

PENNSYLVANIA PUBLIC UTILITY COMMISSION

HUDSON AYO	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2024-3045468
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§5.101 and 5.62, you are hereby notified that, if you do not file a written response denying or correcting the enclosed Preliminary Objections of PECO Energy Company, within ten (10) days from service of this notice, a decision may be rendered against you. All pleadings, such as a Reply to Preliminary Objections, 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: February 5, 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**

HUDSON AYO	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2024-3045468
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

**PRELIMINARY OBJECTION OF RESPONDENT,
PECO ENERGY COMPANY**

Respondent, PECO Energy Company (“PECO”), pursuant to 52 Pa. Code §5.101(a)(1), respectfully petitions this Honorable Commission to dismiss the instant Complaint as lack of Commission jurisdiction.

1. On January 16, 2024, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by Hudson Ayo (hereafter “Complainant”) in the above captioned docket. A copy of the Complaint is attached hereto as Exhibit “1”.
2. On February 5, 2024, 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 requests that the Public Utility Commission (“PUC”) issue a payment arrangement on his outstanding balance. *See*, Exhibit “1”.
4. On April 12, 2023, the Complainant’s electric and gas services were terminated for nonpayment.
5. On May 16, 2023, the Complainant’s account finaled.
6. On August 18, 2023, the Complainant’s account was written-off.
7. The Complainant is no longer a PECO customer.

8. The Complainant is requesting that the PUC institute its jurisdiction over his account when he is no longer a PECO customer.

9. PECO Energy therefore files the instant Preliminary Objections.

10. Pursuant to 52 Pa. Code §5.101, preliminary objections may be filed against a complaint and dismissed lack of Commission jurisdiction. 52 Pa. Code §5.101(a)(1).

11. Commission procedure regarding the disposition of preliminary objections is similar to that utilized in Pennsylvania civil procedure. Equitable Small Transportation Intervenor. v. Equitable Gas Co., 1994 Pa.PUC LEXIS 69, Docket No. C-00935435 (July 18, 1994).

12. In deciding preliminary objections, the Public Utility Commission must determine, based on the factual pleadings of the petitioner, if relief or recovery is possible. Roc v. Flaherty, 527 A.2d 211 (Pa. Cmwlth 1985).

13. A complaint must be able to recover under the law to survive a preliminary objection. Milliner v. Enck, 709 A.2d 417, 418 (Pa. Super. Ct. 1998) (“preliminary objection should be sustained only where it appears with certainty that, upon the facts averred, the law will not allow the plaintiff to recover”).

14. All of the non-moving party’s averments must be taken as true for the sake of deciding the preliminary objection. County of Allegheny v. Commw. of Pa., 490 A.2d 402 (Pa. 1985).

15. The court does not, however, need to accept, “unwarranted inferences from facts, argumentative allegations, or expressions of opinions.” Feingold v. McNulty, 2009 Phila. Ct. Com. Pl LEXIS 167, *3.

16. 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.

17. 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).

18. Here, there are no genuine issues of fact and PECO Energy is entitled to judgment as a matter of law with respect to all of the allegations in the Complaint.

I. Lack of Commission Jurisdiction – The PUC does not have Jurisdiction to Issue a Payment Agreement on a Finaled Account.

1. The Complainant requests that the that the PUC issue a payment arrangement on his outstanding balance. *See* Exhibit “1”.

2. 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).

3. 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).

4. “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).

5. 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.

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

7. The Complainant's service was terminated for nonpayment on April 12, 2023.

8. The Complainant's account became final on May 16, 2023.

9. The Complainant account was written off on August 18, 2023.

10. The Complainant's outstanding account balance is \$5,412.93.

11. Title 66 Pa.C.S. §1405(a) provides that, "the commission is authorized to investigate complaints regarding payment disputes between a public utility, applicants and customers. the commission is authorized to establish payment arrangements between a public utility, customers and applicants within the limits established by this chapter." 66 Pa.C.S. §1405(a) (*emphasis added*).

12. Pursuant to 66 Pa. C.S. §1403 Definitions, a customer is defined as:

A natural person in whose name a residential service account is listed and who is primarily responsible for payment of bills rendered for the service or any adult occupant whose name appears on the mortgage, deed or lease of the property for which the residential utility service is requested. The term includes a person who, **within 30 days after service termination or discontinuance of service**, seeks to have service reconnected at the same location or transferred to another location within the service territory of the public utility.

66 Pa. C.S. §1403 (*emphasis added*)

13. The Complainant is no longer a customer of PECO Energy.

14. Moreover, the Complainant's service has been terminated and discontinued since April 2023, which is beyond the thirty (30) days in which the Public Utility Commission maintains jurisdiction. *See*, 66 Pa. C.S. §1403.

15. Consequently, pursuant to 66 Pa.C.S. §1405(a), the PUC has no jurisdiction to

give the Complainant a payment agreement.

16. The Complainant seeks the Commission to review a matter outside of its jurisdiction, inasmuch as the Complainant is no longer a PECO customer.

17. The Complainant is not entitled to a payment agreement as he is neither an applicant, nor a customer.

18. Consequently, pursuant to 66 Pa.C.S. §1405(a), the PUC has no jurisdiction to give the Complainant a payment agreement on his finalized account balance.

19. PECO Energy avers that the Complainant's complaint should be dismissed pursuant to 66 Pa. C.S. §1405(a).

20. Accordingly, the Complainant's formal complaint should be dismissed as it fails to set forth a violation by PECO Energy of either the Public Utility Code, the regulations of the PUC or PECO's Electric Service Tariff as required by 52 Pa. Code §5.22(a)(4).

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, 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**

HUDSON AYO	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2024-3045468
	:	
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: February 5, 2024



Khadijah Scott

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

HUDSON AYO	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2024-3045468
	:	
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 Preliminary Objections in the above matter upon all interested parties by *E-mailing* a copy to:

HUDSON AYO
6665 CHURCH LN
UPPER DARBY PA 19082
Via Email: ggenow@gmail.com

Dated: February 5, 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: Tuesday, January 16, 2024 3:21 PM
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 Form** has been served in this proceeding. This document is docketed as **F-2024-3045468**. You may view this document at [Ayo Formal Complaint Form](#)

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.*



FORMAL COMPLAINT - FILLABLE FORM

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.



Please complete this fillable form.

1. CUSTOMER (COMPLAINANT) INFORMATION

Provide your contact information and utility account number. *It is your responsibility to update the PUC with any changes to your address and to where you want documents sent to you.*

Name Hudson Ayo

Street/P.O. Box 6665 Church Lane Apt# _____

City Upper Darby State _____ Zip _____

County Delaware

Telephone Number(s) Where We Can Contact You During the Day:
Home: 484 429 9008 Mobile: _____

Email Address GGeNow@Gmail.com

Utility Account Number (from your bill) 0613 2370 22

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 _____

Street/P.O. Box _____ Apt# _____

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

3. TYPE OF UTILITY SERVICE

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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Electric | <input type="checkbox"/> Storm Water |
| <input type="checkbox"/> Gas | <input type="checkbox"/> Steam Heat |
| <input type="checkbox"/> Water | <input type="checkbox"/> Motor Carrier (taxi, moving company, limo) |
| <input type="checkbox"/> Wastewater/Sewer | <input type="checkbox"/> Telephone/Telecommunications (local, long distance) |

Note: The PUC does not regulate high-speed internet service, cell phones or cable TV.

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 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). If you need additional space, use the space provided on Page 9. Please indicate the number of the question that you are answering."

My Pleas is for an affordable payment plan.

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. If you need additional space, use the space provided on Page 9. Please indicate the number of the question that you are answering.

My request is for a reasonable and an affordable payment plan.

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 PFA 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.

Has a court granted a PFA order or any other order for your personal safety or welfare?

Yes If your answer is “yes,” attach a copy of the current PFA order to this Formal Complaint form. *Due to the confidential nature of the PFA, you cannot eFile your Formal Complaint. You will need to print out this form and mail it to the Secretary of the Commission.*

No

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.

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

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 or wastewater 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. If you need additional space, use the space provided on Page 9. Please indicate the number of the question that you are answering."

Previously I had an installment payment plan with PECO. Due to illness, I defaulted on it and I am requesting to be reinstated.

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. TWO OPTIONS TO FILE YOUR FORMAL COMPLAINT — CHOOSE ONE

OPTION 1

Electronically by eFile

One option is to create an account on the PUC's eFiling system, or, use your existing eFiling account. **This is the quickest and easiest way to receive, file and submit documents.**

eFiling permits consumers, utilities and attorneys to file certain documents electronically with the PUC without filing paper copies, serve documents electronically on other parties if they agree to such service, and to receive electronic service of documents from the PUC.

You agree to open and use an eFiling account - free of charge through the PUC's website. By selecting this method, you will electronically receive documents.

Visit <https://efiling.puc.pa.gov/> to learn more and create an eFiling account.

You will automatically receive eService with your eFiling account.

OPTION 2

Mail

Mail the completed form with your original signature and any attachments to this address and retain the tracking information as proof of submission:

**Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120**

If you select the option to mail your formal complaint, you are required to select the method by which you would like the PUC to communicate with you. You must choose one of the three options on the next page for ways you would like to receive documents.

9. THREE OPTIONS TO RECEIVE DOCUMENTS — CHOOSE ONE

It is **REQUIRED** to select **ONE** of the following options for receiving all hearing notices, orders and related documents from the PUC:

OPTION 1

eFILING: This is the **quickest and easiest way to receive all documents**. You agree to open and use an eFiling account - free of charge through the PUC's website. By selecting this method you will electronically receive documents. To create an eFiling account, visit <https://efiling.puc.pa.gov/>.

You will automatically receive eService with your eFiling account.

OPTION 2

FIRST CLASS MAIL: You agree to receive all documents by First Class Mail (using the address you provided on Page 1).

Check the box and initial here _____ if you are selecting **FIRST CLASS MAIL** service.

OPTION 3

EMAIL: You agree to receive all documents by email (using the email address you provided on page 1). Keep in mind, you will only be able to **receive documents** by email from the PUC. You will not be able to email documents to the Commission.

To **file documents**, you must submit them through an eFiling account or mail them. To create an eFiling account, visit <https://efiling.puc.pa.gov/>.

Check the box and initial here H.A. if you are selecting **EMAIL** service.

Please Note: It is important to select **ONE** of the three options above.

IF AN OPTION IS NOT SELECTED, THIS MAY DELAY THE PROCESSING OF YOUR COMPLAINT.

APPEALING A BCS DECISION?

If you are appealing a BCS decision: follow the directions in the cover letter you received from the PUC Secretary's Bureau with the formal complaint form. **ONLY** formal complaints appealing a BCS decision can be filed by fax, email or overnight delivery to meet filing deadlines. **All other formal complaints MUST be eFiled or mailed.**

QUESTIONS?

If you have any questions about filling out this form, please contact the **Secretary's Bureau at 717-772-7777.**

REMINDERS

- **Save and keep a copy of your Formal Complaint for your records.**
- **You may add any additional information, such as copies of bills, as one (1) separate attachment to your complaint.**
- **To protect your personal information, please know that your complaint form and the utility's answer will not be published to the PUC's website.**
- **Check the Consumer Complaints Procedures Guide for checklists and tips to help you successfully follow the complaint-filing process.**
(<https://www.puc.pa.gov/media/1492/consumer-complaints-procedures-guide-2021.pdf>)
- **Once your complaint case moves to the PUC's Office of Administrative Law Judge, any filings you make should be marked **confidential** if you do not want them published to the website.**

A large, empty rectangular box with a thin black border, occupying most of the page below the header. It is intended for providing additional space if needed.



Direct Dial: 267.533.1830
khadijah.scott@exeloncorp.com

February 5, 2024

VIA E-FILING

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

**RE: Hudson Ayo v. PECO Energy Company
Docket No. F-2024-3045468**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Answer to Formal Complaint*.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

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

Khadijah Scott, Esquire
Assistant General Counsel, PECO Energy Company

Encl.

Cc: *Not Recommended for Call of the Docket*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

HUDSON AYO	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2024-3045468
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On January 16, 2024, PECO Energy Company ("PECO Energy") was served with a formal complaint filed by HUDSON AYO (hereafter "Complainant") in the above captioned docket.

Pursuant to 52 Pa. Code §5.61, PECO responds to the Complaint and states:

1. Admitted.
2. Admitted.
3. Admitted.

4. Denied. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the instant complaint.

In his formal complaint, the Complainant states that he is requesting that he be given a payment agreement. PECO Energy's records reveal that the Complainant established electrical service at 6665 Church Ln., Upper Darby, PA 19082, under account number 06132-37022. *See*, Account Activity Statement attached hereto as Exhibit "1".

On March 27, 2023, the Complainant received a Ten-Day Termination Notice effective on or after April 10, 2023, for a past due balance of \$4,422.60. On April 12, 2023, the Complainant's

services were terminated for non-payment. Pursuant to 66 Pa. C.S. §1406. Termination of utility service.

- (a) Authorized termination. —A public utility may notify a customer and terminate service provided to a customer after notice as provided in subsection (b) for any of the following actions by the customer: (1) Nonpayment of an undisputed delinquent account.

The Complainant had a delinquent balance on his account, for which the Respondent may terminate service. *Id.* at 66 Pa. C.S. §1406.

On May 16, 2023, the Complainant’s account finalized. The final account balance was \$5,236.24. *See* Exhibit “1.” On August 18, 2023, the Complainant’s account was written -off with an outstanding balance of \$5,412.93. *Id.* The Complainant does not have an active account with PECO Energy Company. The Complainant is no longer a customer of PECO Energy.

Pursuant to 66 Pa. C.S. §1405(a).

Payment Arrangement – General Rule — The commission is authorized to investigate complaints regarding payment disputes between a public utility, **applicants and customers**. the commission is authorized to establish payment arrangements between a public utility, **customers and applicants** within the limits established by this chapter.

66 Pa. C.S. §1405(a). (*emphasis added*)

Pursuant to 66 Pa. C.S. §1403 Definitions, a customer is defined as:

A natural person in whose name a residential service account is listed and who is primarily responsible for payment of bills rendered for the service or any adult occupant whose name appears on the mortgage, deed or lease of the property for which the residential utility service is requested. The term includes a person who, **within 30 days after service termination or discontinuance of service**, seeks to have service reconnected at the same location or transferred to another location within the service territory of the public utility.

66 Pa. C.S. §1403 (*emphasis added*)

In this matter, the Complainant's service has been terminated and discontinued since April 2023, which is beyond the thirty (30) days in which the Public Utility Commission maintains jurisdiction. *See*, 66 Pa. C.S. §1403. PECO Energy avers that the Complainant is not entitled to a payment agreement as he is neither an applicant, nor a customer. Consequently, pursuant to 66 Pa.C.S. §1405(a), the PUC has no jurisdiction to give the Complainant a payment agreement on his finaled account balance.

The Complainant has also had multiple payment agreements, which have defaulted. *See*, Payment Agreement History, attached hereto as Exhibit "2". The Complainant has had multiple payment agreements, yet continued to demonstrate a poor payment history. *See also*, Bureau of Consumer Services Decision, attached hereto as Exhibit "3." The Complainant has a current balance due of \$5,412.93. Pursuant to 66 Pa. C.S. §1405(d).

Number of payment agreements.—Absent a change in income, the commission shall not establish or order a public utility to establish a second or subsequent payment agreement if a customer has defaulted on a previous payment agreement. A public utility may, at its discretion, enter into a second or subsequent payment agreement with a customer.

66 Pa. C.S. §1405(d).

PECO Energy avers that the Complainant is not entitled to any additional payment agreements pursuant to 66 Pa. C.S. §1405(a) and (d). The Complainant's bills and balance are correct.

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 an appeal from the Bureau of Consumer Services. All other averments are deemed denied.

8. This Paragraph provides communication instructions to which no response is required.

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

10. Denied. 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.

11. This Paragraph is a Verification and Signature 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
(267) 533-1830
Fax: 215.568.3389
khadijah.scott@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

HUDSON AYO

Complainant

v.

PECO ENERGY COMPANY

Respondent

:
:
:
:
:
:
:

DOCKET NO. F-2024-3045468

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: February 5, 2024



Khadijah Scott

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

HUDSON AYO	:	
	:	
Complainant	:	
	:	
v.	:	DOCKET NO. F-2024-3045468
	:	
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 by e-mailing a copy to:

HUDSON AYO
6665 CHURCH LN
UPPER DARBY PA 19082
Via Email: ggenow@gmail.com

Dated: February 5, 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

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
1	Account Number: 0613237022			Service Address:			Current Bill:			\$0.00	Account Balance: \$5,412.93								
2	Account Name: HUDSON AYO			6665 CHURCH LA			Billed Prior:			\$0.00									
3	Account Status: WRITTEN OFF			UPPER DARBY, PA 19082			Balance Due:			\$5,412.93									
4	Meter Bill Group: 6																		
5				Mail To:			Credit Amount:			\$0.00	Rates:								
6				HUDSON AYO			Deposit Requested:			\$0.00	GAS RESIDENTIAL SERVICE								
7				6665 CHURCH LN			Deposit On-Hand:			\$0.00	ELECTRIC RESIDENTIAL SERVICE								
8				UPPER DARBY, PA 19082			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
14	11/30/2021	LATE PAYMENT CHARGE								\$14.93							
15	11/30/2021	End of Month Balance													\$2,545.75		
16	12/03/2021	BUDGET BILLING								\$133.00							
17	12/03/2021	ELECTRIC SERVICE		11/02/2021-12/03/2021	35184	ACTUAL	125658577	765		\$113.53							
18	12/03/2021	GAS SERVICE		11/02/2021-12/03/2021	2043	ACTUAL	18827835		52	\$58.24	\$2,575.35	\$133.00	\$2,708.35	12/27/2021	\$2,642.98	565	-\$65.37
19	12/30/2021	End of Month Balance													\$2,662.45		
20	01/04/2022	LATE PAYMENT CHARGE								\$17.51							
21	01/06/2022	BUDGET BILLING								\$133.00							
22	01/06/2022	ELECTRIC SERVICE		12/03/2021-01/06/2022	36188	ACTUAL	125658577	1004		\$146.53							
23	01/06/2022	GAS SERVICE		12/03/2021-01/06/2022	2114	ACTUAL	18827835		71	\$88.58	\$2,725.86	\$133.00	\$2,858.86	01/28/2022	\$2,895.60	687	\$36.74
24	01/31/2022	End of Month Balance													\$2,882.07		
25	02/02/2022	LATE PAYMENT CHARGE								\$20.50							
26	02/07/2022	BUDGET BILLING								\$133.00							
27	02/07/2022	ELECTRIC SERVICE		01/06/2022-02/07/2022	36956	ACTUAL	125658577	768		\$121.20							
28	02/07/2022	GAS SERVICE		01/06/2022-02/07/2022	2259	ACTUAL	18827835		145	\$166.80	\$2,879.36	\$133.00	\$3,012.36	03/01/2022	\$3,204.10	1062	\$191.74
29	02/28/2022	End of Month Balance													\$3,204.10		
30	03/08/2022	BUDGET BILLING								\$133.00							
31	03/08/2022	LATE PAYMENT CHARGE								\$22.50							
32	03/08/2022	ELECTRIC SERVICE		02/07/2022-03/08/2022	37632	ACTUAL	125658577	676		\$108.23							
33	03/08/2022	GAS SERVICE		02/07/2022-03/08/2022	2338	ACTUAL	18827835		79	\$96.63	\$3,034.86	\$133.00	\$3,167.86	03/30/2022	\$3,431.46	643	\$263.60
34	03/31/2022	End of Month Balance													\$3,431.46		
35	04/05/2022	LATE PAYMENT CHARGE								\$24.50							
36	04/06/2022	BUDGET BILLING								\$166.00							
37	04/06/2022	ELECTRIC SERVICE		03/08/2022-04/06/2022	38166	ACTUAL	125658577	534		\$87.63							
38	04/06/2022	GAS SERVICE		03/08/2022-04/06/2022	2396	ACTUAL	18827835		58	\$74.02	\$3,192.36	\$166.00	\$3,358.36	04/28/2022	\$3,617.61	474	\$259.25
39	04/20/2022		PAYMENT							-\$152.08							
40	04/27/2022		TRANSFER							-\$20.00							
41	04/27/2022	RECONNECT FEE - CUT-OUT NON-PAY								\$20.00							
42	04/29/2022	End of Month Balance													\$3,563.90		
43	05/02/2022		PAYMENT AGREEMENT(new)							-\$3,226.28							
44	05/05/2022	BUDGET BILLING								\$166.00							
45	05/05/2022	DEFERRED PAYMENT AGREEMENT								\$140.27							
46	05/05/2022	ELECTRIC SERVICE		04/06/2022-05/05/2022	38578	ACTUAL	125658577	412		\$70.00							
47	05/05/2022	GAS SERVICE		04/06/2022-05/05/2022	2403	ACTUAL	18827835		7	\$21.39	\$0.00	\$306.27	\$306.27	05/27/2022	\$490.91	271	\$184.64
48	05/31/2022	End of Month Balance													\$3,672.92		
49	06/01/2022	BILL OUT DPA								\$3,086.01							

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
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		
50	06/01/2022	LATE PAYMENT CHARGE								\$2.49									
51	06/06/2022	BUDGET BILLING								\$166.00									
52	06/06/2022	ELECTRIC SERVICE		05/05/2022-06/06/2022	39022	ACTUAL	125658577	444		\$76.93									
53	06/06/2022	GAS SERVICE		05/05/2022-06/06/2022	2403	ACTUAL	18827835		0	\$14.17	\$3,394.77	\$166.00	\$3,560.77	06/28/2022	\$3,670.51		\$109.74		
54	06/30/2022	End of Month Balance													\$750.50				
55	07/06/2022	BUDGET BILLING								\$166.00									
56	07/06/2022	LATE PAYMENT CHARGE								\$32.26									
57	07/06/2022	ELECTRIC SERVICE		06/06/2022-07/06/2022	39473	ACTUAL	125658577	451		\$78.91									
58	07/06/2022	GAS SERVICE		06/06/2022-07/06/2022	2408	ACTUAL	18827835		5	\$20.37	\$3,593.03	\$166.00	\$3,759.03	07/28/2022	\$3,802.05		\$43.02		
59	07/29/2022	End of Month Balance													\$801.90				
60	08/02/2022	LATE PAYMENT CHARGE								\$34.75									
61	08/04/2022	BUDGET BILLING								\$148.00									
62	08/04/2022	ELECTRIC SERVICE		07/06/2022-08/04/2022	39948	ACTUAL	125658577	475		\$82.56									
63	08/04/2022	GAS SERVICE		07/06/2022-08/04/2022	2418	ACTUAL	18827835		10	\$26.99	\$3,793.78	\$148.00	\$3,941.78	08/26/2022	\$3,946.35		\$4.57		
64	08/31/2022	LATE PAYMENT CHARGE								\$36.97									
65	08/31/2022	End of Month Balance													\$4,131.32				
66	09/02/2022	BUDGET BILLING								\$148.00									
67	09/02/2022	ELECTRIC SERVICE		08/04/2022-09/02/2022	40419	ACTUAL	125658577	471		\$86.05									
68	09/02/2022	GAS SERVICE		08/04/2022-09/02/2022	2424	ACTUAL	18827835		6	\$21.68	\$3,978.75	\$148.00	\$4,126.75	09/27/2022	\$4,091.05		-\$35.70		
69	09/07/2022		PAYMENT							-\$560.62									
70	09/26/2022		PAYMENT AGREEMENT(new)							-\$3,566.13									
71	09/30/2022	End of Month Balance													\$3,530.43				
72	10/04/2022	BUDGET BILLING								\$148.00									
73	10/04/2022	DEFERRED PAYMENT AGREEMENT								\$148.59									
74	10/04/2022	ELECTRIC SERVICE		09/02/2022-10/04/2022	40807	ACTUAL	125658577	388		\$72.74									
75	10/04/2022	GAS SERVICE		09/02/2022-10/04/2022	2434	ACTUAL	18827835		10	\$26.78	\$0.00	\$296.59	\$296.59	10/26/2022	\$212.41		-\$84.18		
76	10/10/2022		PAYMENT							-\$148.59									
77	10/31/2022	BILL OUT DPA								\$3,417.54									
78	10/31/2022	End of Month Balance													\$3,556.62				
79	11/01/2022	LATE PAYMENT CHARGE								\$37.93									
80	11/02/2022	BUDGET BILLING								\$148.00									
81	11/02/2022	ELECTRIC SERVICE		10/04/2022-11/02/2022	41173	ACTUAL	125658577	366		\$69.20									
82	11/02/2022	GAS SERVICE		10/04/2022-11/02/2022	2446	ACTUAL	18827835		12	\$29.40	\$3,603.47	\$148.00	\$3,751.47	11/28/2022	\$3,617.89	211	-\$133.58		
83	11/15/2022	RECONNECT FEE - CUT-OUT NON-PAY								\$80.00									
84	11/15/2022	RECONNECT FEE - CUT-OUT NON-PAY								\$20.00									
85	11/30/2022	End of Month Balance													\$3,796.69				
86	12/05/2022	BUDGET BILLING								\$148.00									
87	12/05/2022	LATE PAYMENT CHARGE								\$39.41									
88	12/05/2022	ELECTRIC SERVICE		11/02/2022-12/05/2022	41676	ACTUAL	125658577	503		\$97.88									
89	12/05/2022	GAS SERVICE		11/02/2022-12/05/2022	2487	ACTUAL	18827835		41	\$66.66	\$3,790.88	\$248.00	\$4,038.88	12/27/2022	\$3,921.84	512	-\$117.04		
90	12/30/2022	End of Month Balance													\$3,921.84				
91	01/04/2023	LATE PAYMENT CHARGE								\$41.87									
92	01/06/2023	BUDGET BILLING								\$148.00									
93	01/06/2023	ELECTRIC SERVICE		12/05/2022-01/06/2023	42287	ACTUAL	125658577	611		\$116.40									
94	01/06/2023	GAS SERVICE		12/05/2022-01/06/2023	2618	ACTUAL	18827835		131	\$177.22	\$4,080.75	\$148.00	\$4,228.75	01/30/2023	\$4,257.33	788	\$28.58		
95	01/31/2023	End of Month Balance													\$4,257.33				
96	02/06/2023	BUDGET BILLING								\$148.00									
97	02/06/2023	LATE PAYMENT CHARGE								\$45.85									

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
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		
98	02/06/2023	ELECTRIC SERVICE		01/06/2023-02/06/2023	42845	ACTUAL	125658577	558		\$108.45									
99	02/06/2023	GAS SERVICE		01/06/2023-02/06/2023	2750	ACTUAL	18827835		132	\$189.71	\$4,274.60	\$148.00	\$4,422.60	02/28/2023	\$4,601.34	779	\$178.74		
100	02/28/2023	End of Month Balance													\$4,601.34				
101	03/07/2023	BUDGET BILLING								\$148.00									
102	03/07/2023	LATE PAYMENT CHARGE								\$48.07									
103	03/07/2023	ELECTRIC SERVICE		02/06/2023-03/07/2023	43283	ACTUAL	125658577	438		\$86.82									
104	03/07/2023	GAS SERVICE		02/06/2023-03/07/2023	2845	ACTUAL	18827835		95	\$137.28	\$4,470.67	\$148.00	\$4,618.67	03/29/2023	\$4,873.51	563	\$254.84		
105	03/31/2023	End of Month Balance													\$4,873.51				
106	04/04/2023	LATE PAYMENT CHARGE								\$50.29									
107	04/05/2023	BUDGET BILLING								\$175.00									
108	04/05/2023	ELECTRIC SERVICE		03/07/2023-04/05/2023	43696	ACTUAL	125658577	413		\$82.48									
109	04/05/2023	GAS SERVICE		03/07/2023-04/05/2023	2933	ACTUAL	18827835		88	\$120.63	\$4,668.96	\$175.00	\$4,843.96	04/27/2023	\$5,126.91	547	\$282.95		
110	04/28/2023	End of Month Balance													\$5,126.91				
111	05/02/2023	LATE PAYMENT CHARGE								\$52.91									
112	05/04/2023	BUDGET BILLING								\$175.00									
113	05/04/2023	ELECTRIC SERVICE		04/05/2023-05/04/2023	43777	ACTUAL	125658577	81		\$24.63									
114	05/04/2023	GAS SERVICE		04/05/2023-05/04/2023	2942	ACTUAL	18827835		9	\$25.17	\$4,896.87	\$175.00	\$5,071.87	05/26/2023	\$5,229.62	215	\$157.75		
115	05/16/2023	BUDGET BILLING								\$164.37									
116	05/16/2023	ELECTRIC SERVICE		05/04/2023-05/12/2023	43777	ACTUAL	125658577	0		\$2.81									
117	05/16/2023	GAS SERVICE		05/04/2023-05/12/2023	2942	ACTUAL	18827835		0	\$3.81	\$4,843.96	\$392.28	\$5,236.24	06/07/2023	\$5,236.24	34	\$0.00		
118	05/31/2023	End of Month Balance													\$5,400.61				
119	06/14/2023	LATE PAYMENT CHARGE								\$60.65									
120	06/30/2023	End of Month Balance													\$5,461.26				
121	07/11/2023	LATE PAYMENT CHARGE								\$58.02									
122	07/31/2023	End of Month Balance													\$5,519.28				
123	08/09/2023	LATE PAYMENT CHARGE								\$58.02									
124	08/18/2023		CHARGE OFF							-\$5,412.93									
125																			
126																			
127																			
128																			
129																			
130																			
131																			
132																			
133																			
134																			
135																			
136																			
137																			
138																			
139																			
140																			
141																			
142																			
143																			
144																			
145																			
146																			
147																			
148																			

EXHIBIT 2

PAYMENT AGREEMENT HISTORY

NAME: HUDSON AYO

ACCOUNT: 06132-37022

ADDRESS: 6665 CHURCH LN UPPER DARBY PA 19082

DOCKET #: F-2024-3045468

DATE OPND	TYPE	AMOUNT	INSTALLMENT	STATUS
04/26/21	PAR (Level 1) (\$0.00 mthly/2 adults)	\$1,774.94	\$73.96	Not Kept
05/02/22	PAR (Level 1) (\$794.00 mthly/2 adults)	\$3,226.28	\$140.27	Not Kept
09/26/22	PAR (Level 1) (\$551.00 mthly/2 adults)	\$3,566.13	\$148.59	Not Kept

EXHIBIT 3

PAYMENT AGREEMENT HISTORY

NAME: HUDSON AYO

ACCOUNT: 06132-37022

ADDRESS: 6665 CHURCH LN UPPER DARBY PA 19082

DOCKET #: F-2024-3045468

DATE OPND	TYPE	AMOUNT	INSTALLMENT	STATUS
04/26/21	PAR (Level 1) (\$0.00 mthly/2 adults)	\$1,774.94	\$73.96	Not Kept
05/02/22	PAR (Level 1) (\$794.00 mthly/2 adults)	\$3,226.28	\$140.27	Not Kept
09/26/22	PAR (Level 1) (\$551.00 mthly/2 adults)	\$3,566.13	\$148.59	Not Kept

EXHIBIT 4

