

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

THE VICTORY CONDOMINIUM ASSOCIATION,  Complainant  v.  PECO ENERGY COMPANY Respondent.	Docket No. C-2011-2268126
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**APPLICATION FOR SUBPOENA**

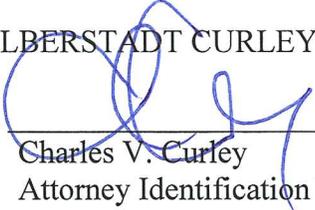
Complainant The Victory Condominium Association (“Complainant”) hereby applies for a subpoena to compel the attendance and testimony of Michelle Lebron, the Account Representative for Respondent PECO Energy Company (“PECO”) assigned to Complainant’s PECO account, at the hearing scheduled for Thursday, February 9, 2012 in the above matter. Complainant requests that Ms. Lebron bring with her and produce any and all files in her possession and/or control relating to Victory Condominium Association.

Complainant seeks testimony and documentary evidence relating to: 1) the contract minimums applied to Complainant’s account; 2) PECO’s communications with Complainant regarding the service options available for its electric service; and 3) PECO’s process for determining what contract limits should be applied to a customer’s contract. Said testimony and documentary evidence is relevant to Complainant’s claims that PECO applied an excessive contract minimum to Complainant’s account, which resulted in substantial overcharges.

A Notice of Intent to Serve Subpoena and Certificate of Service are attached hereto.

Date: 1/27/2012

HALBERSTADT CURLEY LLC

By:   
Charles V. Curley

Attorney Identification No. 60486

1100 E. Hector Street, Suite 425  
Conshohocken, PA 19428  
(610) 834-8819  
(610) 834-8813 (fax)  
*Attorneys for Complainant*

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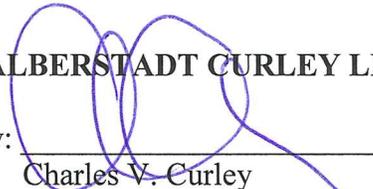
**NOTICE OF INTENT TO SERVE SUBPOENA TO ATTEND AND TESTIFY**

TO: Michelle Lebron, Account Representative  
PECO Energy Company  
c/o Ward Smith, Esquire  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699

The Victory Condominium Association intends to serve a subpoena identical to the one that is attached to this notice. You have ten (10) days from the date of service of the application in which to file an objection to the subpoena with the Commission and presiding officer. If no objection is made the subpoena may be served.

Date: 1/27/2012

**HALBERSTADT CURLEY LLC**

By:   
Charles V. Curley  
Attorney Identification No. 60486  
1100 E. Hector Street, Suite 425  
Conshohocken, PA 19428  
(610) 834-8819  
(610) 834-8813 (fax)  
*Attorneys for Complainant*



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:

Docket No. C-2011-2268126

THE VICTORY CONDOMINIUM  
ASSOCIATION,

Complainant

v.

PECO ENERGY COMPANY,

Respondent

**SUBPOENA**

To: Michelle Lebron, Account Representative  
PECO Energy Company  
c/o Ward Smith, Esquire  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699

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(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to 801 Market Street, 4<sup>th</sup> Floor, Philadelphia, Pennsylvania 19107 on Thursday, February 9, 2012, at 10 o'clock, in the above case, to testify on behalf of the Complainant, The Victory Condominium Association and to remain until excused;

2. And bring with you and produce the following: Any and all files in your possession and/or control relating to Victory Condominium Association

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This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

**BY THE COMMISSION**

**Date** \_\_\_\_\_

\_\_\_\_\_  
Administrative Law Judge

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of The Victory Condominium Association's Application for a Subpoena and the Notice of Intent to Serve Subpoena to Attend and Testify in the above matter upon all interested parties by email and by mailing a copy properly addressed and postage prepaid to:

Ward Smith  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699

Honorable Christopher P. Pell, Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107

Date: 1/27/2012

HALBERSTADT CURLEY LLC  
By:   
Charles V. Curley