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January 13, 2025

VIA E-FILING

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

RE: Wanda Walker v. PECO Energy Company
Docket No. C-2024-3051234

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *Prehearing Memorandum of 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 in this matter.

Very truly yours,


Khadijah Scott, Esquire
Assistant General Counsel, PECO Energy Company

Encl.

Cc: Honorable Emily I. DeVoe, ALJ (via email)
Mary G. Swarner (via email)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

WANDA WALKER	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2024-3051234
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

**PREHEARING MEMORANDUM
OF
PECO ENERGY COMPANY**

This memorandum is submitted in response to the Prehearing Conference Order issued by Administrative Law Judge Emily I. DeVoe dated November 14, 2024.

I. INTRODUCTION AND PROCEDURAL HISTORY

In December 2020, the Complainant filed a formal complaint docketed at C-2020-3023220. The Complainant disputed outstanding balances that have transferred between her various addresses, specifically, 5015 Wayne Avenue, Phila., PA; 5023 Wayne Avenue, Phila., PA; 6801 N. 17th Street, Phila., PA and 452 Twickenham Ave., Glenside, PA stemming back to 2018. On February 28, 2022, an Initial Decision was issued granting the Complainant’s Complaint, in part, and denying the Complaint, in part. *See*, Initial Decision (ID).

The Initial Decision granted the Complaint with “respect to \$1,777.34 transferred to the Complainant’s Glenside Account.” *See*, ID at 21. The ID further held:

That within 30 days of the date of the final order, PECO will review the charges transferred to the Complainant from 6801 17th Street, 3 MID 7, Philadelphia, Pennsylvania totaling \$2,391.03 to determine whether the amounts transferred were incurred by the tenants or the Complainant as a customer or resident of the service addresses and, if necessary, adjust the Complainant’s balance in accordance with this decision.

Id. (emphasis added)

The ID held that “all other claims are denied and dismissed.” *Id.* On March 16, 2022, the Complainant filed Exceptions via her counsel, George Gossett, Jr. Esquire. *See*, Complainant’s Exceptions. On March 21, 2022, PECO filed Exceptions in which PECO requested that the Commission reverse the ALJ’s conclusion that the Company improperly transferred the \$1,777.34 balance to the Complainant’s Glenside account. *See*, PECO’s Exceptions.

On June 16, 2022, the Commission held:

1. That the Exceptions filed by Wanda Walker on March 16, 2022, are denied.
2. That the Exceptions filed by PECO Energy Company on March 21, 2022, are granted.
- ...
4. That the Formal Complaint in the matter of *Wanda Walker v. PECO Energy Company*, at Docket No. C-2021-3023220, is denied.

See, Opinion and Order dated June 16, 2022.

It was also Ordered that:

“within thirty days of the entry date of this Opinion and Order, PECO Energy Company shall review the charges transferred to Wanda Walker from 6801 17th Street, 3 MID 7, Philadelphia, Pennsylvania totaling \$2,391.03 to determine whether Wanda Walker was the account holder at the time any of the charges were incurred and, if necessary, adjust Wanda Walker’s account balance accordingly. Within the same thirty-day time period, PECO shall also file with this Commission, and serve a copy on the Commission’s Bureau of Consumer Services, a written summary of the results of the Company’s review of the billings for the \$2,391.03 amount that it transferred to Wanda Walker.”

Id. (*emphasis added*)

On July 13, 2022, PECO filed its Status Report Letter as required by the Opinion. On July 13, 2022, the Complainant’s 452 Twickenham Rd., Glenside, PA was credited in the amount of \$92.67. Pursuant to the Opinion, “upon PECO’s compliance with Ordering Paragraph Nos. 5 and 6, above, this matter shall be marked closed.” *See*, Opinion. Accordingly, the matter was closed as stated in the Opinion.

On August 15, 2023, the Complainant filed a second formal complaint under docket number C-2023-3042220, which reiterated the claims previously adjudicated in the first complaint. On November 17, 2023, the Complainant's second complaint was dismissed *with prejudice* via preliminary objections as fully adjudicated pursuant to 66 PA. C.S. §316. *See*, Initial Decision, dated November 17, 2023. (*emphasis added*) On January 18, 2024, a Final Order was issued, dismissing the complaint, *with prejudice* on the basis of res judicata. *See*, Final Order and Statement of Vice Chair Kimberly Barrow, dated January 18, 2024.

The Complainant now files the present complaint¹ in an attempt to relitigate the claims previously adjudicated and dismissed *with prejudice*. Within each complaint, the Complainant requested that her accounts be set to zero, that she be refunded payments and that her credit be restored. The Complainant seeks to relitigate identical issues, *i.e.*, that PECO is threatening to shut off her service or has shut off her service and that there are incorrect charges on her bill relating to her rental property balance transfer payments stemming from 2018 at located at 5015 Wayne Avenue, Phila., PA; 5023 Wayne Avenue, Phila., PA; 6801 N. 17th Street, Phila., PA and 452 Twickenham Ave., Glenside, PA.

¹ The Complainant filed four (4) complaints under docket numbers C-2024-3051234; C-2024-3051237; C-2024-3051343 and C-2024-3051344. On October 4, 2024, all complaints were consolidated under the present docket number C-2024-3051234.

II. ISSUES

Whether PECO failed to apply payments submitted by the Complainant, since 2018, for the property addresses located at 5015 Wayne Avenue, Phila., PA; 5023 Wayne Avenue, Phila., PA; 6801 N. 17th Street, Phila., PA and 452 Twickenham Ave., Glenside, PA?

III. WITNESSES AND EVIDENCE

Listed below is the initial witness for PECO, together with a brief summary of the subject matter of his direct testimony.

1. **Anthony Costello** is PECO's Senior Regulatory Assessor. Mr. Costello will present the account activity of the Complainant, including billing and payments to the accounts at issue.

IV. DISCOVERY

The partes have not exchanged discovery.

V. PROPOSED PROCEDURAL SCHEDULE

PECO proposes that its Preliminary Objections be granted in this case. In the alternative, it proposes that a telephonic hearing be scheduled in this matter at the Court's convenience.

VI. SETTLEMENT

The parties are unable to settle this Complaint as this matter has been disputed and previously litigated.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

WANDA WALKER	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2024-3051234
	:	
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 Prehearing Conference Memorandum in the above matter upon all interested parties by E-mailing a copy to:

WANDA WALKER
P.O. Box 502
Glenside, PA 19038
Via Email: wandaleolady@aol.com

Dated: January 13, 2025



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