



Business Services
Company

Legal Department

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May 12, 2009

James McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

**Re: Lincoln Crest Management LLC v. PECO Energy Company
PUC Docket No. C-2008-2075804**

Dear Mr. McNulty:

Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

___	Answer (Original and 3 copies)
___	Motion to Consolidate (original and 3 copies)
<u>X</u>	Motion For Continuance of Hearing Date (original and 3 copies)
___	Preliminary Objection (original and 3 copies)
___	Exceptions (original and 9 copies)
___	Reply Exceptions (original and 9 copies)
___	Brief (original and 9 copies)
___	Reply Brief (original and 9 copies)

Also enclosed is an extra copy of this letter, which I request that you date stamp and return to me in the envelope provided as proof of filing. I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties.

Very truly yours,

Michael S. Swerling
Counsel for PECO Energy Company

MSS/zyr

Enc.

cc: Joseph N. Gothie, Esq.
ALJ Charles E. Rainey, Jr.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

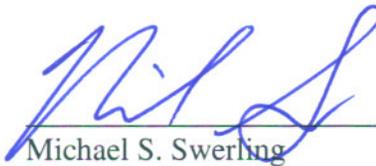
LINCOLN CREST MANAGEMENT LLC	:	
	:	
v.	:	DOCKET NO. C-2008-2075804
	:	
PECO ENERGY COMPANY	:	

MOTION FOR CONTINUANCE OF HEARING DATE

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 1.15(b), hereby requests a continuance of the hearing date scheduled in this matter and states the following:

1. An initial in-person hearing for this matter is currently scheduled for Monday, May 18, 2009 at 10:00 am.
2. Complainant and PECO have been in settlement discussions and hope that all matters will be resolved shortly. However, PECO does not foresee that settlement will be reached until after the May 18, 2009 hearing date.
3. PECO has spoken to counsel for Complainant, Joseph Gothie, and he does not oppose PECO's settlement request. PECO and Complainant's counsel both expressed interest in continuing to work toward settlement and avoid the time and expense of litigation.
4. Therefore, PECO is requesting that the hearing date be continued so that it may have reasonable time to negotiate settlement with all involved parties.

Respectfully Submitted,



Michael S. Swerling
Counsel for PECO Energy Company
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Michael.Swerling@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LINCOLN CREST MANAGEMENT LLC :

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2008-2075804

VERIFICATION

I, Michael S. Swerling, hereby declare that I am counsel for PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.



Michael S. Swerling

Date: May 11, 2009

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LINCOLN CREST MANAGEMENT LLC :

v.

PECO ENERGY COMPANY :

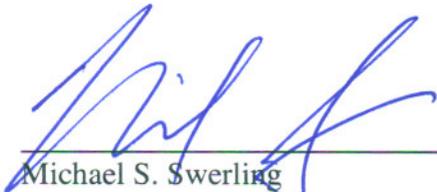
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DOCKET NO. C-2008-2075804

CERTIFICATE OF SERVICE

I, Michael S. Swerling, hereby certify that I have this day served a copy of PECO Energy Company's Motion in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Joseph N. Gothie, Esq.
Gothie Van Allen LLC
111 E. Market Street
Suite 101
York, PA 17401



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Michael.Swerling@exeloncorp.com

Dated at Philadelphia, Pennsylvania, May 11, 2009.