

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Hanford	:	
	:	
v.	:	C-2025-3056641
	:	
PECO Energy Company	:	

**INTERIM ORDER**

On July 31, 2025, Michael Haford (Complainant or Mr. Hanford) filed a Formal Complaint (first Complaint or Original Complaint) against “PECO (Constellation Energy)” with the Pennsylvania Public Utility Commission (Commission) alleging that he is experiencing a reliability, safety or quality problem with his electric service. Original Complaint ¶ 2. In particular, Mr. Hanford alleges that his “Electric Service is erratic with numerous failures and power spikes regardless of weather or wind conditions.” Original Complaint ¶ 4. As relief, the Complainant requested that PECO make the necessary upgrades “to ensure continuous electric service to provide a fully reliable electric supply.” Original Complaint ¶5. In addition, the Complainant requested that PECO “devise a solution that ensures continuous and safe operation of Home Dialysis equipment that will be needed [by Complainant’s wife] in the near term.” Original Complaint ¶ 5.

On August 1, 2025, the Commission served the Original Complaint on PECO Energy Company (PECO) and Constellation NewEnergy, Inc. (Constellation).

Also on July 31, 2025, Mr. Hanford filed a second Complaint against “PECO (Constellation Energy).” Amended Complaint ¶ 2. Instead of assigning this Complaint a separate docket number, the Commission’s Secretary’s Bureau identified the second Complaint as an Amended Complaint although the two Complaints contain very different allegations regarding the same parties. In the Amended Complaint, Mr. Hanford alleged that, prior to filing the Formal Complaint, he had attempted to contact PECO’s Customer Service via telephone on three separate

occasions. After waiting on line for 25, 45, and 55 minutes respectively, the Complainant was unsuccessful in reaching a PECO representative. As relief, Mr. Hanford requested that the Commission: 1) direct PECO to conduct an survey among other utilities and to identify the standard for wait times, responses and solutions to customer service issues; 2) direct PECO to implement major changes in its approach to customer service; require PECO to consult with a group of its customers to review their input and proposed solutions to customer service issues; and 4) assess financial penalties against PECO for failing to meet customer service standards.

On August 1, 2025, the Commission served the Amended Complaint on PECO and Constellation.

On August 11, 2025, counsel for Constellation filed an Answer denying the material allegations of fact and conclusions of law in the Amended Complaint. In particular, Constellation avers that it has no record of ever providing electric supply service to Michael Hanford at the service address, and that the claims and relief sought in the Amended Complaint refer only to PECO's customer service. Along with the Answer and attached to it, Constellation filed a Motion to Dismiss the Amended Complaint as to Constellation (Motion). The Motion was not accompanied by a Notice to Plead.

On August 22, 2025, PECO filed an Answer to the Amended Complaint in which it denied all material allegations of fact and conclusions of law in the Amended Complaint.

On August 25, 2025, the Commission received a letter from the Complainant in which he requested that the matter proceed to the Commission's Mediation Unit.

By Motion Judge Assignment Notice dated August 27, 2025, Constellation's Motion to Dismiss the Amended Complaint was assigned to me for disposition.

The Motion is ready for ruling.

## DISCUSSION

### Preliminary Matter

As a preliminary matter, I would like to address Mr. Hanford's two Complaints which were filed back-to-back on July 31, 2025. Both Complaints were served by the Commission on PECO and Constellation on August 1, 2025. The Original Complaint raises service reliability issues relating to power outages and spikes. The Amended Complaint does not mention any of the reliability issues raised in the first Complaint but addresses quality of service issues related to customer service and call response time. There is no indication on the record that Mr. Hanford resolved or withdrew his reliability issues in the very brief time between the filing of the first and the second Complaint. There is also no indication in the Amended Complaint that Mr. Hanford intended the Amended Complaint to replace the Original Complaint. However, the Answers filed by PECO and Constellation appear to address only the allegations contained in the Amended Complaint. This oversight seems to be the result of the procedural confusion rather than intentional. For this reason, PECO and Constellation shall be permitted to file Amended Answers addressing the allegations contained in both the Original and Amended Complaints within 20 days of the service of this Order.

### Motion to Dismiss

Commission regulations permit the filing of motions at any time during the proceeding. 52 Pa.Code §§ 5.103. Commission regulations provide:

b) *Presentation of motions.* A motion may be made in writing at any time, and a motion made during a hearing may be stated orally upon the record, or the presiding officer may require that an oral motion be reduced to writing and filed separately. **Written motions must contain a notice which states that a responsive pleading shall be filed within 20 days of the date of service of the motion.**

(c) *Response to motions.* A party has 20 days from the date of service within which to answer or object to a motion, unless

the period of time is otherwise fixed by the Commission or the presiding officer.

52 Pa.Code §§ 5.103 (b) - (c). Emphasis added.

As mentioned above, Constellation failed to accompany its Motion to Dismiss with a Notice to Plead. As a result, the Complainant was not aware that he had 20 days to respond to the Motion. Because Constellation failed to comply with Commission regulation and deprived the Complainant of his due process rights, I shall deny the Motion. However, Constellation shall be allowed to refile the Motion with the appropriate Notice to Plead.

Mediation Request

On August 25, 2025, the Commission received a letter from the Complainant in which he requested that the matter proceed to the Commission's Mediation Unit. Neither PECO nor Constellation has opposed his request. Therefore, once the deadline for filing Amended Answers has expired, the matter shall be sent to the Mediation Unit for evaluation.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Motion to Dismiss filed by Constellation NewEnergy, Inc. in the matter of Michael Hanford v. PECO Energy Company and Constellation NewEnergy, Inc. at Docket No. C-2025-3056641 is denied.

2. That Constellation NewEnergy, Inc. shall be allowed to refile the Motion to Dismiss with the appropriate Notice to Plead.



**C-2025-3056641 - MICHAEL HANFORD v. PECO ENERGY COMPANY AND  
CONSTELLATION NEWENERGY INC**

MICHAEL HANFORD  
20 SOUTHRIDGE DRIVE  
KENNETT SQUARE PA 19348  
**610.812.8617**  
[mikeh55@comcast.net](mailto:mikeh55@comcast.net)  
Served via eService October 10, 2025

COLLEEN KARTYCHAK MANAGER  
CONSTELLATION  
1310 POINT STREET 8<sup>TH</sup> FLOOR  
BALTIMORE MD 21231  
**412.506.2158**  
[colleen.kartychak@constellation.com](mailto:colleen.kartychak@constellation.com)  
Served via eService October 10, 2025

KHADIJAH SCOTT ESQUIRE  
PECO ENERGY COMPANY  
2301 MARKET STREET - S23-1  
PHILADELPHIA PA 19103  
**267.533.1830**  
[khadijah.scott@exeloncorp.com](mailto:khadijah.scott@exeloncorp.com)  
Served via eService October 10, 2025

MARGARET MORRIS ESQUIRE  
REGER RIZZO AND DARNALL LLP  
CIRA CENTRE 13<sup>TH</sup> FLOOR  
2929 ARCH STREET  
PHILADELPHIA PA 19104  
**215.495.6524**  
[mmorris@regerlaw.com](mailto:mmorris@regerlaw.com)  
Served via eService October 10,