

25. Property owner, Margaret McGuckin, does not wish to pursue a formal complaint or legal action against PECO Energy. *Id.*

26. Our Supreme Court has explained that the hallmark of standing is that "a person who is not adversely affected in any way by the matter he seeks to challenge is not 'aggrieved' thereby." William Penn Parking Garage, Inc. v. City of Pittsburgh, 346 A.2d 269, 280 (Pa. 1975). An individual is aggrieved if he has a "substantial, direct and immediate interest in the outcome of the litigation." Fumo v. City of Philadelphia, 972 A.2d 487, 496 (Pa. 2009).

27. For standing to exist, the underlying controversy must be real and concrete, such that the party initiating the legal action has, in fact, been “aggrieved.” Pittsburgh Palisades Park, LLC v. Commonwealth. 888 A.2d 655, 659 ([Pa.] 2005).

28. In this matter, the Complainant does not have a substantial, direct and immediate interest in the outcome of the litigation.

29. The Complainant neither resides at nor owns the property at 339 Pepper Road, Huntingdon Valley, PA 19006. *See*, Exhibit “3.”

30. PECO’s customer of record is his deceased father, Joseph McGuckin. *Id.*

31. The Complainant is not an authorized agent of PECO’s customer of record, Joseph McGuckin, nor property owner, Margaret McGuckin. *Id.*

32. Thus, the Complainant has not in any way “in fact, been aggrieved,” as he is neither PECO’s customer of record nor being billed for the property located at 339 Pepper Road, Huntingdon Valley, PA 19006.

33. The Complainant lacks standing to participate in the formal complaint proceedings on behalf of PECO Energy’s customer of record, Joseph McGuckin. *See*, Exhibit “3.”

34. The Complainant lacks standing to participate in the formal complaint proceedings on behalf of property owner, Margaret McGuckin. *See*, Exhibit “3.”

35. Accordingly, the Complainant’s formal complaint should be dismissed.

REQUEST FOR RELIEF

WHEREFORE, for the reasons set forth above, PECO Energy Company respectfully requests that your Honorable Commission summarily dismiss the Complainant's formal complaint with prejudice, and all issues which were raised in the Complaint.

Respectfully submitted,



Khadijah Scott
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(267) 533-1830
Khadijah.scott@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOSEPH MCGUCKIN	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022-3033313
	:	
	:	
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: January 19, 2024



Khadijah Scott

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOSEPH MCGUCKIN	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022-3033313
	:	
	:	
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 Motion to Dismiss in the above matter upon all interested parties by *E-mailing* a copy to:

JOSEPH MCGUCKIN
3331 LONGSHORE AVE
PHILADELPHIA PA 19149
E-mail: geoglobal@yahoo.com

Dated: January 19, 2024



Khadijah Scott
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(267) 533-1830
Fax: 215.568.3389
Khadijah.scott@exeloncorp.com

EXHIBIT 1

Botak, Amy:(PECO)

From: RA-PCESERVE@pa.gov
Sent: Wednesday, March 8, 2023 11:21 AM
To: Scott, Khadijah:(PECO)
Cc: Botak, Amy:(PECO)
Subject: [EXTERNAL]PA PUC eServe Notice

Importance: High

EXTERNAL MAIL. Do not click links or open attachments from unknown senders or unexpected Email.

Dear Khadijah Scott,

A(n) **Formal Complaint** has been served in this proceeding. This document is docketed as **C-2023-3038855**. You may view this document at

[Formal Complaint - McGuckin](#)

You are receiving this email because you are a(n) **Respondent** for this case and have agreed to be served electronically. By selecting electronic service (eService), you have agreed that this notification constitutes valid service. Electronic service of any and all documents will be in place of paper service.

Thank You,
Public Utility Commission
Commonwealth of Pennsylvania

** Please do not respond to this automatically generated email.*

PUC has recently updated E-Service delivery E-Mail address to RA-PCESERVE@pa.gov. Please update your Address book and/or E-Mail rules accordingly.

Botak, Amy:(PECO)

From: RA-PCESERVE@pa.gov
Sent: Tuesday, June 28, 2022 10:42 AM
To: Scott, Khadijah:(PECO)
Cc: Botak, Amy:(PECO)
Subject: [EXTERNAL]PA PUC eServe Notice

Importance: High

EXTERNAL MAIL. Do not click links or open attachments from unknown senders or unexpected Email.

Dear Khadijah Scott,

A(n) **Formal Complaint** has been served in this proceeding. This document is docketed as **C-2022-3033313**. You may view this document at

[Formal Complaint - McGuckin](#)

You are receiving this email because you are a(n) **Respondent** for this case and have agreed to be served electronically. By selecting electronic service (eService), you have agreed that this notification constitutes valid service. Electronic service of any and all documents will be in place of paper service.

Thank You,
Public Utility Commission
Commonwealth of Pennsylvania

** Please do not respond to this automatically generated email.*

PUC has recently updated E-Service delivery E-Mail address to RA-PCESERVE@pa.gov. Please update your Address book and/or E-Mail rules accordingly.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

*Filing this form begins a legal proceeding and you will be a party to the case.
If you do not wish to be a party to the case, consider filing an informal complaint.*

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name JOSEPH MCGUCKIN
Street/P.O. Box 339 PEPPER ROAD _____ Apt # _____

City HUNTINGDON VALLEY, State PA Zip 19006-6740 _

County MONTGOMERY _____

Telephone Number(s) Where We Can Contact You During the Day (required):

(215) 947-8842 (home) (877) 814-2420 (mobile)

E-mail Address (required): GEOGLOBAL@YAHOO.COM _____

Utility Account Number (from your bill) 11288.01107 ____

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name "SAME AS ABOVE" _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

____PECO (EXCELON) _____

DATE OF DEPOSIT

JUN 17 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

3. **Type of Utility Service**

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- ELECTRIC STORM WATER
- GAS WASTEWATER/SEWER
- WATER TELEPHONE/TELECOMMUNICATIONS (local, long distance)
- STEAM HEAT MOTOR CARRIER (e.g. taxi, moving company, limousine)

4. **Reason for Complaint**

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

- The utility is threatening to shut off my service or has already shut off my service.
- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

Other (explain). "REQUIRED" CONSTRUCTION SITE RESTORATION (IN THE UTILITY RIGHT-OF-WAY) ON MY PROPERTY AND MORE THAN FIFTY (50) OTHER NEARBY PRIVATE PROPERTIES (LOCATED IN LOWER MORELAND TOWNSHIP), IS SIGNIFICANTLY

AND OBVIOUSLY "OUT OF COMPLIANCE" WITH LOCAL CONSTRUCTION CODE ORDINANCES. REQUIRE "SPECIFIC PERFORMANCE" BY THIS COMMONWEALTH OF PENNSYLVANIA "REGULATED PUBLIC UTILITY PROVIDER" (PECO-EXCELON).

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

SITE RESTORATION (LOWER MORELAND TOWNSHIP, PA (HEREAFTER, LMTWP) :

REQUIRE PECO & ITS CONSTRUCTION SUBCONTRACTORS TO ADHERE TO LOCAL (LOWER MORELAND TOWNSHIP, PA) CONSTRUCTION CODE REQUIREMENTS FOR THIS PROJECT SITE LOCATION (339 PEPPER ROAD, 19006) AND ALL PREVIOUS TOWNSHIP PROJECT SITE LOCATIONS (NUMBERING AT LEAST FIFTY [50] PLUS).

339 PEPPER ROAD - SIDEWALK - SITE RESTORATION :

REMEDiate/REMOVE /REPLACE (ALL) UNSATISFACTORY SOIL FOUNDATION SUBBASE MATERIALS BENEATH RECENTLY DEMOLISHED/REMOVED CONCRETE SIDEWALK SLABS (LOCATED WITHIN THE 10-FOOT WIDE UTILITY RIGHT-OF-WAY EASEMENT) AT THE FRONT OF 339 PEPPER ROAD, HUNTINGDON VALLEY (LOWER MORELAND TOWNSHIP), PA 19006.

IN THE UTILITY RIGHT-OF-WAY, TOWNSHIP (LMTWP) CODE REQUIRES A MINIMUM 4-INCHES OF CONCRETE SIDEWALK THICKNESS. PREVIOUS CONCRETE THICKNESS "REMOVED" WAS NOMIALLY 6-INCHES THICK. THE INITIAL FORMED CONCRETE THICKNESS AT 339 PEPPER ROAD WAS LESS THAN 2.5-INCH THICKNESS AT GREATER THAN 50-PERCENT OF THE (PLANNED SIDEWALK CONCRETE POUR) SURFACE AREA. [PHOTO-DOCUMENTED].

CURRENTLY, THE SOIL SUBBASE MATERIALS CONSIST OF UNCOMPACTED LOOSE DUMP WHICH IS VERY MUDDY, VERY SOFT, CONTAINING SIGNIFICANT PORTIONS OF DELETERIOUS MATERIALS (I.E., TOPSOIL, GRASS ROOT CLUMPS & OTHER VEGETATION, AND OVER-SIZED ROCK COBBLES GREATER THAN 8-INCHES IN DIAMETER). INITIALLY, THE CONCRETE FORM-WORK WAS PLACED (BY PECO SUBCONTRACTORS) THURSDAY 9JUNE2022 WITHOUT TOWNSHIP REQUIRED INSPECTIONS & APPROVALS AND WITHOUT A REQUIRED MINIMUM 4-INCH THICKNESS OF COMPACTED CRUSHED STONE (PENNDOT TYPE 2A / AASHTO 57).

PROBINGS OF THE SOIL SUBBASE (FRIDAY 10JUNE2022) BY THE UNDERSIGNED WITH A 4.0-FOOT LENGTH, 0.5-INCH DIAMETER METAL TILE PROBE INSPECTION DEVICE & 4-INCH I.D. HAND AUGER REVEALED SOFT MUDDY, SATURATED/WET SOILS TO DEPTHS RANGING BETWEEN 18- AND 30-INCHES BELOW GROUND SURFACE (BGS). [PHOTO-DOCUMENTED].

NOTE THAT PECO'S SUBCONTRACTOR HAS ALSO INSTALLED/PLACED A MINIMUM OF FIFTY (50) PLUS CONCRETE SIDEWALK SLABS (RECENTLY ON THIS PROJECT SINCE APRIL 2022 TO PRESENT JUNE 2022) "WITHOUT ANY TOWNSHIP CONSTRUCTION OFFICE NOTIFICATIONS OR INSPECTIONS" AS REQUIRED BY TOWNSHIP ORDINANCE.

THESE CONCRETE SIDEWALK SLAB INSTALLATIONS WERE VIEWED (BY THE UNDERSIGNED BY DRIVING BY), PRIOR TO CONCRETE PLACEMENT. THESE FIFTY (50) PLUS SIDEWALK CONCRETE SLABS WERE PLACED DIRECTLY **ABOVE SOILS** OF UNKNOWN BEARING CAPACITY AND WITHOUT PLACEMENT OF ANY (REQUIRED) COMPACTED CRUSHED STONE. THE MINIMUM THICKNESSES OF THESE VARIOUS CONCRETE SIDEWALK SLABS WERE NOT MEASURED & ARE NOT KNOWN. MINIMUM FOUR (4) INCH THICK CONCRETE THICKNESSES ARE "REQUIRED" BY TOWNSHIP CODE.

REQUESTED REMEDY (BY PAPUC) :

PAPUC SHOULD HOLD PECO-EXCELON (ELECTRIC UTILITY SUPPLIER) ACCOUNTABLE ^{BY} FOR PROPER UTILITY CUSTOMER PROPERTY RESTORATION BY REQUIRING "SPECIFIC PERFORMANCE" (IN ACCORDANCE WITH THE UNIFORM COMMERCIAL CODE [U.C.C.] AND THE STATUTES OF FRAUDS). ^{X Jim}

SPECIFICALLY, REQUIRE PECO-EXCELON (AND THEIR CONSTRUCTION SUBCONTRACTORS) TO PROVIDE THE PAPUC AND LOWER MORELAND TOWNSHIP (LMTWP), PA OFFICIALS WITH :

ANY/ALL CONTEMPORANEOUS WRITTEN DOCUMENTATION, PHOTO-DOCUMENTATION, GEOTECHNICAL SOILS TESTING DATA/RESULTS, CONCRETE TESTING RESULTS, INCLUDING BUT NOT LIMITED TO: DAILY WRITTEN CONSTRUCTION ACTIVITY PROGRESS REPORTS, APPLICABLE SITE RESTORATION MATERIALS SUPPLIER DATA :

CRUSHED STONE QUARRY SUPPLIER (DATED) DELIVERY BATCH TICKETS;

CONCRETE SUPPLIER DELIVERY BATCH TICKETS (DATE/TIME) PROVIDE TESTING & MATERIALS COMPLIANCE DATA FOR SITE RESTORATION AT ALL COMPLETED SITES

CONCRETE SIDEWALK SLABS :(I.E., TYPE IA PORTLAND CEMENT WITH ~3.- TO 7.-PERCENT AIR-ENTRAINMENT ADDITIVE WITH 28-DAY BREAK STRENGTHS OF AT LEAST 3,300-POUNDS PER SQUARE INCH (PSI); APPLICABLE CONCRETE CYLIND BREAK STRENGTH DATA (7-DAY & 28-DAY) LABORATORY TESTING RESULTS.

SOILS TESTING DATA INCLUDING: ASTM SOILS PROCTOR TEST RESULTS; ASTM GRAIN-SIZE ANALYSIS; OPTIMUM MOISTURE CONTENT DATA; ETC.

THESE DATA SHOULD INCLUDE : INFORMATION FOR ALL FIFTY (50) PLUS SITE CONSTRUCTION RESTORATION LOCATIONS IN LOWER MORELAND TOWNSHIP (BETWEEN MARCH AND JUNE 2022).

ATTACHMENTS :

PHOTOGRAPHIC DOCUMENTATION AND LOG (339 PEPPER ROAD, 19006 LOCATION)

LOWER MORELAND TOWNSHIP, PA - CONSTRUCTION OFFICIAL (STEVE WOERNER)
CONTACT PHONE NUMBER = 215.947.3100 EXTENSION 256

PECO-EXCELON (CUSTOMER INFORMATION LETTER DATED 22MARCH2022) 1-PAGE

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. **Protection From Abuse (PFA)/ Domestic Violence**

Has a court granted you a "Protection From Abuse" order or any other order which provides clear evidence of domestic violence against you that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order or any other order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. **Prior Utility Contact**

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES (and)

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

- c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

DUE CARE OF SITE PROPERTY & SITE RESTORATION

A VERBAL COMPLAINT WAS MADE DIRECTLY TO THE PECO CONSTRUCTION REPRESENTATIVE ON-SITE ON TUESDAY 7JUNE2022. MY COMPLAINTS/VERBAL CONCERNS WERE COMPLETELY IGNORED BY THIS INDIVIDUAL. LMTWP CONSTRUCTION CODE PERMIT & CODE REQUIREMENTS WERE OBTAINED ON THURSDAY 9JUNE2022. LOWER MORELAND TOWNSHIP WAS NOTIFIED OF THE COMPLAINT (FRIDAY 11JUNE2022) VIA TELEPHONE & EMAIL, BUT THE UNSATISFACTORY SOIL SUBBASE MATERIALS (TO SUPPORT THE FUTURE CONCRETE SIDEWALK SLAB) HAVE NOT BEEN REMEDIATED/REMEDIED/REMOVED/EXCAVATED DOWN TO "COMPETENT" FIRM SOIL SUBBASE MATERIALS (18- TO 30-INCH DEPTHS BGS) TO DATE.

NOTE THAT PECO (OR ITS SUBCONTRACTORS) HAVE "NOT" REMEDIATED/REMEDIED THE FIFTY (50) PLUS CONCRETE SIDEWALK SLABS PREVIOUSLY INSTALLED RECENTLY (ON THIS PROJECT) "REPORTEDLY" COMPLETED "WITHOUT" A SINGLE TOWNSHIP INSPECTION, OR SOIL SUBBASE APPROVAL, AND/OR APPROVAL OF 4-INCH THICK CRUSHED STONE SIDEWALK SUPPORT SUBBASES (PRIOR TO PLACING CONCRETE).

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer **in this matter**, provide your lawyer's name, address, telephone number, and e-mail address, (**all required contact information**). Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name "NOT APPLICABLE" _____

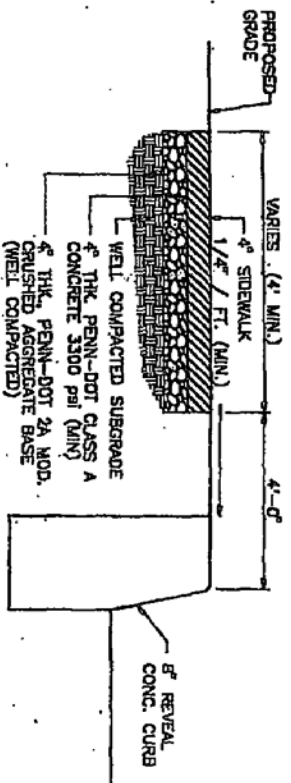
Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address _____

Keep a copy of your Formal Complaint for your records.
Please know that your complaint form and the utility's answer will not be published to the PUC's website.
Once your complaint case moves to the Office of Administrative Law Judge, any filings you make should
be marked confidential if you do not want them published to the website.



NOTE: HANDICAP RAMPS SHALL BE CONSTRUCTED WITH A MAXIMUM GRADE OF 12:1 (12 HORIZONTAL TO 1 VERTICAL (8.33%)).

CONCRETE SIDEWALK DETAIL

Not to Scale

MANDATORY INSPECTION REQUIREMENTS

The following inspections shall be performed by the Superintendent of Public Works:

Preparation - After all forms and grade lines have been set with compacted subgrade.

Aggregate, re-bar or mesh in place.

Surface treatment - After surface treatment (concrete, wearing course, etc.) has been provided.

Final - If applicable, after over-dig areas have been restored, stabilized and sealed. This shall include re-entry and lawn areas.

Inspections shall be requested TWO (2)

BUSINESS DAYS prior and will be conducted

Monday through Friday, excluding holidays,

between the hours of 8:30 A.M. to 3:00 P.M. Calls

will be accepted Monday through Friday, excluding holidays, 8:30 A.M. to 4:00 P.M.



WOODROW & ASSOCIATES, INC.
 MUNICIPAL/CIVIL CONSULTING ENGINEERS
 1454 BETHLEHEM PIKE
 NORTH WALES, PENNSYLVANIA 19454 (215) 542-5648

STANDARD DETAIL

SHEET NO.
 of

Lower Moreland Township Right-of Way Permit Minimum Inspection Requirements

The following minimum inspections shall be performed by the Superintendent of Public Works or his designee. All work shall conform to Township's specifications unless otherwise indicated by the Township. Specifications are available at the Township Administration Office during regular business hours.

Preparation

After all forms and grade lines have been set with compacted subgrade, aggregate, re-bar, fabric and mesh in place.

Surface treatment

After surface treatment (concrete, wearing courses, etc.) has been provided:

Final

If applicable, a final inspection shall be performed after earthen over-dig areas have been restored and stabilization made. All roadway excavations shall have temporary materials removed and required paving and sealing in place.

Inspection notification

Inspection will be conducted Monday through Friday, excluding holidays, between the hours of 8:30AM and 3:00PM and shall be requested two (2) business days prior. Inspections can be scheduled by contacting the Township Administrative Office during normal business hours at 215-947-3100.



P0 339 PEPPER ROAD - SOIL PROBE DEPTH 34-INCHES BGS
LOCATION ID : WEST END AT BURIED ELECTRIC TRANSFORMER
DATE/TIME : 20220613_1103AM_FOTO_ID: P6137575_RS_



P1 339 PEPPER ROAD - SOIL PROBE DEPTH 38-INCHES BGS
LOCATION ID : SLAB CENTER - STREET SIDE
DATE/TIME : 20220613_1105AM_ FOTO ID : P6137584_RS_



P2 339 PEPPER ROAD - SOIL PROBE DEPTH 24-INCHES BGS
LOCATION ID : SLAB CENTER LENGTH - CENTER OF WIDTH
DATE/TIME : 20220613_1109AM FOTO ID : P6137585_RS_



P3 339 PEPPER ROAD - SOIL PROBE DEPTH 24-INCHES BGS
LOCATION ID : SLAB_CENTER LENGTH - WIDTH CENTER
DATE/TIME : 20220613_1109AM_ FOTO ID : P6137586_RS_



P4 339 PEPPER ROAD - SOIL PROBE_DEPTH 24-INCHES BGS_
LOCATION ID : EAST SIDE OF SLAB - YARD SIDE
DATE/TIME : 20220613_1110AM_ FOTO ID : P6137587_RS_



P5 339 PEPPER ROAD - SOIL PROBE DEPTH 26-INCHES BGS
LOCATION ID : EAST SIDE OF SLAB - CENTER OF SLAB
DATE/TIME : 20220613_1111AM_ FOTO ID :P6137590_RS_



P6 339 PEPPER ROAD - SOIL PROBE DEPTH 27-INCHES BGS
LOCATION ID : SLAB CENTER STREET SIDE
DATE/TIME : 20220613_1111AM_ FOTO ID : P6137595_RS_



P7 339 PEPPER ROAD - SOIL PROBE DEPTH 27-INCHES BGS
LOCATION ID : CENTER OF SLAB LENGTH - STREET SIDE
DATE/TIME : 20220613_1112AM_ FOTO ID : P6137596_RS_



P8 339 PEPPER ROAD - SOIL PROBE SURFACE LOCATIONS
LOCATION ID : OVERALL VIEW FROM EAST-END FACING WEST
DATE/TIME : 20220613_1452PM_ FOTO ID : P6137600_RS_



P9 339 PEPPER ROAD - SOIL PROBE SURFACE LOCATIONS
LOCATION ID : OVERALL VIEW - FROM EAST-END FACING WEST
DATE/TIME : 20220613_1452PM_P6137601_RS_



P10 339 PEPPER ROAD - SOIL PROBE SURFACE LOCATIONS
LOCATION ID : OVERALL VIEW - SLAB CENTER FACING WEST
DATE/TIME : 20220613_1452PM_ FOTO ID : P6137602_RS_



pecoSM

AN EXELON COMPANY

ORIGINAL

FILE COPY

received

FILE

March 22, 2022

Dear Customer:

At PECO, we are committed to providing safe and reliable energy for our customers and the communities we serve. As part of our work, we will be upgrading and installing new equipment to modernize and enhance the local electric grid.

This project is part of PECO's Reliability & Resiliency Plan to invest \$1.36 billion through 2025 on targeted reliability-focused infrastructure investments. These accelerated investments will help strengthen the local electric infrastructure to better withstand more frequent and damaging storms, deliver enhanced reliability for our customers, and enable the adoption of clean energy resources. This plan is part of the company's overall system investment of approximately \$6 billion during the next five years across our electric and natural gas systems to inspect equipment, complete targeted system enhancements and corrective maintenance, invest in new equipment, and perform vegetation management.

About the Project:

- We are investing more than \$875,000 to enhance the local electric infrastructure in your area.
- Existing lower voltage electric circuits will be upgraded to higher voltages to better meet customer needs.
- A machine referred to as a directional bore machine will be used to install new conduit as well as new underground electrical cable throughout your neighborhood.
- New equipment, including pad-mount transformers could be installed or replaced as necessary.
- This work will help to improve reliability – reducing the frequency of outages and minimizing the duration of outages that do occur and will increase the ability for customers to install clean energy resources, like solar generation.
- Work will occur along Cinnamon Drive, Foothill Drive, Ginger Road, Madison Road, Marjoram Road, Nicholas Drive, Packard Avenue, Pepper Road and Sugarmill Road.
- Construction will begin late March-early April 2022. The project is expected to be completed by November 2022.
- Work will be performed by PECO crews and qualified PECO contractors.

Crews may need to temporarily interrupt service to safely complete some of this work. We will work with local residents to ensure they are informed in advance of our activities and any planned interruptions. To ensure you receive all outage updates, please confirm that your phone number is accurate in our system through MyAccount at [peco.com/myaccount](https://www.pECO.com/myaccount) or by calling PECO at 1-800-494-4000.

We will also work closely with local officials to minimize the impact on traffic and pedestrians whenever possible. Access for services such as trash removal, student transportation and emergency vehicles will be maintained during construction.

If you have any questions regarding the details of this project and how it may impact you, please contact Kathy McCarthy-Tini, Customer Liaison at kathleen.mccarthy-tini@exeloncorp.com.

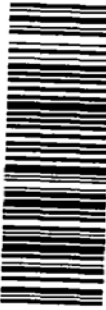
Sincerely,

Chantee Angus
Director, Regional Electrical Operations, PECO

PO BOX 157
H.V., PA 19006-0157



CERTIFIED MAIL



7020 0090 0000 9799 3199

U.S. POSTAGE PAID
HARRISBURG VALLEY, PA
19006
JUN 17 '22
AMOUNT
\$8.56
R2304E105084-22



1000



17120

SECRETARY
PAPUC
400 NORTH STREET
HARRISBURG, PA
17120-0211

RECEIVED

JUN 22 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

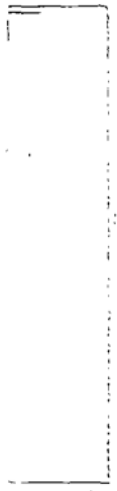


EXHIBIT 2



Direct Dial: 215.841.6841
khadijah.scott@exeloncorp.com

July 13, 2022

VIA E-MAIL (geoglobal@yahoo.com)

Joseph McGuckin
339 Pepper Rd
Huntingdon Valley PA 19006

**Re: Joseph McGuckin v. PECO Energy Company
PUC Docket No. C-2022-3033313**

Dear Mr. McGuckin:

Enclosed is a copy of PECO Energy Company's response to the formal complaint filed in the above-referenced docket. The law requires PECO Energy to file an answer to your Public Utility Commission complaint. Keep these papers for your records. This is not a decision on your complaint. PECO's response may include a New Matter, Motion or Preliminary Objection. Please note that if you do not respond to a New Matter, Motion, or Preliminary Objection an unfavorable decision may be rendered against you. Responses to New Matters and Motions must be filed within 20 days. Responses to Preliminary Objections must be filed within 10 days. If there is no New Matter, Motion or Preliminary Objection included, no response is required.

Soon, the Public Utility Commission will schedule either a settlement conference or a hearing on your complaint. The Commission will let you know by mail whether there will be a conference or a hearing and will include instructions on what to do next. If the matter is set for hearing, the notice will provide you with information about the date, time and place of the hearing. If we are unable to resolve your complaint and have to proceed with a hearing, a judge will be at the hearing and will decide your complaint. You must call the Public Utility Commission if you have any questions about the hearing or if you cannot attend the hearing.

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, Exelon BSC
Encl.

#: 5168577



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

Date Created	Filing Number
7/13/2022	2425199

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-2022-3033313
Case Description: Answer to Formal Complaint
Transmission Date: 7/13/2022 11:24 AM
Filed On: 7/13/2022 11:24 AM
eFiling Confirmation Number: 2425199

File Name	Document Type	Upload Date
Answer to Formal Complaint - Joseph McGuckin.pdf	Answer to Formal Complaint	7/13/2022 11:24:23 AM

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

July 13, 2022

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

RE: Joseph McGuckin v. PECO Energy Company
PUC Docket No. C-2022-3033313

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Answer 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, Exelon BSC
Encl.

Cc: Not Recommended for Call of Docket

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOSEPH MCGUCKIN	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022- 3033313
	:	
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On June 28, 2022, PECO Energy Company (‘PECO Energy’) was served with a formal complaint filed by JOSEPH MCGUCKIN (hereafter “Complainant”) in the above captioned docket. Pursuant to 52 Pa. Code §5.61, PECO Energy responds to the Complaint and states:

1. Admitted.
2. Denied as stated. The Respondent is PECO Energy Company.
3. Admitted.
4. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant Complaint. The Complainant alleges that PECO Energy removed concrete sidewalk slabs in the front of his home located at 339 Pepper Road, Huntingdon Valley, PA 19006, but did not replace the slabs with the required compacted crushed stone and instead placed the slabs above subbase soils of unknown bearing weights. The Complainant avers that the work performed was out of compliance with local construction code ordinances. The

Complainant requests that PECO Energy remediate, remove or replace all unsatisfactory soil foundation subbase used at his property.

PECO Energy's records also reveal that the Complainant receives electric and gas services at 339 Pepper Road, Huntingdon Valley, PA 19006 under account number 11288-01107. The construction work performed on Pepper Road is work related to PECO's Reliability & Resiliency Plan. PECO Energy is replacing its existing lower voltage electric circuits and is upgrading to higher voltages to better meet customer needs. This includes installing new conduit as well as new underground electrical cable. As part of this project, new equipment, including pad-mount transformers could be installed or replaced as necessary. On March 22, 2022, a letter was sent to the Complainant, regarding the details of this project. See, Customer Information Letter, dated March 22, 2022, attached hereto as Exhibit "1".

During construction at the Complainant's property, approximately six (6) blocks of concrete slab were removed in order to place new conduit in an out of the manhole located in the front of his home. A directional bore machine was utilized to perform the work. When the concrete removal took place, there was no stone at the Complainant's property. The Complainant's photos submitted with his Complaint, dated June 13, 2022, predate the completion of PECO Energy's work. On June 16, 2022, six (6) inches of crushed stone base was applied to each slab area. See, Construction Timesheet and Stone Receipt attached hereto as Exhibit "2". See also, Stone Application Photos attached hereto as Exhibit "3". On June 20, 2022, concrete was poured over the stone base at the Complainant's property. See, Concrete Construction Timesheet attached hereto and Exhibit "4." The Lower Moreland Township inspected and approved the dig, stone and cement replacement work performed by PECO

Energy. Upon completion of the installation, PECO Energy has not identified any substandard work or safety hazards and purports that the concrete sidewalk slab replacements are in full compliance with all construction code ordinances. See, Concrete Completion Photo attached hereto as Exhibit “5.”

5. This paragraph is a request for relief to which no answer is required. To the extent this paragraph contains factual allegations, they are denied for the reasons set forth above. See, Response to Paragraph 4.

6. Admitted.

7. Admitted in part; denied in part. It is admitted only that this is not an appeal from the Bureau of Consumer Services. All remaining averments are deemed denied.

8. PECO Energy neither admits nor denies the allegations in paragraph 8. PECO is without knowledge or information sufficient to form a belief as to whether the Complainant has or has not hired an attorney, therefore, such allegation is deemed denied.

9. Paragraph 9 is a Verification and Signature to which no response is required.

10. Paragraph 10 contains information regarding Filing, to which no response is required.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Complaint.

Respectfully Submitted,



Khadijah Scott
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-6841
Fax: 215.568.3389

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOSEPH MCGUCKIN	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022- 3033313
	:	
	:	
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: July 13, 2022



Khadijah Scott

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOSEPH MCGUCKIN	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2022-3033313
	:	
	:	
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 Answer in the above matter upon all interested parties *via E-mail* to:

JOSEPH MCGUCKIN
339 PEPPER RD
HUNTINGDON VALLEY PA 19006
E-mail: geoglobal@yahoo.com

Dated: July 13, 2022



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



pecoSM

AN EXELON COMPANY

March 22, 2022

Dear Customer:

At PECO, we are committed to providing safe and reliable energy for our customers and the communities we serve. As part of our work, we will be upgrading and installing new equipment to modernize and enhance the local electric grid.

This project is part of PECO's Reliability & Resiliency Plan to invest \$1.36 billion through 2025 on targeted reliability-focused infrastructure investments. These accelerated investments will help strengthen the local electric infrastructure to better withstand more frequent and damaging storms, deliver enhanced reliability for our customers, and enable the adoption of clean energy resources. This plan is part of the company's overall system investment of approximately \$6 billion during the next five years across our electric and natural gas systems to inspect equipment, complete targeted system enhancements and corrective maintenance, invest in new equipment, and perform vegetation management.

About the Project:

- We are investing more than \$875,000 to enhance the local electric infrastructure in your area.
- Existing lower voltage electric circuits will be upgraded to higher voltages to better meet customer needs.
- A machine referred to as a directional bore machine will be used to install new conduit as well as new underground electrical cable throughout your neighborhood.
- New equipment, including pad-mount transformers could be installed or replaced as necessary.
- This work will help to improve reliability – reducing the frequency of outages and minimizing the duration of outages that do occur and will increase the ability for customers to install clean energy resources, like solar generation.
- Work will occur along Cinnamon Drive, Foothill Drive, Ginger Road, Madison Road, Marjoram Road, Nicholas Drive, Packard Avenue, Pepper Road and Sugarmill Road.
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- Work will be performed by PECO crews and qualified PECO contractors.

Crews may need to temporarily interrupt service to safely complete some of this work. We will work with local residents to ensure they are informed in advance of our activities and any planned interruptions. To ensure you receive all outage updates, please confirm that your phone number is accurate in our system through MyAccount at peco.com/myaccount or by calling PECO at 1-800-494-4000.

We will also work closely with local officials to minimize the impact on traffic and pedestrians whenever possible. Access for services such as trash removal, student transportation and emergency vehicles will be maintained during construction.

If you have any questions regarding the details of this project and how it may impact you, please contact Kathy McCarthy-Tini, Customer Liaison at kathleen.mccarthy-tini@exeloncorp.com.

Sincerely,

Chantee Angus
Director, Regional Electrical Operations, PECO

EXHIBIT 2

Job Number: C2PU2MN018	One Call #:	AM Weather: Clear	Temp: 60°F	Foreman: Michael P Adams
Customer: PECO	Client Region: M - Montgomery	PM Weather: Clear	Temp: 79°F	Supervisor: C - Civil/Construction
Work Order: 17479654	County: Montgomery	Night Work? No	Shift: 8 HR	Date: 6/16/2022
Job Name: Bethayres 135	Address: Bethayres	Municipality: Lower Moreland	Day: Thursday	

Job Phase Codes

Employee Information			Hours Worked				Equipment Information		Hours	Hours	Hours	Hours	Hours	Unphased Hours
Number	Name	Wage Class	Lunch?	Start	End	Total	Type	Number	Hours	Hours	Hours	Hours	Hours	
402	Michael P Adams	Foreman	NL	6:30 AM	2:30 PM	8	Utility Truck	E6267	0	0	0	0	0	8
30851	Emrah Malokaj	Laborer Helper	NL	7:00 AM	3:00 PM	8			0	0	0	0	0	8
30773	Arjan Bici	Laborer Helper	NL	6:30 AM	3:30 PM	9	Dump Truck	G1227	0	0	0	0	0	9

				Material Purchased			
		PO #	Source	Description	Ticket #	Quantity	
		574933	Mossi Construction	3/4 stone	14154	2 TN	
		574935	Highway Materials Inc.	Blacktop	620660	0.99 TN	

Job Notes

Dug up sidewalk at 339 Pepper. Added 6" stone base. Dug up and blacktop the last of the holes in the street.

CHDD

Foreman		Supervisor		Project Manager	
----------------	---	-------------------	--	------------------------	---

MOSSI CONSTRUCTION INC.
4455 CASTOR AVENUE
PHILADELPHIA, PA 19124

Invoice

Date	Invoice #
6/22/2022	127280

Bill To
DANELLA CONSTRUCTION 2290 BUTLER PIKE PLYMOUTH MEETING, PA 19462

Ship To
packard foreman:miek adams

P.O. Number	Terms	Ship	Project

Quantity	Description	Price Each	Amount
2	1 TON 3/4 STONE 6/16/22 po#574933	54.00	108.00T

**All invoices must be paid within 30 days.
Thank you for the opportunity to serve you.**

Air Temperature	Water Gallons Added On Site To Load: _____ Signature: _____
-----------------	--

All delivered prices are for street curb delivery. We will assume NO responsibility for damages where delivery is made on private property. Customer approval is required in order for our vehicle to enter private property. Metro Ready Mix & Supply guarantees the specified strength of concrete. Concrete testing must be performed without adding water. Water added at the job site will VOID the strength guarantee. To all Customers: Buy concrete at your own risk of cracking, discoloration, flaking, etc. Due to the nature of the concrete business, Metro will not be liable for any surface imperfections or cracks that may develop. Payments for concrete deliveries are non-refundable. We will honor the delivery for up to three (3) months. When concrete is released and loaded, the order must be taken by customer. Overtime charges start after 6 min.per yard At \$100.00/hour. Thank you for the opportunity to service your needs.

Customer Signature: _____

Subtotal	\$108.00
Sales Tax (8.0%)	\$8.64
Total	\$116.64



MOSSI CONSTRUCTION INC.

4455 CASTOR AVENUE • PHILADELPHIA, PA 19124

215-535-4645 • FAX 215-535-1170

Email: mossiconstructioninc@gmail.com

Ticket No. 14154



MADE IN U.S.A.

WATER ADDED AT JOB SITE
_____ GALS.

LEAVE JOB
ARRIVE JOB
UNLOAD TIME

RETURN PLANT
LEAVE PLANT
TOTAL TRIP TIME

INVOICE TO <i>Vanella</i>	DELIVER TO <i>Packard Foreman: Mike Adams</i>
------------------------------	--

DATE	QUANTITY	ORDERED	DELIVERED	JOB	MIX	TRUCK	PLANT	TIME LOADED
<i>6/10/22</i>								

All delivered prices are for street curb delivery. We will assume NO responsibility for damages where delivery is made on private property. Customer approval is required in order for our vehicle to enter private property. Mossi Construction guarantees the specified strength of concrete. Concrete testing must be performed without adding water. Water added at the job site will VOID the strength guarantee. To all customers: Buy concrete at your own risk of cracking, discoloration, flaking, etc. Due to the nature of the concrete business, Mossi Construction will not be liable for any surface imperfections or cracks that may develop. Payments for concrete deliveries are non-refundable. We will honor the delivery for up to three (3) months. When concrete is released and loaded, the order must be taken by customer. Overtime charges start after 6 min. per yard at \$100.00/hr. Thank you for the opportunity to service your needs.

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
<i>240n 3/4</i>			
<i>pot# 574933</i>			
		<i>JUN 21 2022</i>	

CAUTION KEEP OUT OF REACH OF CHILDREN. CEMENT POWDER OR FRESHLY MIXED CONCRETE, GROUT OR MORTAR MAY CAUSE SKIN INJURY, AVOID CONTACT WITH SKIN AND WASH EXPOSED SKIN AREAS PROMPTLY WITH WATER. IF ANY CEMENT POWDER OR MIXTURE GETS INTO EYES, RINSE IMMEDIATELY AND REPEATEDLY WITH WATER AND GET PROMPT MEDICAL ATTENTION.

CUSTOMER SIGNATURE

SUB-TOTAL
SALES TAX
TOTAL

EXHIBIT 3





EXHIBIT 4

Job Number: C2PU2MN018	One Call #:	AM Weather: Clear	Temp: 60°F	Foreman: Michael P Adams
Customer: PECO	Client Region: M - Montgomery	PM Weather: Clear	Temp: 79°F	Supervisor: C - Civil/Construction
Work Order: 17479654	County: Montgomery	Night Work? No	Shift: 8 HR	Date: 6/20/2022
Job Name: Bethayres 135	Address: Bethayres	Municipality: Lower Moreland	Day: Monday	

Job Phase Codes

Employee Information			Hours Worked				Equipment Information		Hours	Hours	Hours	Hours	Hours	Unphased Hours
Number	Name	Wage Class	Lunch?	Start	End	Total	Type	Number	Hours	Hours	Hours	Hours	Hours	
402	Michael P Adams	Foreman	NL	6:30 AM	3:00 PM	8.5	Utility Truck	E6267	0	0	0	0	0	8.5
30851	Emrah Malokaj	Laborer Helper	NL	7:00 AM	3:00 PM	8			0	0	0	0	0	8
30773	Arjan Bici	Laborer Helper	NL	6:30 AM	9:00 AM	2.5			0	0	0	0	0	2.5




Material Purchased

PO #	Source	Description	Ticket #	Quantity
574936	Mossi Construction	3500 psi concrete	14256	1.5 YD

Job Notes

Poured 96 sq ft sidewalk. Cleaned up and run trash to yard.

CHDD

Foreman		Supervisor		Project Manager	
----------------	---	-------------------	--	------------------------	---

MOSSI CONSTRUCTION INC.
4455 CASTOR AVENUE
PHILADELPHIA, PA 19124

Invoice

Date	Invoice #
6/22/2022	127280

Bill To
DANELLA CONSTRUCTION 2290 BUTLER PIKE PLYMOUTH MEETING, PA 19462

Ship To
packard foreman:miek adams

P.O. Number	Terms	Ship	Project

Quantity	Description	Price Each	Amount
2	1 TON 3/4 STONE 6/16/22 po#574933	54.00	108.00T

**All invoices must be paid within 30 days.
Thank you for the opportunity to serve you.**

Air Temperature	Water Gallons Added On Site To Load: _____ Signature: _____
-----------------	--

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Customer Signature: _____

Subtotal	\$108.00
Sales Tax (8.0%)	\$8.64
Total	\$116.64



MOSSI CONSTRUCTION INC.

4455 CASTOR AVENUE • PHILADELPHIA, PA 19124

215-535-4645 • FAX 215-535-1170

Email: mossiconstructioninc@gmail.com

Ticket No. 14154



MADE IN U.S.A.

WATER ADDED AT JOB SITE
_____ GALS.

LEAVE JOB
ARRIVE JOB
UNLOAD TIME

RETURN PLANT
LEAVE PLANT
TOTAL TRIP TIME

INVOICE TO <i>Vanella</i>	DELIVER TO <i>Packard Foreman: Mike Adams</i>
------------------------------	--

DATE	QUANTITY	ORDERED	DELIVERED	JOB	MIX	TRUCK	PLANT	TIME LOADED
<i>6/10/22</i>								

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DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
<i>240n 3/4</i>			
<i>pot# 574933</i>			
		<i>JUN 21 2022</i>	

CAUTION KEEP OUT OF REACH OF CHILDREN. CEMENT POWDER OR FRESHLY MIXED CONCRETE, GROUT OR MORTAR MAY CAUSE SKIN INJURY, AVOID CONTACT WITH SKIN AND WASH EXPOSED SKIN AREAS PROMPTLY WITH WATER. IF ANY CEMENT POWDER OR MIXTURE GETS INTO EYES, RINSE IMMEDIATELY AND REPEATEDLY WITH WATER AND GET PROMPT MEDICAL ATTENTION.

CUSTOMER SIGNATURE

SUB-TOTAL
SALES TAX
TOTAL

EXHIBIT 5



EXHIBIT 3

2444 HUNTINGDON PIKE

BETHAYRES, PA 19006-6112

PHONE: 215-947-6240 FAX: 215-947-6254

.....

Attention: Judge Hoop

Date: 11-Jan-2021

For Caller Number: 2159476240

Recipient's Fax Number: 2159476254

.....

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■
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MICHAEL W. CASSIDY
DIANE L. SUFER+

January 11, 2024

Darlene Heep, Administrative Law Judge
via facsimile only to 717-231-4764

**RE: Joseph McGuckin v. PECO Energy Company-Electric
C-2022-3033313**

Dear Judge Heep,

Please be advised that I represent Margaret McGuckin, property owner of 339 Pepper Road, Huntingdon Valley, PA 19006. Her husband, Joseph McGuckin, is deceased and neither of them filed anything with your office relating to the property. We believe the above-referenced filing pertains to her property because she received a notice at her address.

Upon information and belief, Ms. McGuckin's son, who has the same name as her late husband, may have filed something but my client has no knowledge of the filing. Her son had no authority to make the filing.

Should you have any questions, please do not hesitate to call.

Very truly yours,

HOWLAND, HESS, GUINAN, TORPEY, . . .

By:


David W. Birnbaum, Esquire

CC: Margaret McGuckin

Botak, Amy:(PECO)

From: David Birnbaum <DBirnbaum@howlandhess.com>
Sent: Thursday, January 18, 2024 5:53 PM
To: Scott, Khadijah:(PECO)
Subject: [EXTERNAL]339 Pepper Road

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Good Afternoon,

It was nice speaking with you today. I really appreciated the quick call back!

By way of recap, I represent Margaret McGuckin, the property owner of 339 Pepper Road in Huntingdon Valley. Ms. McGuckin is a widow and the Joseph McGuckin who is on the deed with her is deceased. The Joseph McGuckin you have been dealing with is my client's son. He has no ownership interest in the property and no authority to speak with PECO on Ms. McGuckin's behalf, much less maintain a lawsuit. Earlier today, Ms. McGuckin asked me to reach out to you to see about getting this matter closed.

Please let me know if I can assist in any way to get this case closed. Ms. McGuckin is one of my nicest clients and, though in excellent health, she's also in her mid-eighties and I want to be able to alleviate the stress this is causing her.

Best,
David

Howland, Hess, Guinan,
Torpey, Cassidy, O'Connell
& Birnbaum, LLC

David W. Birnbaum, Esq.

Attorney-At-Law, Partner

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