

Legal Department

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January 8, 2013

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

**RE: Richard Coppola v. PECO Energy Company
PUC Docket No.: F-2012-2325791**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission are the following documents in the matter referenced above.

—	Answer
—	Answer & New Matter
<u>X</u>	Motion Objecting to Continuance
—	Motion for Judgment on the Pleadings
—	Preliminary Objection
—	Exceptions
—	Reply Exceptions
—	Main Brief
—	Reply Petition

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,



**Shawane Lee
Counsel for PECO Energy Company
SL/lo**

cc: Richard Coppola (via email & Regular Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RICHARD J. COPPOLA

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2012-2325791

**MOTION OF PECO ENERGY COMPANY IN RESPONSE TO COMPLAINANT,
RICHARD COPPOLA'S REQUEST FOR CONTINUANCE OF HEARING DATE**

PECO Energy Company ("PECO Energy"), pursuant to 52 Pa. Code § 1.15, hereby objects to the continuance of the hearing date scheduled in this matter and states the following:

1. Admitted.
2. Admitted.
3. Denied. Complainant's request for a continuance should be denied as he has not demonstrated "good cause". The Complainant has not averred that he has a specific scheduling conflict on the date set by the Pennsylvania Public Utility Commission. Additionally, he has not submitted any documentation, substantiating that any genuine scheduling conflict exists so that he cannot attend the hearing on January 28, 2013.
4. Denied. Consistent with 52 Pa. Code § 56.151, the company placed a collection hold on September 24, 2012 in the amount of \$1,815.12. In addition to the collection hold, PECO Energy is prejudiced by delaying this action as the company's resources and time have to be expended on the matter.
5. Denied. Continuances are only granted "*in rare situations* where good cause exists." (Prehearing Order, citing 52 Pa. Code § 1.15). No good cause exists here. The Complainant has not asserted any specific scheduling conflict with the date set by the PUC. For instance, he has not stated that he has a prescheduled meeting or event on that date that is very

important to his work and provided documentation verifying this. As the Complainant has brought this matter before the PUC, (absent any specific scheduling conflict that has “good cause”) he has an obligation to make himself available for the scheduled hearing,

6. Denied. The Complainant has not asserted any verifiable reason for the hearing to be telephonic. For example, the Complainant has not alleged that he is handicapped and that traveling to the hearing will cause him hardship. He has not offered any reasonable grounds to have a telephonic hearing. Additionally, the hearing will involve multiple exhibits and witnesses. Presenting multiple exhibits and witnesses telephonically will be a hardship for PECO Energy to properly defend the case. Accordingly, PECO Energy objects to any telephonic hearing of this matter.

7. PECO Energy neither admits nor denies the allegations contained in Paragraph 7 of the Complainant’s Motion. As a matter of procedure, the hearings are recorded by a court reporter and a transcript is taken.

Respectfully Submitted,



Shawane L. Lee
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VERIFICATION

I, Shawane L. Lee, hereby declare that I am counsel for PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.



Shawane L. Lee

Date: January 8, 2013

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RICHARD J. COPPOLA

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2012-2325791

CERTIFICATE OF SERVICE

I, Shawane L. Lee, hereby certify that I have this day served a copy of PECO Energy Company's Motion in the above matter upon all interested parties by mailing and emailing a copy, properly addressed and postage prepaid to:

Richard J. Coppola
Post Office Box 99
25 Parkside Drive
Langhorne, PA 19047



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Shawane.Lee@exeloncorp.com

Dated at Philadelphia, Pennsylvania, January 8, 2013.