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 5.103(b) and (c), a responsive pleading shall be filed within twenty (20) days after service of this Motion, unless the Commission or Presiding Officer fixes a shorter period.

MOTION OF COMPLAINANT TO ADMIT BY REFERENCE AND TAKE OFFICIAL NOTICE OF COMMISSION RECORDS PURSUANT TO 52 Pa. Code Sections 5.406, 5.407 AND 5.408

Complainant Aaron Dlugasch, appearing pro se, respectfully moves the presiding officer, pursuant to 52 Pa. Code Sections 5.406, 5.407 and 5.408, to admit by reference and take official notice of Commission records associated with two Commission dockets, identified with particularity below, and in support states as follows:

I. THE RECORDS

1. Under 52 Pa. Code Section 5.408, the presiding officer may take official notice of matters of which the courts of this Commonwealth might take judicial notice and of matters within the Commission's expertise, with the parties afforded notice and the opportunity to be heard. Sections 5.406 and 5.407 address the admission of public documents and of records of other Commission proceedings, the latter requiring a true copy or identification with sufficient particularity that the material can readily be identified and admitted by reference. Complainant identifies each record with particularity below. Exhibits A and B identify the requested portions with particularity; they are indices and summaries prepared for identification purposes and are not substitutes for, or true copies of, the underlying public records. Complainant agrees to supply true copies of the identified portions within any period the presiding officer specifies.

2. First record: the Commission's Opinion and Order entered December 8, 2022 at Docket No. M-2021-3014286, Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. PECO Energy Company, approving and modifying the Joint Petition for Approval of Settlement concerning Respondent's improper termination of service, affecting 48,728 premises associated with 48,536 distinct customers, following automated-dialer platform errors. Complainant seeks notice of: the Order's existence, date, docket, and issuing entity; the settlement record's description of dialer-platform errors, including that the platform incorrectly recorded the required second three-day notice telephone attempt as successful when it was not; the modified civil penalty of $200,000; the modified Matching Energy Assistance Fund contribution of $100,000; and the reconnection-fee refunds described in the settlement record.

3. Second group of records: the report of the Commission's Bureau of Audits titled Management Efficiency Investigation of PECO Energy Company, Docket No. D-2025-3053971; the public statement of Commission Chairman Stephen DeFrank concerning that investigation at the Commission's March 12, 2026 public meeting; and the Commission's March 12, 2026 public release concerning that report. These were made public by the Commission at and around its March 12, 2026 public meeting. Complainant seeks notice of: the report's existence, date, docket, and issuing bureau; the Commission's release of the report and its direction that Respondent proceed with implementation; and the findings concerning Respondent's Customer Information System, including that the investigation found the Customer Information System to be causing a degradation in customer-service performance metrics and challenges in addressing customers' needs; and, as stated by Chairman DeFrank at the March 12, 2026 public meeting, that as of July 2025 the average speed to answer calls had increased to approximately 216 seconds against a goal of 18 seconds, that the abandoned-call rate had increased to 11.2 percent against a goal of 1.6 percent, that response times for high-bill complaints rose from 10 days in 2021 to 27 days as of May 2025, and that the Bureau observed customers who did not receive their bills regularly while carrying significant unpaid balances. The report was prepared by the Bureau of Audits, and the quoted statistics are drawn from Chairman DeFrank's public statement; Complainant does not characterize these as adjudicated findings of the Commission.

II. THE LIMITED PURPOSE

4. The records are offered as context bearing upon the materiality of Complainant's narrowly tailored discovery concerning the reliability, completeness, and preservation of Respondent's automated contact records and Customer Information System records, including the account-cohort question posed by Interrogatory No. 11 and the migration of this Account into the new system on February 19, 2024 shown in Respondent's own exhibits.

5. Complainant expressly does not offer the records: to prove that Respondent acted in conformity with prior conduct; to establish that this Account was affected merely because other accounts were affected; to establish the falsity of Respondent's present records; or to prove any

element of the complaint without account-specific evidence. Complainant asks notice of facts, not conclusions.

III. RELIEF REQUESTED

WHEREFORE, Complainant respectfully requests that the presiding officer admit by reference and take official notice, under 52 Pa. Code Sections 5.406, 5.407 and 5.408, of the two records identified in paragraphs 2 and 3, limited to the specifically identified facts and for the limited purposes stated in paragraphs 4 and 5, with the parties afforded the opportunity to be heard as provided in 52 Pa. Code Section 5.408(c) and (d), together with such other relief as is just and reasonable.

Respectfully submitted,

/s/ Aaron Dlugasch

Aaron Dlugasch, pro se
526 Drexel Road
Fairless Hills, PA 19030
732-715-1921
systematicsound@yahoo.com
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

Aaron Dlugasch v. PECO Energy Company

Docket No. C-2026-3061876

PROPOSED ORDER

AND NOW, this ______ day of ___________, 2026, upon consideration of Complainant's Motion to Admit by Reference and Take Official Notice of Commission Records, and any answer thereto, IT IS ORDERED:

1. The Motion is GRANTED.

2. Official notice is taken, and the following are admitted by reference under 52 Pa. Code Sections 5.406, 5.407 and 5.408, limited to the facts and purposes identified in the Motion: (a) the Commission's Opinion and Order entered December 8, 2022 at Docket No. M-2021-3014286, including the settlement record's description of the automated-dialer errors, the affected 48,536 distinct customers, the $200,000 civil penalty, the $100,000 Matching Energy Assistance Fund contribution, and the reconnection-fee refunds described in the settlement record; and (b) the Bureau of Audits report at Docket No. D-2025-3053971, made public March 12, 2026, including its identified findings concerning Respondent's Customer Information System, delayed billing, and customer-service performance.

3. The parties may be heard concerning the noticed matters as provided in 52 Pa. Code Section 5.408(c) and (d).

____

Barbara Shadie Nause
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Complainant's Motion to Admit by Reference and Take Official Notice of Commission Records 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
mmorris@regerlaw.com

The Honorable Barbara Shadie Nause
c/o Pamela McNeal, Legal Assistant
pmcneal@pa.gov

/s/ Aaron Dlugasch

Aaron Dlugasch, pro se
526 Drexel Road
Fairless Hills, PA 19030
732-715-1921
systematicsound@yahoo.com
Dated: July 10, 2026

EXHIBIT A

Index and Summary of Identified Public-Record Portions, Docket No. M-2021-3014286

This Exhibit reproduces and identifies, for purposes of official notice under 52 Pa. Code Sections 5.406, 5.407 and 5.408, specifically identified portions of public records of the Pennsylvania Public Utility Commission in Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. PECO Energy Company, Docket No. M-2021-3014286. The facts stated below are drawn verbatim or in close paraphrase from those public records, with citations.

1. The proceeding and the affected customers.

The Commission's Opinion and Order at Docket No. M-2021-3014286 concerns an informal investigation into improper electric service terminations affecting approximately 48,728 impacted premises associated with 48,536 distinct customers. Source: Opinion and Order entered August 25, 2022, at 2, and Joint Petition for Approval of Settlement paragraph 18.

2. The dialer-platform errors, in the Commission record's own terms.

Per the settlement record, on June 25, 2018, PECO's call center third-party vendor made a dialer platform change that resulted in two separate errors. As to the first error, according to PECO, the dialer platform incorrectly recorded the second three-day notice telephone attempt as successful when it was not; therefore PECO did not complete the second three-day telephone attempt to contact the customer. As to the second error, the dialer platform change caused the 72-hour call to incorrectly list the customer's current bill due date as the termination date, so PECO did not provide the correct termination date during the 72-hour call. Source: Opinion and Order entered August 25, 2022, at 4-5; Joint Petition paragraphs 12-17.

3. The alleged violations.

I&E concluded that PECO, through its third-party vendor, violated 66 Pa.C.S. Section 1503(b) and 52 Pa. Code Section 56.333(a)-(c), concerning personal contact before termination, including the requirement that, where telephone contact is attempted, the utility attempt to call the residence on at least two separate days. Source: Joint Petition paragraphs 20-22, 42-44.

4. The reconnection-fee refunds.

The settlement record states that by August 4, 2021, PECO refunded the $20 reconnection fee plus $5 interest ($25 per reconnection fee charged, totaling $1,228,625) to impacted customers, of which $908,033.12 was applied to customer accounts, and that amounts that could not be refunded because customers were no longer receiving PECO service (totaling $320,591.88) were transferred to PECO's Matching Energy Assistance Fund. Source: Opinion and Order entered August 25, 2022, at 5-6; Joint Petition paragraphs 27-28.

5. The Commission's final modified disposition.

By Opinion and Order entered December 8, 2022, the Commission approved the settlement as modified, increasing the civil penalty from $150,000 to $200,000 and increasing PECO's Matching Energy Assistance Fund contribution from $75,000 to $100,000, directed as $20,000 donations to each of five major MEAF agencies, with the additional $320,591.88 reconnection-fee transfer unchanged. Source: PUC Opinion and Order entered December 8, 2022, Docket No. M-2021-3014286 (Commission document No. 1766946), and Commission press release of December 8, 2022.

Complainant offers these identified facts under 52 Pa. Code Sections 5.406, 5.407 and 5.408. This Exhibit is an index and summary for identification only and is not a true copy of the underlying records. The full Opinion and Order and Joint Petition are public records of the Commission at Docket No. M-2021-3014286; Complainant will supply complete true copies in the form and within any period the presiding officer directs.

EXHIBIT B

Index and Summary of Identified Public-Record Portions, Docket No. D-2025-3053971

This Exhibit identifies, for purposes of official notice under 52 Pa. Code Sections 5.406, 5.407 and 5.408, specifically identified portions of a public record of the Pennsylvania Public Utility Commission: the Bureau of Audits Management Efficiency Investigation of PECO Energy Company, Docket No. D-2025-3053971, made public by the Commission at its public meeting on March 12, 2026.

1. The report and its release.

The Commission's Bureau of Audits conducted a Management Efficiency Investigation of PECO Energy Company at Docket No. D-2025-3053971. The Commission released the report at its public meeting on March 12, 2026 and directed PECO to proceed with its implementation plan; the report was prepared by the Bureau of Audits and its contents are not adjudicated findings of the Commission. Source: Commission press release and public meeting of March 12, 2026, Docket No. D-2025-3053971.

2. The Customer Information System findings.

As stated by the Commission Chairman upon release, the Management Efficiency Investigation found that PECO's Customer Information System is causing a degradation in customer service performance metrics, and that PECO's implementation of the new Customer Information System has led to challenges in addressing customers' needs, with customer service performance beginning to decline in 2024 after the newly implemented Customer Information System went online, and those performance issues persisting. Source: statement of Chairman DeFrank, March 12, 2026, Docket No. D-2025-3053971.

3. The billing and customer-service observations.

The record further reflects that, as of July 2025, PECO's average speed to answer calls had increased to approximately 216 seconds against a goal of 18 seconds; that the abandoned-call rate had increased to 11.2 percent against a goal of 1.6 percent; that response times for high-bill customer complaints rose from 10 days in 2021 to 27 days as of May 2025; and that the Bureau of Audits observed multiple PECO inquiries where customers did not receive their bills regularly and had significant unpaid balances. Source: statement of Chairman DeFrank, March 12, 2026, Docket No. D-2025-3053971.

Complainant offers these identified facts under 52 Pa. Code Sections 5.406, 5.407 and 5.408. This Exhibit is an index and summary for identification only and is not a true copy of the underlying records. The report and the Chairman's statement are public records of the Commission associated with Docket No. D-2025-3053971; Complainant will supply complete true copies in the form and within any period the presiding officer directs.