

**Legal Department**

2301 Market Street/523-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699

Telephone 215.841.4000  
Fax 215.568.3389  
www.exeloncorp.com

Direct Dial: 215.841.6841

August 19, 2011

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

**RE: Joseph Lupowitz Sons Inc v. PECO Energy Company  
PUC Docket No. C-2011-2249600**

Dear Secretary Chiavetta:

On or about July 1, 2011, PECO Energy Company was served with the above referenced formal complaint. PECO filed a preliminary objection to the complaint on July 21, 2011. On July 27, 2011, counsel for Complainant requested an extension to August 9, 2011 to respond to the preliminary objection. By letter dated August 9, 2011, counsel for the Complainant informed the Commission that an agreement had been reached.

Although the parties have been in negotiations, please note that the parties have not yet reached an agreement. Accordingly, PECO respectfully request that a motion judge be assigned to this matter.

Very truly yours,



Tishekia Williams, Esq.  
Assistant General Counsel  
Exelon Corporation

Cc: Myer Simon, Esq.  
Counsel for Joseph Lupowitz Sons Inc.