



CITY OF PHILADELPHIA

LAW DEPARTMENT
One Parkway
1515 Arch Street
Philadelphia, PA 19102-1595

Shelley R. Smith
City Solicitor

(215) 683-5170 (phone)
(215) 683-5175 (fax)

November 9, 2010

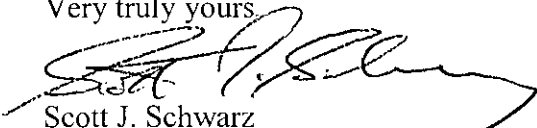
Via Electronic Filing
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: 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
Docket No. M-2009-2093215

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum of the City of Philadelphia in the above-referenced matter, along with a Certificate of Service showing that copies of the enclosed document have been served upon parties of record.

Very truly yours,


Scott J. Schwarz
Senior Attorney

Enclosure
cc: Per Certificate of Service

RECEIVED
2010 NOV 12 PM 3:35
PA.P.U.C.
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC
UTILITY COMMISSION

Petition of PECO Energy Company for :
Approval of its Act 129 Energy Efficiency :
and Conservation Plan and Expedited : Docket No. M-2009-2093215
Approval of its Compact Fluorescent :
Lamp Program :

**PREHEARING MEMORANDUM
OF THE CITY OF PHILADELPHIA**

Pursuant to 52 Pa. Code § 5.222, the City of Philadelphia (“City”) submits this Prehearing Memorandum. Administrative Law Judge Marlane R. Chestnut granted the City’s Petition to Intervene on July 30, 2009. Chief Deputy City Solicitor J. Barry Davis and Senior Attorney Scott J. Schwarz will continue to represent the City in this matter.

Contact information is as follows:

By mail: J. Barry Davis
Scott J. Schwarz
City of Philadelphia Law Department
1515 Arch Street, 16th Floor
Philadelphia, PA 19102

By e-mail: j.barry.davis@phila.gov
scott.schwarz@phila.gov

By telephone: 215-683-5186 (Davis)
216-638-5170 (Schwarz)

By fax: 215-683-5175

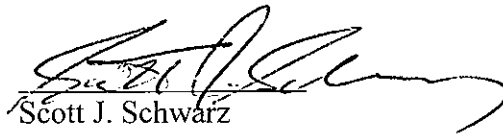
RECEIVED
2010 NOV 12 PM 3:35
P.A.P.U.C.
SECRETARY'S BUREAU

The City will not be presenting any witnesses or evidence at the hearing scheduled for November 18, 2010. However, the City reserves the right to participate fully in the hearing and any settlement discussions between the parties, file a brief on the issues identified by other parties, and continue to participate in future proceedings in this matter.

The City supports the expedited hearing schedule.

Respectfully submitted,

By:



Scott J. Schwarz

Senior Attorney

City of Philadelphia Law Department

1515 Arch Street, 16th Floor

Philadelphia, PA 19102

Phone: 215-683-5170

Fax: 215-683-5175

E-mail: scott.schwarz@phila.gov

Attorney I.D. # 38224

Dated: November 9, 2010

RECEIVED

2010 NOV 12 PM 3:35

PA.P.U.C.
SECRETARY'S BUREAU

**BEFORE THE PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Petition of PECO Energy Company for :
Approval of its Act 129 Energy Efficiency :
and Conservation Plan and Expedited : Docket No. M-2009-2093215
Approval of its Compact Fluorescent :
Lamp Program :

CERTIFICATE OF SERVICE

I hereby certify that I am serving true and correct copies of the foregoing
Prehearing Memorandum dated November 9, 2010, by first-class mail and/or electronic
mail upon the individuals listed below, in accordance with the requirements of 52 Pa
Code § 1.54 (relating to service by parties):

The Honorable Dennis J. Buckley
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
debuckley@state.pa.us

The Honorable Elizabeth H. Barnes
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
ebarnes@state.pa.us

Anthony E. Gay, Esquire
Jack R. Garfinkle
Exelon Business Services Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Anthony.Gay@exeloncorp.com
jack.garfinkle@exeloncorp.com

Thomas P. Gadsden, Esquire
Catherine G. Vasudevan
Morgan Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
tgadsden@morganlewis.com
cvasudevan@morganlewis.com

Richard A. Kanaskie, Esquire
Carrie Wright, Esquire

RECEIVED
2010 NOV 12 PM 3:35
PA.P.U.C.
SECRETARY'S BUREAU

Office of Trial Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
rkanaskie@state.pa.us
carwright@state.pa.us

Daniel G. Asmus, Esquire
Sharon E. Webb, Esquire
Office of Small Business Advocate
Assistant Small Business Advocate
Commerce Building, Suite 1102
300 N. Second Street
Harrisburg, PA 17101
dasmus@state.pa.us
swebb@state.pa.us

Tanya McCloskey, Esquire
Jennedy Johnson, Esquire
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101
tmccloskey@paoca.org
jjohnson@paoca.org

Kurt E. Klapkowski, Esquire
Commonwealth of Pennsylvania
Department of Environmental Protection
RCSOB, 9th Floor
400 Market Street
Harrisburg, PA 17101-2301
kklapkowski@state.pa.us

Charis Mincavage, Esquire
Shelby A. Linton-Keddie
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
cmincavage@mwn.com
skeddie@mwn.com

Jonathan Stein, Esquire
Philip Bertocci, Esquire
Thu B. Tran, Esquire

Community Legal Services Inc.
1424 Chestnut Street
Philadelphia, PA 19103
jstein@clsphila.org
pbertocci@clsphila.org
ttran@clsphila.org

Roger Clark, Esquire
The Reinvestment Fund
Sustainable Development Fund
718 Arch Street, Suite 300 North
Philadelphia, PA 19106
roger.clark@trfund.com

Harry S. Geller
Julie George
Pennsylvania Utility Project
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net

Charles McPhedran
John Baillie
PennFuture
1518 Walnut Street, Suite 1100
Philadelphia, PA 19102
mcphebran@pennfuture.org
baillie@pennfuture.org

Christopher Lewis, Esquire
Christopher Sharp, Esquire
Melanie Tambolas, Esquire
Blank and Rome LLP
One Logan Square
130 North 18th Street
Philadelphia, PA 19103-6998
lewis@blankrome.com
Sharp@blankrome.com
Tambolas@blankrome.com

Daniel Clearfield, Esquire
Kevin Moody, Esquire
Eckert Seamans
213 Market Street, 8th Floor
Harrisburg, PA 17101-2132
dclearfield@eckertseamans.com


kmoody@eckertseamans.com

Cheryl Walker Davis
Jonathan Nase
Kathryn Sophy
Office of Special Assistants
Commonwealth Keystone Building
3rd Floor, 9 East
Harrisburg, PA 17120
cwalkerday@state.pa.us
jnase@state.pa.us
ksophy@state.pa.us

Scott H. DeBroff, Esquire
Rhoads & Sinon, LLP
One South Market Square, 12th Floor
P.O. Box 1146
Harrisburg, PA 17108-1146

Daniel Ocko, Esquire
Office of Representative Mark B. Cohen
128 Main Capitol
P.O. Box 202074
Harrisburg, PA 17120
docko@pahouse.net

Rick Sauer
Philadelphia Association of Community Development Corporations
1513 Walnut Street, Suite 1600
Philadelphia, PA 19107



Scott J. Schwarz
Senior Attorney
City of Philadelphia, Law Department
1515 Arch Street, 16th Floor
Philadelphia, PA 19102

E-mail: scott.schwarz@phila.gov
Attorney I.D. # 38224
Phone: 215-683-5170
Fax: 215-683-5175

Dated: November 9, 2010

RECEIVED
2010 NOV 12 PM 3:36
PA.P.U.C.
SECRETARY'S BUREAU

CITY OF PHILADELPHIA
LAW DEPARTMENT
ONE PARKWAY
10TH FLOOR - 1515 ARCH STREET
PHILADELPHIA, PA 19102-1595



02 1M \$01.05⁰
0004217248 NOV 09 2010
MAILED FROM ZIP CODE 19103

RECEIVED
2010 NOV 12 PM 3:36
PA P.U.C.
SECRETARY'S BUREAU

Rosemary Chiavetta
Secretary, PA PUC
P . O. Box 3265
Harrisburg, PA 17105-32

11