



1424 Chestnut Street, Philadelphia, PA 19102-2505
Phone: 215.981.3700
Web Address: www.clsphila.org

October 27, 2009

Secretary James J. McNulty
Secretary's Bureau
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg , PA 17105-3265

**Re: Beverly Smith v. PECO, Docket No. C-2009-2115719
Request for Continuance of Hearing
Initial Telephonic Hearing scheduled for Tuesday, November 3, 2009**

Dear Secretary McNulty:

Enclosed for eFiling is Beverly Smith's Motion for Continuance of Hearing, with accompanying proposed order and certificate of service.

I have served a copy of this document on Special Agent David A. Alexander, and on all parties to the proceeding.

Respectfully submitted,

/s/ Thu B. Tran
Thu B. Tran, Esq,
Energy Unit

Enclosures
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Beverly Smith	:	
Complainant	:	
	:	
v.	:	C-2009-2115719
	:	
PECO Energy Company	:	
Respondent	:	

ORDER GRANTING MOTION FOR CONTINUANCE

Upon review of Complainant’s Motion for Continuance of Hearing, and upon good cause shown, the hearing scheduled in this matter for November 3, 2009 is hereby continued to _____, 20____.

Date

Special Agent

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Beverly Smith	:	
Complainant	:	
	:	
v.	:	C-2009-2115719
	:	
PECO Energy Company	:	
Respondent	:	

Motion for Continuance of Hearing

Pursuant to 52 Pa. Code § 1.15(b), Beverly Smith (hereinafter “Complainant”), through counsel Community Legal Services, Inc., hereby moves for a continuance of the hearing in this matter scheduled for November 3, 2009, and in support states as follows:

1. On June 25, 2009, Complainant filed a Formal Complaint against PECO Energy Company (hereinafter “Respondent”).
2. Complainant requires additional time to attempt to negotiate a settlement, and to prepare properly for a hearing, should a hearing be necessary.
3. Counsel for Complainant and counsel for Respondent have been in communication and have been discussing ways to resolve the underlying issues in this case. However, no agreement has yet been reached.
4. On October 27, 2009, Respondent’s counsel informed Complainant’s counsel that Respondent does not object to this motion for change of the scheduled hearing date.
5. Complainant is also in agreement with this change of the scheduled hearing date.

WHEREFORE, Complainant moves that the November 3, 2009 hearing be continued for at least 30 days.

Respectfully submitted,

/s/ Thu B. Tran
Thu B. Tran, Esquire
Counsel for Complainant
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
215-981-3777
Counsel for Complainant

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Beverly Smith	:	
Complainant	:	
	:	
v.	:	C-2009-2115719
	:	
PECO Energy Company	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day, served a copy of the foregoing Motion for Continuance of Hearing upon the participants, listed below, in accordance with the requirements of 52 Pa.Code §1.54 (relating to service by a participant).

By First Class U.S. Mail, postage prepaid and/or facsimile and e-mail as indicated:

Special Agent David A. Alexander
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Fax: 717-787-0481

Beverly Smith
500 N. 39th Street
Philadelphia, PA 19104

Tishekia E. Williams, Esquire
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
tishekia.williams@exeloncorp.com

Dated this _____ day of _____, 2009.

/s/ Thu B. Tran
Thu B. Tran, Esquire
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102