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# 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 RESPONSE TO RESPONDENT'S MOTION IN RESPONSE TO COMPLAINANT'S MOTION TO STAY MARCH 22, 2013 HEARING

Very Truly Yours,



**Richard Coppola, Jr.**  
RJC/lg  
2013/02/04 08:43:03  
Via.: USPS with Delivery Confirmation  
Page 1 of 1 plus attachments  
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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

: No.: F-2012-2325791

Complainant

v.

PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101

: Administrative Law

Respondent

**COMPLAINANT'S RESPONSE TO RESPONDENT'S MOTION IN RESPONSE  
TO COMPLAINANT'S MOTION TO STAY MARCH 22, 2013 HEARING**

COMES NOW Complainant RICHARD COPPOLA and submits his Response to respondent's motion in response to Complainant's Motion to Stay March 2013 Hearing.

1. No response is required.
2. Denied. The record speaks for itself.
3. No response is required.
4. Complainant is entitled to general personal information for individuals listed as they are directly involved in the subject matter for purposes of individual information, *discovery purposes, and service of process purposes including but not limited to* issuance of Subpoena's which is anticipated based upon evaluation of current discovery, future discovery production, or lack of production by respondent. Complainant is entitled to adequate responses to Complainant's other subject interrogatory requests as well. Discovery is ongoing and in its initial stage.
5. No response is required.
6. Respondent's evasive reply to Complainant's averment speaks for itself as so *does the record clearly supporting Complainant's averment. In fact, respondent filed it's formal objection to Complainant's informal request letter so it is perplexing how it is possible to "neither admit or deny" this fact.*

7. Again, Respondent's evasive reply to Complainant's averment speaks for itself as so does the record clearly supporting Complainant's averment. In fact, respondent was successfully served with a copy of Complainant's Motion to Compel by 2 separate service methods so it is perplexing how it is possible to "neither admit or deny" this fact.

8. The respondent is apparently unaware of the Commission rules regarding due process which no doubt respondent would like to deny Complainant which includes a discovery process inclusive but not limited to requests for interrogatories, requests for production of documents, request for admissions, depositions, etc. to which Complainant is entitled to. Complainant will certainly question respondent's witnesses at trial only after discovery has been completed and closed. It is inappropriate and extremely prejudicial to Complainant to have a motion to compel "resolved at ANY evidentiary hearing" per respondent self serving suggestion as the hearing would have to be continued in any event upon granting Complainant's motion so Complainant could have an opportunity to evaluate the subject responses and adequately prepare for trial. Additionally, respondent once again neglects the fact that Complainant's now 2 Motion's to Compel now before the commission are but a part of Complainant's overall anticipated discovery requirements.

9. Respondent's reply is not only quite ridiculous it should be insulting to the Commission as well. Again, it is plain to see that respondent welcomes any opportunity to deprive Complainant's due process rights including but not limited to Complainant's right to discovery. Respondent by and through their "attorney" should be ashamed of itself putting fourth comments like Complainant's right to discovery "are designed to harass and prolong the litigation". Quite the contrary. It has been the respondent who had prolonged the discovery process to date by and through their baseless and bad faith discovery objections, lack of adequate discovery responses, ongoing false and misleading averments and statements subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities, and frivolous motions designed only to hinder the discovery process and Complainant's prosecution of his case. If respondent acted with any measure of integrity to date this matter would be progressing in a manner consistent with Complainant's expectations.

10. There are now 2 pending Complainant Motions to Compel before the Commission. The time to decide these motions is well before any evidentiary hearing so appropriate action(s) can be take based upon the decision by the Commission on the subject motions. Finally and stated again herein and within virtually all previous

Complainant filings and correspondence, discovery has recently begun and is ongoing. Complainant requires full and complete responses to his discovery requests so he may adequately prosecute his case with due process and without prejudice.

WHEREFORE Complainant respectfully requests that the Presiding Officer GRANT Complainant's Motion to Stay the March 22, 2013 Hearing and DENY respondent's legally insufficient and baseless reply motion.

Dated: 2/4/13



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

(Mailing Address)  
25 Parkside Drive  
Langhorne, PA 19047

VERIFICATION

I, Richard J. Coppola, Jr., Complainant verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. Plaintiff understands that false statements herein are subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Dated: 2/4/13



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Langhorne, PA 19047

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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.

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Presiding Officer

CERTIFICATION OF SERVICE

I, Richard J. Coppola, Jr., do hereby certify that a true and correct copy of **COMPLAINANT'S RESPONSE TO RESPONDENT'S MOTION IN RESPONSE TO 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: 2/4/13



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

(Mailing Address)  
25 Parkside Drive  
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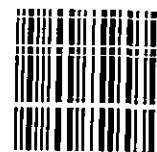
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Rosemary Chiavetta, Secretary - PUC  
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Harrisburg PA 17105

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