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September 24, 2025

**VIA E-FILING**

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

**RE: Scott and Amanda Santiago v. PECO Energy Company**  
**Docket No.: C-2025-3057323**

Dear Mr. Homsher:

Enclosed for filing with the Commission is *PECO Energy Company's Preliminary Objections 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

cc: *Not Recommended for Call of the Docket*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>SCOTT AND AMANDA SANTIAGO</b>	:	
<b>Complainants</b>	:	
<b>v.</b>	:	<b>DOCKET NO. C-2025-3057323</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	
<b>Respondent</b>	:	

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**NOTICE TO PLEAD**

Pursuant to 52 Pa. Code §§ 5.101 and 5.62(c), 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 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:  
Matthew Homsher, 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

Dated: September 24, 2025



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

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**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 outside of the Commission’s jurisdiction.

1. On September 9, 2025, PECO was served with a formal complaint filed by SCOTT AND AMANDA SANTIAGO (hereafter “Complainants”). *See*, Complainants’ Complaint.
2. On September 24, 2025, the Respondent filed an Answer to the Complainants’ Complaint. *See*, Respondent’s Answer to Complaint.
3. In the Complaint, the Complainant states that the Complainants state that their landlord had their services terminated at the property of 117 Taylorsville, Rd., Washinton Crossing, PA, on August 21, 2025, for non-payment. The Complainants are seeking an inspection of the property regarding electrical, water, plumbing and heating treatment, in addition to requesting individual breaker boxes be installed and separate wiring for both apartments, as well as a code enforcement inspection.

4. To the extent the Complainant seeks the court to adjudicate and Order PECO to conduct plumbing and heating treatment, in addition to installing individual breaker boxes and separate wiring for both apartments at a privately owned property, as well as conduct a code enforcement inspection that is outside of the Public Utility Commission's (PUC) jurisdiction.

5. PECO therefore files the instant Preliminary Objection.

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

7. 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).

8. 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).

9. 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").

10. 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).

11. 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.

12. 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.

13. 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.2<sup>nd</sup> 593 (Pa. Commw. Ct. 2003), petition for allowance of appeal denied, 836 A.2d 123 (Pa. 2003).

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

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 Complainant’s Complaint with regard to any issues associated with PECO and plumbing and heating treatment at the Complainants’ rental unit, in addition to PECO installing individual breaker boxes and separate wiring for both apartments at a privately owned property, as well as conducting a code enforcement inspection are outside of the PUC’s jurisdiction and do not apply to PECO in its capacity as a Public Utility Company.

17. PECO will conduct an inspection to determine if foreign wiring exists at the property.

18. Upon discovering the existence of a foreign load a public utility is required to list the account, including any arrearages, in the name of the landlord. 66 Pa. C.S. §1529.1(a), (c). See also, Santos v. Metro. Edison Co., No. C-00967757 (Pa. P.U.C. Aug. 7, 1997). The landlord is responsible for paying the utility bills until the foreign load is corrected. Santos at 16. Once the foreign load is corrected by the landlord and verified by the utility, the utility will place the account back in the name of the tenant and the arrearage, if any, will remain the landlord's responsibility. Id.

19. The additional issues raised within the Complaint are landlord tenant matters that must be handled in the Court of Common Pleas. To the extent any dispute regarding the financial responsibility of the parties exists, that is a matter to be resolved in the Court of Common Pleas as it is outside the Commission's jurisdiction. Edmund v. Corazzini v. UGI Penn Natural Gas, Inc., No. F-2009-2101282, Opinion and Order adopted July 15, 2010 at 7.

20. Accordingly, the Complainants' formal complaint with regard to rewiring of the property, code inspections and plumbing and heating inspections should be dismissed as it fails to set forth any violation by PECO 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 Complaint.

Respectfully submitted,



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Khadijah Scott  
Counsel for PECO Energy Company  
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Philadelphia, PA 19103  
(267) 533-1830  
Fax: 215.568.3389  
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**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: September 24, 2025



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Khadijah Scott

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<b>Respondent</b>	:	

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**CERTIFICATE OF SERVICE**

I, Khadijah Scott, hereby certify that I have this day served a copy of PECO Energy Company's Preliminary Objection in the above matter upon all interested parties by *E-mailing* a copy to:

SCOTT AND AMANDA SANTIAGO  
125 BROEMEL PLACE  
UNIT 69  
PENNINGTON, NEW JERSEY, 08534  
*Via E-Mail: [sossantiago9@gmail.com](mailto:sossantiago9@gmail.com);  
[amandasantiago0505@gmail.com](mailto:amandasantiago0505@gmail.com)*

Dated: September 24, 2025



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