

ELECTRONICALLY FILED

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Aaron Dlugasch,
Complainant,

v.

PECO Energy Company,
Respondent.

Docket No. C-2026-3061876

NOTICE TO PLEAD

Respondent is hereby notified that, under 52 Pa. Code Section 5.342(g)(1), a written answer to this Motion shall be filed within five (5) days after service of the Motion; see also 52 Pa. Code Section 5.371(b). The answer shall be filed with the Secretary of the Pennsylvania Public Utility Commission, with copies served upon Complainant and the Presiding Officer.

**MOTION OF COMPLAINANT TO COMPEL A RESPONSIVE ANSWER TO
INTERROGATORY NO. 11 PURSUANT TO 52 Pa. Code Sections 5.342, 5.371, 5.321
AND 1.15**

Complainant Aaron Dlugasch, appearing pro se, respectfully moves the presiding officer, pursuant to 52 Pa. Code Sections 5.342, 5.371, 5.321 and 1.15, for an order compelling a responsive answer to Interrogatory No. 11, and in support states as follows:

I. BACKGROUND

1. Complainant served Interrogatories and Requests for Production, Set I, upon Respondent by electronic mail on June 3, 2026, and eFiled a Certificate of Service on June 4, 2026. Respondent served its responses on June 26, 2026. On July 6, 2026, Complainant sent Respondent's counsel a detailed deficiency and meet-and-confer letter, copied to the presiding officer's office, requesting cure by 5:00 PM on July 9, 2026. On July 9, 2026, Complainant declined counsel's same-morning proposal of a telephone conference for dates on or after the then-scheduled hearing and offered, in writing, to confer by email and provided an item-by-item written response framework. The cure period expired at 5:00 PM on July 9, 2026 with no supplemental discovery production responsive to the identified deficiencies, no verified supplemental response, and no item-by-item written answer. The deficiency addressed in this Motion, the non-responsive answer to Interrogatory No. 11, was identified in the July 6, 2026 letter and

remains uncured. Complainant incorporates the fuller conferral history set forth in his contemporaneously filed Motion to Compel Full and Complete Discovery Responses.

2. Interrogatory No. 11 asked: "State whether the Account was within any group, cohort, or category of accounts PECO identified, internally or publicly, as affected by its 2024 customer information system (CIS) transition or related billing-system issues, and produce all records placing the Account within, or excluding it from, any such group, cohort, or category."

Respondent answered, in full: "Account listed as Residential."

3. That answer is not responsive. "Residential" identifies a service classification. It does not state whether the Account was within an affected group, does not answer yes or no, does not identify any group, cohort, or category, and produces none of the records the interrogatory requested. Under 52 Pa. Code Section 5.342(a)(4), answers to interrogatories must be full and complete, and under 52 Pa. Code Section 5.371(a)(1), the presiding officer may make an appropriate order where a party files insufficient answers.

4. The question is material and concrete, not speculative. Respondent's own produced exhibits show that this Account was migrated to Respondent's new billing system on February 19, 2024, and that a substantial opening balance reflected after that migration originated before the first monthly bill Respondent produced. Public Commission records, including the Bureau of Audits management efficiency investigation of Respondent made public on March 12, 2026 at Docket No. D-2025-3053971, document Customer Information System issues including delayed billing and customers carrying significant balances while not receiving regular bills. Complainant cites those records solely to demonstrate the relevance of the question; he does not contend they establish that this Account was affected. For clarity in this Motion, Complainant proposes that "affected" be understood to include account-specific circumstances such as delayed or suppressed bills, migration exceptions, bill holds, rebills or corrections, collection holds, customer-service work queues, or account-conversion errors.

5. Because Respondent answered rather than objected, this Motion challenges the sufficiency of an answer; 52 Pa. Code Section 5.371 contains no express ten-day filing period governing a motion directed to an insufficient answer rather than an objection. In the alternative, Complainant requests permission to proceed under 52 Pa. Code Sections 1.15(a)(1), 5.342(d), and 5.321(b) for the reasonable grounds detailed in the contemporaneously filed Motion to Compel.

II. RELIEF REQUESTED

WHEREFORE, Complainant respectfully requests that the presiding officer order Respondent to serve, by the deadline set below, a verified, responsive answer to Interrogatory No. 11 that: (a) states whether the Account was within any group, cohort, or category of accounts identified, internally or publicly, as affected by the 2024 Customer Information System transition or related billing-system issues; (b) if yes, identifies the group and the nature of the effect; (c) if

no, states the factual basis for that conclusion under verification; and (d) produces all records placing the Account within, or excluding it from, any such group, cohort, or category, or states under verification that no such records exist; with compliance within seven (7) days after entry of the Order, unless otherwise directed by the presiding officer; together with such other relief as is just and reasonable.

Respectfully submitted,

/s/ Aaron Dlugasch

Aaron Dlugasch, pro se
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732-715-1921
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Dated: July 10, 2026

VERIFICATION

I, Aaron Dlugasch, hereby state that the facts set forth in the foregoing Motion are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 (relating to unsworn falsification to authorities).

/s/ Aaron Dlugasch

Aaron Dlugasch

Dated: July 10, 2026

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Docket No. C-2026-3061876

PROPOSED ORDER

AND NOW, this _____ day of _____, 2026, upon consideration of Complainant's Motion to Compel a Responsive Answer to Interrogatory No. 11, and any answer thereto, IT IS ORDERED:

1. The Motion is GRANTED.
2. Respondent shall serve a verified, responsive answer to Interrogatory No. 11 that (a) states whether the Account was within any group, cohort, or category of accounts identified, internally or publicly, as affected by Respondent's 2024 Customer Information System transition or related billing-system issues; (b) if yes, identifies the group and the nature of the effect; (c) if no, states the factual basis for that conclusion under verification; and (d) produces all records placing the Account within, or excluding it from, any such group, cohort, or category, or states under verification that no such records exist.
3. Respondent shall comply within seven (7) days after entry of this Order, unless otherwise directed by the presiding officer.

Barbara Shadie Nause
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Complainant's Motion to Compel a Responsive Answer to Interrogatory No. 11 was filed electronically on the Pennsylvania Public Utility Commission's electronic filing system and that I have this day served a true and correct copy upon the following persons in the manner indicated, in accordance with 52 Pa. Code Sections 1.54, 1.57, 1.58 and 1.59:

Via Electronic Mail:

Margaret A. Morris, Esq.
Reger Rizzo & Darnall LLP
Counsel for Respondent PECO Energy Company
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The Honorable Barbara Shadie Nause
c/o Pamela McNeal, Legal Assistant
pmcneal@pa.gov

/s/ Aaron Dlugasch

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