

From the Desk of:

Richard J. Coppola
Post Office Box 99
25 Parkside Drive
Langhorne Pennsylvania 19047
Telephone: (Daytime) 215.497.1000, (Cell) 215.990.9900
Telefax: 215.497.9000
Email: hut@globalweb.com

Transmittal

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 along with their respective Certificates of Service.

1. Complainant's Motion to STAY March 22, 2013 Hearing.

Very Truly Yours,



Richard Coppola, Jr.
RJC/lg
2013/01/22 12:34:13
Via.: USPS with Delivery Confirmation
Page 1 of 1 plus attachments
Copy: File

RECEIVED
2013 JAN 30 AM 10:18
PA P.U.C.
SECRETARY'S BUREAU

DISCLOSURE NOTICE

THIS DOCUMENT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS BEING RELEASED TO THE PUBLIC UNDER THE PROVISIONS OF THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS ACT. FOR MORE INFORMATION, VISIT WWW.JFKRFI.ORG. THIS DOCUMENT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS BEING RELEASED TO THE PUBLIC UNDER THE PROVISIONS OF THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS ACT. FOR MORE INFORMATION, VISIT WWW.JFKRFI.ORG.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Richard J. Coppola, Jr.
P.O Box 99
Langhorne, PA 19047

RECEIVED

30
JAN 22 2013

: No.: F-2012-2325791

Complainant

v.

PA PUBLIC UTILITY COMMISSION:
SECRETARY'S BUREAU

PECO Energy Company
2301 Market Street
Philadelphia, PA 19101

: Administrative Law

Respondent

COMPLAINANT'S MOTION TO STAY MARCH 22, 2013 HEARING

COMES NOW Complainant RICHARD COPPOLA and submits his Motion to Stay the March 22, 2013 hearing.

1. Complainant served Respondent with Request for Interrogatories, Set 1 on 10/17/2012 Electronically and by USPS.
2. Respondent failed and/or refused to serve a copy of their "responses" upon Complainant until 11/8/2012.
3. As a result of Respondent's failure to serve Complainant with their "response" to Complainant's Requests for Interrogatories, Set 1, Complainant expended approx. 2.8 hrs. of work preparing his original Motion to Compel, 3.1 hrs. On his herein referenced re-filing of his Motion to Compel, and 2.2 hrs. On various supportive communications to the Respondent which would have not been generated if not for Respondent's actions and strategic inaction as outlined in part herein.

4. After review of Respondent's response to Complainant's Interrogatory Requests, Respondent's so-called "responses" behind their abusive objections to virtually each and every request to Complainant's carefully prepared and focused requests which are relevant and that will no doubt lead to evidence required at trial, Respondents "responses" are non-responsive.

5. Complainant timely filed his Motion to Compel full and complete responses to Complainant's Request for Interrogatory Responses, Set 1 on 11/8/2012 served upon Respondent electronically and submitted to the Commission by USPS confirmed by certification of mailing hereafter referred to as "PUC" for filing on 11/9/12.

6. Complainant submitted an informal request to the Presiding Officer and Respondent for a hearing continuance on 1/7/13. Surprisingly, the Presiding Officer stated in his 1/14/13 Order "moreover, there was no indication from the fax that Ms. Lee was copied on the correspondence" when service to Ms. Lee by fax was CLEARLY shown on the very fax the Presiding Officer referenced.

7. Furthermore and even more surprisingly, within the same Order dated 1/14/13 the Presiding Officer states "moreover, upon review of the Commission's file on this matter, there is no outstanding Motion to Compel". This statement by the Presiding Officer to which he relied upon as the basis, purpose, scope, and extent of the rescheduled 1/23/13 hearing to 3/22/13 is quite astonishing considering the multiple service methods used between the Respondent and the Commission and all the previous electronic and mailed correspondence referencing Complainant's subject Motion. Referenced documents are attached hereto and marked collectively as Exhibit "A" at the upper right corner of the documents. The lower right exhibit ID marks are from previous pleading exhibits.

8. It is CLEAR that Complainant did in fact submit for filing and filed his Motion to Compel as well as his re-filed Motion to Compel discovery responses to which the

Respondent is keenly aware and to which the Commission is also aware by both specific filing and obvious communicative repeated filing references. To state and maintain that the March 22, 2013 hearing is to be an "evidentiary hearing" at this juncture is a violation of due process, inappropriate, and is severely prejudicial to Complainant's case. As stated on numerous occasions, the discovery process has just begun and Complainant is entitled to receive the discovery requested thus far so the discovery process can continue in the required progressive manner so Complainant can prosecute his case without being prejudiced.

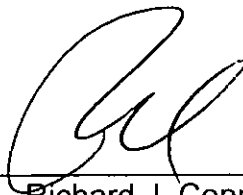
WHEREFORE Complainant respectfully requests that the Presiding Officer GRANT Complainant's request to STAY the March 22, 2013 evidentiary hearing until such time that discovery has been completed and closed and the parties are ready for trial.

Dated: 1/22/13

RECEIVED

JAN 22 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Richard J. Coppola, Jr.
Complainant
(215) 497-1000
(business - daytime phone)

(Mailing Address)
25 Parkside Drive
Langhorne, PA 19047

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Richard J. Coppola, Jr.
P.O Box 99
Langhorne, PA 19047

Complainant

v.

PECO Energy Company
2301 Market Street
Philadelphia, PA 19101

Respondent

: No.: F-2012-2325791

:

:

:

:

:

: Administrative Law

ORDER

AND NOW This _____ day of _____ 2013, Upon consideration of
Complainant's Motion to STAY the March 22, 2013 hearing, it is hereby ORDERED and
DECREED that Complainant's Motion is GRANTED.

RECEIVED

JAN 22 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Presiding Officer

CERTIFICATION OF SERVICE

I, Richard J. Coppola, Jr., do hereby certify that a true and correct copy of COMPLAINANT'S MOTION TO STAY MARCH 22, 2013 HEARING was served upon the Defendant by United States Postal Service and electronically in PDF file format, in accordance with the requirements of ss 1.54 on or about the below written date:

Dated: 1/22/13



Richard J. Coppola, Jr.
Complainant
(215) 497-1000
(business - daytime phone)

(Mailing Address)
25 Parkside Drive
Langhorne, PA 19047

PECO Energy Company
2301 Market Street
Philadelphia, PA 19101

Respondent

RECEIVED

JAN 22 2013

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

JAN 24 2013

United States Postal Service®
DELIVERY CONFIRMATION™



0310 3490 0001 4344 3102

Richard J. Coppola
25 Parkside Drive, Langhorne PA 19047 USA

Rosemary Chiavetta, Secretary - PUC
PO Box 3265
Harrisburg PA 17105



1006



17105

RECEIVED

JAN 22 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

U.S. POSTAGE
PAID
NEWTOWN, PA
18940
JAN 22, 13
AMOUNT

\$5.95
00067020-07



**PRIORITY®
MAIL**

UNITED STATES POSTAL SERVICE
Visit us at usps.com

Label 107R, January 2008