

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Shasta-Patrice Brown

v.

C-2024-3050759

PECO Energy Company

EXCEPTION TO INITIAL DECISION AND REQUEST FOR RECONSIDERATION

INTRODUCTION

To the Honorable Members of the Pennsylvania Public Utility Commission:

This Exception challenges the Initial Decision dated March 31, 2025, issued by Administrative Law Judge F. Joseph Brady, dismissing my Formal Complaint against PECO Energy Company for alleged lack of jurisdiction and failure to state a claim. I strongly object to this dismissal and request reconsideration pursuant to 5 CFR § 890.

HISTORY OF PROCEEDING

A brief history of this proceeding reveals:

- On July 30, 2024, I filed a Formal Complaint alleging errors and omissions in PECO's application for electric service and billing practices, including inaccuracies requiring correction under the accrual method of accounting.
- PECO filed an Answer and Preliminary Objection on September 3, 2024.
- Interim Order issued October 15, 2024, partially granting Preliminary Objection.
- Hearing held December 11, 2024, where PECO moved to dismiss my Complaint.

EXCEPTIONS TO INITIAL DECISION

1. Error in Dismissal for Lack of Jurisdiction:

The Commission has jurisdiction over alleged violations of the public Utility Code and tariffs, including 73 P.S. § 201-1 and 66 Pa.C.S. § 701.

2. Failure to Address Fraudulent Billing Practices and Accounting Errors:

PECO's cessation of sending bills to me after filing this Complaint constitutes further evidence of fraudulent intent, as bills are negotiable instruments (bearer securities) redeemable for credits, violating:

- 31 U.S.C. § 5118
- 15 U.S.C. § 77b(a)(1)
- 12 U.S.C. § 95a
- PECO's billing errors must be corrected to align with the accrual method of accounting pursuant to 31 USC § 5112(g) and 22 USC § 262p-4.

3. Unaddressed Claims of Fraud in Factum and Theft by Deception:

The Initial Decision failed to consider my claims under 18 Pa.C.S. § 3922 and common law fraud theories.

4. Misapplication of Burden of Proof:

The Commission erred in shifting the burden entirely to me; PECO failed to rebut the evidence presented regarding billing inaccuracies and fraudulent accounting practices.

5. Violation of Due Process Rights:

The Initial Decision failed to provide adequate notice and a meaningful opportunity to be heard, constituting a violation of due process.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction:

The Commission has jurisdiction to hear claims of fraudulent billing practices and violations of the Public Utility Code and tariffs, including 73 P.S. § 201-1 and 66 Pa.C.S. § 701.

2. PECO's actions constitute fraud:

PECO's actions constitute fraud in factum and theft by deception under Pennsylvania law (18 Pa.C.S. § 3922) and federal law (18 U.S.C. §§ 241, 242), and violate securities laws (15 U.S.C. § 77b(a)(1)).

3. PECO's failure to update billing records:

PECO's failure to update billing records under the accrual method of accounting results in improper bookkeeping entries that negatively impact customers and regulatory compliance, violating 31 USC § 5112(g) and 22 USC § 262p-4.

4. The Initial Decision misapplied burden of proof:

The Initial Decision misapplied burden of proof standards, violating due process rights pursuant to 5 CFR § 890.

5. Reconsideration is necessary:

Reconsideration is necessary to prevent manifest injustice and ensure compliance with relevant laws and regulations.

ADDITIONAL EVIDENCE

Estoppel Notice Served on All Parties of PECO:

PECO Energy Company received notice of debt discharge and estoppel.

Pursuant to the Postal Rule (implied by Fed.R.Civ.P. 5(b) adopted by PA) and the Four Corner Rule (PA R.E. 902),

- The estoppel notice is deemed served and delivered to PECO upon mailing on February 3, 2025, via certified mail (#9589 0710 5270 1452 7454 23; 9589 0710 5270 1452 7450 27; 9589 0710 5270 1452 7450 10; 9589 0710 5270 1452 7454 90), currently in transit according to USPS tracking.

- Actual receipt is not required for service to be effective.

- Meanwhile, the IRS has already received and acknowledged both copies of the estoppel notice.

ADDITIONAL GROUNDS FOR RELIEF

1. Double Bookkeeping Entries Must Be Reconciled to Zero:

- Debit entries (alleged debt) must offset Credit entries (PECO's receipts), balancing accounts pursuant to 22 CFR § 208.01.

- Current accounting practices falsely inflate PECO's assets and my alleged debt.

2. PECO's Accounting Violates Generally Accepted Accounting Principles (GAAP):

- Failing to match revenues with corresponding creditor credits distorts financial statements, violating 2 CFR § 176.30.

3. Switch to Accrual Accounting Method Requires Immediate Reconciliation:

- Accrual method mandates matching revenues (monthly bills) with corresponding credits (my entitlement), pursuant to 31 USC § 5112(g).

I, Shasta-Patrice Brown, Pro Se Complainant, hereby certify that:

1. A true and accurate copy of the EXCEPTION TO INITIAL DECISION AND REQUEST FOR ORDER RECONSIDERATION was served on PECO Energy Company by:

WHEREFORE, I respectfully request that the Commission:

1. Accept this Exception to the Initial Decision.
2. Reconsider and reverse the Initial Decision dismissing my Complaint.
3. Remand this matter for further proceedings consistent with this Exception.
4. Direct PECO Energy Company to correct billing errors and update its records to properly reflect charges under the accrual method of accounting.
5. Grant such other relief as deemed necessary and proper.

Respectfully submitted,



Shasta P. Brown
Pro Se Complainant
Date: April 2, 2025

Shasta-Patrice Brown
Pro Se Complainant

CERTIFICATE OF SERVICE

I, Shasta-Patrice Brown, Pro Se Complainant, hereby certify that:

1. A true and accurate copy of the EXCEPTION TO INITIAL DECISION AND REQUEST FOR RECONSIDERATION was served on PECO Energy Company by:

- Electronic Mail (email) Khadijah.Scott@exeloncorp.com

Administrative Law Judge F. Joseph Brady by:

- Electronic Mail (email) RA-PCRA-PC-OALJ@pa.gov

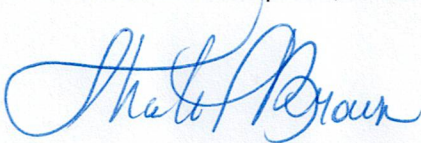
2. Electronic filing of this document was made with the Pennsylvania Public Utility Commission Secretary's Bureau on this 3rd day of April, 2025.

3. The address used for service was:

PECO Energy Company
Legal Counsel – Khadijah Scott
2301 Market Street, 23rd Floor
Philadelphia, PA 19103

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 3, 2025



Shasta-Patrice Brown
Pro Se Complainant