**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company :

for Approval of its Act 129 Phase II : M-2012-2333992

Energy Efficiency and Conservation Plan :

**ORDER ADMITTING DIRECT TESTIMONY OF**

**RAYMOND G. BERKEBILE INTO THE RECORD**

 In accordance with the provisions of 52 Pa. Code §§ 1.2, 5.402, 5.403, and 5.483, the purpose of this Order is to admit the direct testimony of Raymond G. Berkebile into the record of this proceeding. Mr. Berkebile is a witness for Comverge, Inc. (Comverge).

 A hearing in this case was held on January 9, 2013. At that hearing, Comverge asked that the comments of Mr. Berkebile be received into the evidentiary record. I denied that request consistent with the reasoning set forth in my Fifth Prehearing Order in this case which was issued on January 2, 2013. However, I afforded Comverge the opportunity to file direct testimony by noon on January 11, 2013, subject to any objection by the other parties to this proceeding. I note that although Comverge was a timely intervenor in this case, intervention was granted after the date for the filing of direct testimony had passed.

 Comverge timely filed the direct testimony of Mr. Berkebile consistent with my directive at the hearing on January 9, 2013. No objection has been raised to the receipt into the record of Mr. Berkebile’s testimony, which is now marked as “Comverge Exhibit No. 1-Revised.” That is understandable given that Mr. Berkebile’s testimony is, essentially, his comments placed into testimonial form, and the parties had those comments in their possession prior to the evidentiary hearing.

 Comverge Exhibit No. 1-Revised, the direct testimony of Raymond G. Berkebile is, therefore, received into evidence and is made a part of the record of this proceeding.

Date: January 14, 2013 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Dennis J. Buckley

 Administrative Law Judge

**P-2012-2333992 - Petition of Peco Energy Company for Approval of its Act 129 Phase II Energy Efficiency and Conservation Plan.**

***Revised 12/28/12***

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