

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sean McDougall	:	
	:	
v.	:	C-2025-3059372
	:	
PECO Energy Company	:	

**FIRST INTERIM ORDER**  
Motion of PECO Energy Company  
to  
File Answer *Nunc Pro Tunc*

On December 17, 2025, Sean McDougall (Complainant or Mr. McDougall) filed a Formal Complaint (Complaint) against PECO Energy Company (Respondent or PECO) alleging Respondent forwarded the balance of \$12,197.10 on his service account to a collection agency without proper verification, without proper documentation of the alleged past due amounts and without the issuance of any delinquency notice, shutoff warning or payment agreement. For relief, Complainant requests the discharge of all unsupported bills.

On December 18, 2025, the Commission served a copy of the Complaint on PECO. A response in the form of an answer or pleading was due from PECO on or before Wednesday, January 7, 2026.

On January 8, 2026, Respondent filed an Answer in which Respondent admitted it provided residential electric service to Complainant under a Closed Account ending in -82234. PECO denied it did not properly bill Complainant for service provided under the Closed Account and contended Complainant is responsible for the delinquent balance due under the Closed Account. PECO acknowledged it provided electric service to Complainant at the service address from June 16, 2021 through January 2, 2024, when Mr. McDougall requested termination of service.

PECO asserted it created a final bill on January 3, 2024, which bill remains unsatisfied and was sent to a collection agency. Lastly, Respondent asserted the final bill included delinquent charges that remained unpaid from a prior service address, which delinquent charges were transferred to the Closed Account on June 16, 2021, in the amount of \$15,107.20. PECO asserts Complainant accepted responsibility to repay the delinquent amount when he entered into two payment arrangements with PECO, that included the unpaid balance, on November 23, 2021, and May 2, 2022, and a Commission payment arrangement on November 16, 2022. PECO requested the Complaint be referred to the Mediation Unit within the Office of Administrative Law Judge (OALJ).

Also, on January 8, 2026, Respondent filed the Motion of PECO Energy Company to File Answer *Nunc Pro Tunc* (Motion *Nunc Pro Tunc*), which included a Notice to Plead advising Complainant of the need to respond to the Motion *Nunc Pro Tunc* within twenty (20) days. Respondent acknowledged it filed the Answer one day after the due date for filing its pleading. Respondent asserted the late filing occurred due to an administrative oversight but the substantive rights of Complainant were not affected adversely by the delay of one day. Respondent requested the Answer be accepted for filing, pursuant to 52 Pa. Code § 1.2 and consistent with the holding of the Pennsylvania Commonwealth Court in *Information Connections, Inc. v. Pa. Pub. Util. Comm'n.*<sup>1</sup> PECO requested that the Complaint be decided on the merits.

To date, Mr. McDougall has not responded to the Motion *Nunc Pro Tunc*.

### Discussion

On its face, the filing of the Answer one day late does not delay the proceeding. The filing of the Motion *Nunc Pro Tunc* on the same day as the Answer does not delay the proceeding. It is assumed Complainant did not respond to the Motion *Nunc Pro Tunc*, because he does not have a due process concern or any concern the delay of one day is a detriment to his

---

<sup>1</sup> 630 A.2d 498 (Pa. Cmwlth 1993).



**C-2025-3059372 - SEAN MCDOUGALL v. PECO ENERGY COMPANY**

SEAN D MCDOUGALL  
104 SOUTH WAYNE AVENUE #371  
WAYNE PA 19087  
**610.304.5795**  
**484.381.0598**  
[smcdougall@comcast.net](mailto:smcdougall@comcast.net)  
Served via eService 1/29/2026

MARGARET MORRIS ESQUIRE  
REGER RIZZO & DARNALL  
CIRA CENTRE 13TH FLOOR  
2929 ARCH STREET  
PHILADELPHIA PA 19104  
**215.495.6524**  
[mmorris@regerlaw.com](mailto:mmorris@regerlaw.com)  
Served via eService 1/29/2026  
(*Counsel for PECO Energy Company*)