**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**

Romulo L Diaz Esquire

Anthony E Gay Esquire

PECO Energy Company

2301 Market Street S23-1

PO Box 8699

Philadelphia PA 19101-8699

Jennedy S Johnson Esquire

Tanya J McCloskey Esquire

Office of Consumer Advocate

5th Floor Forum Place

555 Walnut Street

Harrisburg PA 17101-1923

Scott Perry Esquire

Aspassia V Staevska Esquire

PA Department of Envirnmental Protection

RCSOB

16th Floor

400 Market Street

Harrisburg PA 17105

Daniel G Asmus Esquire

Office of Small Business Advocate

1102 Commerce Building

300 North Second Street

Harrisburg PA 17101

Richard A Kanaskie Esquire

Carrie B Wright Esquire

PA Public Utility Commission

Office of Trial Staff

PO Box 3265

Harrisburg PA 17105-3265

Harry Geller Esquire

John Gerhard Esquire

PA Utility Law Project

118 Locust Street

Harrisburg PA 17101

Shelby A Linton-Keddie Esquire

Barry Naum Esquire

Charis Mincavage Esquire

McNees Wallace & Nurick LLC

100 Pine Street

PO Box 1166

Harrisburg PA 17108

Charles McPhedran Esquire

John Baillie Esquire

PennFuture

1518 Walnut Street

Suite 1100

Philadelphia PA 19102

Jonathan Stein Esquire

Philip Bertocci Esquire

Thu B Tran Esquire

Community Legal Services InC

1424 Chestnut street

Philadelphia PA 19103

Roger Clark

The Reinvestment Fund

Sustainable Development Fund

718 Arch Street Suite 300 North

Philadelphia PA 19106

J Barry Davis Esquire

Scott J Schwarz Esquire

City of Philadelphia Law Dept

1515 Arch Street

16th Street

Philadelphia PA 19102

Cheryl Walker-Davis DirecTOR

Jonathan Nase

Kathryn Sophy

Pa Puc

Office of Special Assistants

PO Box 3265

Harrisburg PA 17105-3265

Daniel Clearfield Esquire

Kevin J Moody Esquire

Eckert Seamans

213 Market Street

8th Floor

Harrisburg PA 17101

Christopher A Lewis Esquire

Melanie J Tambolas Esquire

Christopher Sharp Esquire

Blank Rome LLP

One Logan Square

130 North 18th Street

Philadelphia PA 19103-6998

Susan E Bruce esquire

Vasilki Karandrikas Esquire

McNees Wallace & Nurick LLC

100 Pine Street

Po Box1166

Harrisburg PA 17108

Daniel Ocko Esquire

Office of Representative

Mark B Cohen

128 Main Capitol

PO box 202074

Harrisburg pa 17120

cARRIE wRIGHT

MCNEIS WALLACE & nURICK LLC

100 pINE ST

PO BOX 1166

HARRISBURG PA 17108

JENNEDY JOHNSON

555 WALNUT ST

5TH FLR FORUM PLACE

HARRISBURG PA 17101

JULIE GEORGE

118 LOCUST ST

HARRISBURG PA 17101

KURT KLAPKOWSKI

400 MARKET ST

RCSOB 9TH FLR

HARRISBURG PA 17101

SHARON E. WEBB

300 N. 2ND STREET

STE 1102

HARRISBURG PA 17101

SCOTT SCHWARZ

1515 ARCH STREET

PHILADELPHIA PA 19102

JACK GARFINKLE

2301 MARKET STREET

PHILADELPHIA PA 19103

KATE VASUDEVAN

MORGAN LEWIS & BOCKIIES

1701 MARKET STREET

PHILADELPHIA PA 19102