

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Tony Gardner d/b/a K Fish Comestible**

Complainant

v. Docket No. C-2025-3056317

**PECO Energy Company**

Respondent

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**URGENT UPDATE: THIRD ELECTRICAL FAILURE - IMMEDIATE INTERVENTION REQUIRED**

**Date:** August 19, 2025

**To:** Administrative Law Judge Emily A. Farren

**Cc:** Pennsylvania Public Utility Commission

**Cc:** Margaret A. Morris, Esquire - [mmorris@regerlaw.com](mailto:mmorris@regerlaw.com) Reger Rizzo & Darnall LLP Cira Centre, 13th Floor 2929 Arch Street Philadelphia, PA 19104

Dear Judge Farren and Commission:

I write to urgently update the Commission regarding a **THIRD catastrophic failure** of PECO's electrical service to our community grocery store, confirming the exact pattern we predicted in our formal complaint.

**Chronology of Current Emergency**

**Friday, August 15, 2025:**

- Our power failed again - the third leg of the three-phase line that PECO never properly repaired
- I immediately notified PECO of the emergency
- **PECO closed the case without responding, visiting, or calling**
- We lost another day of business and more inventory

**This Morning (August 19, 2025):**

- Electrical service remains non-functional. I called PECO and opened another case.
- **Dangerous strobing lights throughout the store creating seizure risk for customers**
- Store unsafe to operate
- Community without food access again

**5:15 PM Today (August 19, 2025):**

- PECO finally arrived as we were closing
- PECO technician confirmed: one leg of three-phase line not working

- Technician "moved work order up the chain"
- No emergency repair performed
- No timeline provided

### **This Confirms Our Warnings**

In our July 26, 2025 supplement, we specifically warned: *"PECO's after-hours technician repaired only the sidewalk connection but failed to address the third leg of our three-phase power line... guarantees future catastrophic equipment damage."*

**This third failure was entirely preventable.**

### **Immediate Safety Hazards**

1. **Seizure Risk:** Strobging lights can trigger seizures in epileptic customers
2. **Food Safety:** Refrigeration failing again
3. **Fire Hazard:** Partially functioning electrical system
4. **Public Health:** Food desert community losing food access again

### **Pattern Now Undeniable**

- **Failure #1** (2024): PECO applies band-aid
- **Failure #2** (June 2025): More damage, incomplete repair
- **Failure #3** (August 15-19, 2025): Predicted failure occurs, PECO initially ignores
- **Response Pattern:** Close case, delay, minimal action

### **Urgent Request for Commission Intervention**

We respectfully request the Commission:

1. **Order PECO to perform emergency repairs TONIGHT** - not "up the chain"
2. **Mandate complete three-phase line replacement within 72 hours**
3. **Investigate why PECO closed an emergency ticket without response**
4. **Issue immediate safety compliance order** given seizure risks
5. **Expedite hearing** given ongoing public safety hazards

### **This Cannot Continue**

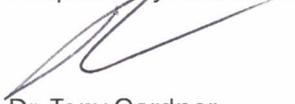
Three failures in one year. Each was preventable. PECO knows the line is defective but refuses to properly repair it. Now customers face seizure risks from strobing lights while our community loses food access.

**How many more failures must we endure?**

The Commission's immediate intervention is essential to protect public safety and ensure reliable utility service to our vulnerable community.

I am available 24/7 to discuss emergency measures. This situation cannot wait for normal procedures while our community suffers and safety hazards persist.

Respectfully submitted,



Dr. Tony Gardner

Owner-Operator

K Fish Comestible

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Office 215-547-1977 (Best number during the day)

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#### **VERIFICATION**

I verify that the facts set forth in this urgent update are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing.



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Dr. Tony Gardner

Date: August 19, 2025