**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company :

for Approval of its Energy Efficiency and :

Conservation Plan and Expedited Approval :

of its Compact Fluorescent Lamp Program : Docket No. M-2009-2093215

**SECOND PREHEARING ORDER**

The purpose of this Order is to confirm certain agreements among the parties and related rulings made during the Prehearing Conference in this case on Wednesday, November 10, 2010. This Order will also address the Petition to Withdraw its Intervention filed by the Association of Community Organizations for Reform Now (ACORN) filed on October 18, 2010, in this proceeding.

First, there has been no objection filed or raised at the prehearing conference to the Pennsylvania Communities Organizing for Change’s Petition to Intervene filed on October 18, 2010. Said Petition will be granted.

Second, pursuant to 52 Pa. Code, § 5.75(d), the Petition to Withdraw Intervention filed by ACORN is granted as on April 1, 2010, ACORN dissolved and ceased to exist as an organization.

Third, the parties stated on the record that there was no opposition to removing the hearing and briefing dates from the procedural schedule, and adding November 16, 2010, as a deadline for the filing of a joint stipulation by the parties, stating that hearings and briefs are not necessary to resolve any issues regarding PECO Energy Company’s update and revision to its Act 129 Energy Efficiency and Conservation Plan.

The Secretarial letter in this matter issued November 9, 2010, referred this case to the Office of Administrative Law Judge for hearing and the preparation of a Recommended Decision by December 20, 2010. As there now appears to be an absence of outstanding issues that require the presentation of additional evidence or a hearing at this time, we will establish November 16, 2010 as the deadline for filing the proposed Joint Stipulation.

Finally, service may be done electronically, so long as the hard copy arrives by first class mail as soon as possible thereafter. We ask that e-served documents be formatted in WORD.

**ORDER**

THEREFORE,

IT IS ORDERED:

1. That the hearing in this matter previously scheduled for November 18, 2010, will be cancelled upon the filing of a joint stipulation by the parties stating that hearings and briefs are not necessary to resolve any issues regarding PECO Energy Company’s update and revision to its Act 129 Energy Efficiency and Conservation Plan. That filing is to be made on or before November 16, 2010.

2. That the Pennsylvania Communities Organizing for Change’s Petition to Intervene in this matter is granted.

3. That the Petition to Withdraw Intervention filed by the Association of Community Organizations for Reform Now is granted.

Date: November 10, 2010 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Elizabeth H. Barnes

Administrative Law Judge

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Dennis Buckley

Administrative Law Judge

**M-2009-2093215 - Petition of PECO Energy Company for Approval of its Act 129 Energy Efficiency and Conservation Plan and Expedited Approval of its Compact Fluorescent Lamp Program**

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