

DATE: April 25, 1997

SUBJECT: R-00973953  
R-00973954

TO: John Levin  
Law Bureau

FROM: James J. McNulty *ddt*  
Office of Prothonotary

KJR

Peco Energy Company  
and  
Pennsylvania Power and Light Company  
vs  
PA PUC

---

Attached for your information are the memoranda of the Bureau of CEEP, Fixed Utility Services and Consumer Services, evidencing that the PECO and PP&L Restructuring files are in substantial compliance with the Commission's requirements set forth at its order at M-00960890F0003.

Attachments

ddt

JACKETED

MAY 06 1997

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COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

April 8, 1997

**SUBJECT: Review of PECO Energy's Restructuring Proceeding**

**To: James McNulty  
Prothonotary**

**From: John C. Miller, Jr. P.E.  
Bureau of CEEP**

In response to your request for a technical review of PECO Energy's Restructuring Filing, the Bureau of CEEP has prepared the following memorandum.

PECO has seemingly met all filing requirements related to 66 Pa. C.S. §2806(E). CEEP neither supports the conclusions reached nor the methodologies used to reach those conclusions. CEEP is merely recognizing the filing and related materials.

If you have questions or need additional information please feel free to contact me at your convenience.

BUCKETED

MAY 06 1997

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**McNulty, James**

---

**From:** Hinton, Sara  
**To:** McNulty, James; Trout, Doreen  
**Subject:** FW: PECO & PP&L Restructuring Filings  
**Date:** Wednesday, April 23, 1997 11:25AM  
**Priority:** High

HERE YOU GO!

-----  
**From:** Hinton, Sara  
**To:** McNulty, James  
**Subject:** RE: PECO & PP&L Restructuring Filings  
**Date:** Wednesday, April 16, 1997 11:38AM

Anytime!

-----  
**From:** McNulty, James  
**To:** Hinton, Sara  
**Subject:** RE: PECO & PP&L Restructuring Filings  
**Date:** Wednesday, April 16, 1997 10:19AM

ok Sara, thank you kindly ,jim

-----  
**From:** Hinton, Sara  
**To:** McNulty, James  
**Cc:** Sauers, Louis; Williams, Wayne  
**Subject:** PECO & PP&L Restructuring Filings  
**Date:** Wednesday, April 16, 1997 10:17AM  
**Priority:** High

BCS has reviewed PECO & PP&L Restructuring Filings as they pertain to BCS' issues. In BCS' opinion, these filings are in substantial compliance with the Commission's Restruturing Order (i.e., provided answers to questions).

If you need anything further, let me know.

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: April 8, 1997  
SUBJECT: PP&L Restructuring Plan  
Docket No. R-00973954  
TO: James J. McNulty, Prothonotary  
FROM: Blaine J. Loper  
Bureau of CEEP

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We have completed our review of PP&L's Restructuring Plan filing and offer the following comments.

For the most part, PP&L's Plan adequately satisfies the data requirements contained in Appendix A of the Commission's Order of February 13, 1997, at Docket No. M-00960890, Folder 0003. There are, however, a few responses which appear to be incomplete. Some may be justified.

*Section D - Taxes.* Question 9: PP&L states that a copy of the official settlement is not available at this time.

*Section G - General.* Question 2: The system map is not available in electronic format. Question 3: A copy of the budget used as a basis for any base claim year was not provided. Question 7: A copy of PP&L's Annual Resource Planning Report was not provided because it is voluminous and contains confidential information. (PP&L filed this report with the Commission last year and submitted the confidential information under separate cover.) Question 8: Incomplete response which only references Question 7, referring to the Annual Resource Planning Report which PP&L did not provide.

*Section L - Restructuring Issues.* Question 4: No final determination made as to the amounts or timing of any securitization. Question 17: PP&L states that it is unable to respond due to lack of information within the data request.

*Section O - Corporate Finance and Structure.* Question 2: PP&L refuses to comment on potential mergers, consolidation, acquisition or disposition.

cc: Director Kaloko  
Barry Maddox  
Calvin Birge  
George Kogut

**COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
BUREAU OF FIXED UTILITY SERVICES**

DATE: April 11, 1997

SUBJECT: Pennsylvania Power & Light Company  
Restructuring Plan  
Docket Number R-00973954

TO: James J. McNulty, Deputy Prothonotary

FROM: Robert Bennett, Fixed Utility Manager  
Bureau of Fixed Utility Services

It is our opinion that the data filed in support of PP&L's restructuring plan meets the Commission's filing guidelines at Docket No. M-00960890, Order Entered, February 13, 1997.

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April 25, 1997

Paul R. Bonney, Esq.  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19103

Re: **Pennsylvania Public Utility Commission v. PECO Energy Company - Application of PECO Energy Company for Approval of its Restructuring Plan under Section 2806 of the Public Utility Code; Docket No. R-00973953**

Dear Mr. Bonney:

Please find enclosed two (2) copies of the Philadelphia Area Industrial Energy Users Group's Interrogatories, Set IV, to PECO Energy Company in the above-referenced proceeding.

Responses to these interrogatories are due within ten (10) days of service. Please endeavor to forward responses in an organized manner as they are completed; it is not necessary to await completion of all responses prior to forwarding those completed more quickly. Please send one (1) copy of your responses and all attachments to the undersigned. In addition, please provide one (1) copy of your responses and all attachments to:

Stephen J. Baron  
J. Kennedy and Associates, Inc.  
35 Glenlake Parkway, Suite 475  
Atlanta, GA 30328

DOCUMENT  
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VIA FEDERAL EXPRESS

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KJR

Paul R. Bonney, Esq.  
April 25, 1997  
Page 2

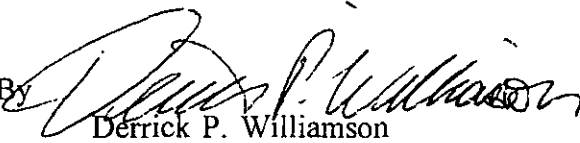
Please communicate any objections or questions that you may have to these interrogatories as quickly as possible.

Copies of these interrogatories are being served on all parties consistent with the attached Certificate of Service.

Thank you for your attention to this matter.

Very truly yours,

McNEES, WALLACE & NURICK

By   
Derrick P. Williamson

Counsel to the Philadelphia Area  
Industrial Energy Users Group

DPW/ah  
Enclosures

c: Certificate of Service  
Mr. Stephen J. Baron  
James J. McNulty, Prothonotary (transmittal letter and Certificate of Service only)

KAI4608115BONNEY6.LTR

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Interrogatories of the Philadelphia Area Industrial Energy Users Group upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL:

Tanya J. McCloskey, Esq.  
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CERTIFICATE OF SERVICE

Page 2

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204 State Street  
Harrisburg, PA 17101

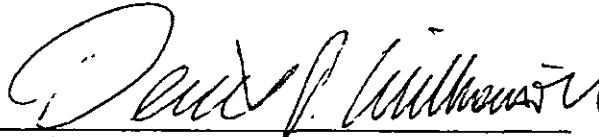
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Derrick P. Williamson

Dated this 25th day of April, 1997, in Harrisburg, Pennsylvania.

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April 25, 1997

Honorable Marlane R. Chestnut  
Honorable Charles E. Rainey, Jr.  
Administrative Law Judges  
Pennsylvania Public Utility Commission  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130

VIA FAX

KJR

**Re: Application of PECO Energy Company for Approval of its Restructuring Plan under Section 2806 of the Public Utility Code, Docket No. R-00973953**

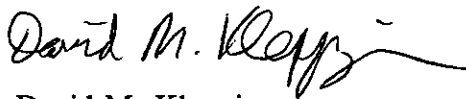
Dear Judges Chestnut and Rainey:

By letter dated April 24, 1997, PECO Energy Company indicated that it does not oppose the intervention and participation of the Philadelphia Area Industrial Energy Users Group ("PAIEUG") and supports PAIEUG's request for consolidation of the PAIEUG Complaint with the above-captioned proceeding. In addition, PECO requested that its Application be deemed sufficient to satisfy the Commission's requirements for answers to a complaint as found at 52 Pa. Code § 5.61. PAIEUG concurs with PECO's request and perceives no need for a formal answer to its Complaint.

Thank you for your attention to this matter.

Very truly yours,

McNEES, WALLACE & NURICK

By   
David M. Kleppinger

DOCKETED  
MAY 01 1997

DMK/dt  
cc: Paul R. Bonney, Esq. (Via Fax)  
Ward L. Smith, Esq. (Via Fax)  
James J. McNulty, Prothonotary (Via U.S. Mail)  
Service List (Via U.S. Mail)

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**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving a true copy of the foregoing letter upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**VIA FACSIMILE**

Paul R. Bonney, Esq.  
Ward L. Smith, Esq.  
PECO Energy Company  
2301 Market Street  
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000360

**VIA U.S. MAIL:**

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Page 2

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Philadelphia, PA 19141

  
David M. Kleppinger

Dated this 25th day of April, 1997, in Harrisburg, Pennsylvania.



# PECO ENERGY

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2301 Market Street  
PO Box 8699  
Philadelphia, PA 19101-8699  
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Fax 215 568 3389

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April 25, 1997

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Senior Vice President  
and General Counsel

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Edward J. Cullen, Jr.  
Todd D. Cutler  
Viina Waldron Gaston  
Gregory Golazeski  
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Mary McFall Hopper  
Stephen L. Huntoon  
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Jeffrey J. Norton  
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Wendy Schermer  
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Jenny P. Shulbank  
Ward L. Smith  
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Assistant General Counsel

**By Overnight Delivery**

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Assistant Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

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KJR

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

Dear Tanya:

Enclosed are PECO Energy Company's Answers to the Office of Consumer  
Advocate's Interrogatories:


Set I OCA-I-1, OCA-I-3, OCA-I-5 through OCA-I-10;

Set II OCA-II-11 and OCA-II-12;

Set III OCA-III-2 through OCA-III-7, OCA-III-9 through OCA-III-12, OCA-III-14,  
OCA-III-15, OCA-III-17 through OCA-III-32, OCA-III-36 through OCA-III-44 and  
OCA-III-46.

If you have any questions, please call me at (215) 841-4252.

Sincerely,

  
Paul Bonney

PRB/mbo  
Enclosures

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

Certificate of Service

I hereby certify that I have this date served Answers to Office of Consumer Advocate's Interrogatories:

- Set I OCA-I-1, OCA-I-3, OCA-I-5 through OCA-I-10;
- Set II OCA-II-11 and OCA-II-12;
- Set III OCA-III-2 through OCA-III-7, OCA-III-9 through OCA-III-12, OCA-III-14, OCA-III-15, OCA-III-17 through OCA-III-32, OCA-III-36 through OCA-III-44 and OCA-III-46.

by facsimile, first class or overnight/express mail, upon the persons addressed below:

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Office of Trial Staff  
901 North 7<sup>th</sup> Street, 3<sup>rd</sup> Floor Rear  
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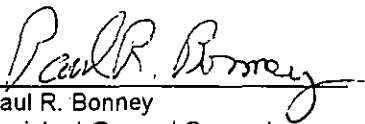
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Boston, MA 02108

  
Paul R. Bonney  
Assistant General Counsel  
PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-4252

Dated: April 25, 1997

COMMONWEALTH OF PENNSYLVANIA

DATE: April 28, 1997

SUBJECT: R-00973953

KJR

TO: Office of Administrative Law Judge

FROM: *WJ* John G. Alford, Secretary

APPLICATION OF PECO ENERGY COMPANY FOR APPROVAL OF ITS  
RESTRUCTURING PLAN UNDER SECTION 2806 OF THE PUBLIC  
UTILITY CODE

---

Attached is copy of a Petition to Intervene of Allegheny Power and American Association of Retired Persons (AARP) filed in connection with the above docketed proceeding.

This matter is assigned to your Office for appropriate action.

**DOCKETED** DOCUMENT  
MAY 01 1997  
**FOLDER**

Attachment

cc: Office of Trial Staff - w/copy of petition

wjz



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

April 28, 1997

In Re: R-00973953,  
R-00973953 C0001-C0007

DOCUMENT  
FOLDER

DOCKETED

MAY 7 1997

(See letter dated 04/21/97)

PECO ENERGY COMPANY

Application for approval of a Restructuring Plan and Consumer Education Program.

KJR

CORRECTED NOTICE

Our notice dated April 21, 1997 indicated an incorrect date for the Further Hearing on Monday August 19 a reprint of that notice with the correct information follows.

This is to inform you that **Initial and Further Hearings** on the above-captioned case will be held in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania.

Date: **Monday, August 4, 1997 Initial Hearing**  
**Tuesday, August 5, 1997-Friday August 8, 1997 Further Hearings**  
**Monday, August 11-Friday, August 15, 1997 Further Hearings**  
**Monday, August 18 (Correction) -Friday, August 22, 1997 Further Hearings**

Time: **10:00 a.m.**

Presiding Officers: **Administrative Law Judge Marlane R. Chestnut**  
**Administrative Law Judge Charles E. Rainey, Jr.**  
1302 Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania 19130  
Telephone (215) 560-2105

Please mark your records accordingly

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call Norma Lewis at the Public Utility Commission.

810000

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing impaired:  
1-800-654-5988.

pc: Judge Chestnut  
Judge Rainey  
Kevin Cadden - BPL 111  
John Frazier - BPL 101  
Office of Trial Staff (2)  
Consumer Advocate  
Small Business Advocate  
Bill Barrett - FUS  
Norma Lewis  
Steve L. Springer, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File



# PECO ENERGY

000249

97 MAY -1 AM 11:57

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Ward L. Smith  
Dawn Getty Sutphin  
Noel H. Trask  
Assistant General Counsel

Direct Dial: 215 841 4252

April 28, 1997

By Overnight Delivery

DOCUMENT  
FOLDER

Kenneth L. Mickens, Senior Prosecutor  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

KJR

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

Dear Ken:

Enclosed are PECO Energy Company's Answers to the Office of Trial Staff's  
Interrogatories:

Set I OTS-RB-1 and OTS-RB-6 through OTS-RB-26.

Sincerely,

Paul Bonney

PRB/mbo

Enclosures

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

DOCKETED  
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DOCKETED  
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I hereby certify that I have this date served the following Answers by facsimile, first class or overnight/express mail, upon the persons addressed below:

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Philadelphia Area Industrial Energy Users Group's Interrogatory: **Set I** PAIEUG-I-7.

Office of Trial Staff's Interrogatories: **Set I** OTS-RB-1 and OTS-RB-6 through OTS-RB-26.

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Pennsylvania Public Utility Commission  
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Washington, DC 20005-2301  
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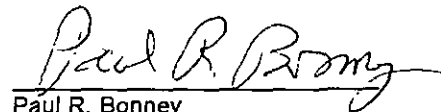
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Paul R. Bonney  
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(215) 841-4252

Dated: April 28, 1997



# PECO ENERGY

Legal Department

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215 841 5544  
Fax 215 568 3389

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### By Overnight Delivery

David M. Kleppinger, Esquire  
McNees, Wallace & Nurick  
100 Pine Street  
Harrisburg, PA 17108-1166

April 28, 1997

DOCUMENT  
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KJR

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

Dear David:

Enclosed is PECO Energy Company's Answer to Philadelphia Area Industrial  
Energy Users Group's Interrogatory:

Set 1 PAIEUG-I-7

Sincerely,

Paul Bonney

PRB/mbo

Enclosure

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

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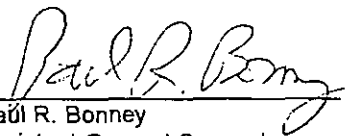
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Assistant General Counsel  
PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-4252

Dated: April 28, 1997



# PECO ENERGY

Legal Department

000253

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Philadelphia, PA 19101-8699  
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Direct Dial: 215 841 4252

April 28, 1997

**By Overnight Delivery**

Tanya McCloskey  
Assistant Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

KJR

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

Dear Tanya:

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Set III OCA-III-1, OCA-III-8, OCA-III-13, OCA-III-16 and OCA-III-34.

If you have any questions, please call me at (215) 841-4252.

Sincerely,

Paul Bonney

DOCUMENT  
FOLDER

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Enclosures

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

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901 - 15<sup>th</sup> Street, NW  
Washington, DC 20005-2301  
(Counsel for Allegheny Power)

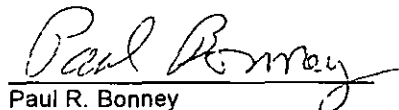
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Paul R. Bonney  
Assistant General Counsel  
PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-4252

Dated: April 28, 1997

# American Energy Solutions, Inc.

California • Kansas • Ohio • Pennsylvania • Virginia

April 29, 1997

VIA FEDERAL EXPRESS

James J. McNulty  
Acting Prothonotary  
Pennsylvania Public Utility Commission  
North Office Building, Room B-20  
Commonwealth Avenue and North Street  
Harrisburg, PA 17120

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APR 29 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

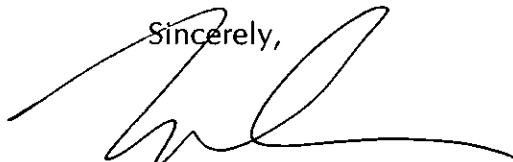
Re: Docket No. R-00973953

ORIGINAL

Dear Prothonotary McNulty:

Enclosed for filing in the above-referenced proceeding are an original and sixteen (16) copies of the Petition to Intervene of American Energy Solutions, Inc. Kindly acknowledge receipt hereof by time-stamping an extra copy of the Petition and returning it to us in the self-addressed stamped envelope provided.

Sincerely,



Michael L. Kessler  
Vice President and General Counsel

cc: Service List

DOCUMENT  
FOLDER

48

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

APR 29 1997

\_\_\_\_\_  
)  
Application of PECO Energy Company for )  
Approval of its Restructuring Plan Under )  
Section 2806 of the Public Utility Code. )  
\_\_\_\_\_

PA PUBLIC UTILITY COMMISSION  
Docket No. R-00973953 PROTHONOTARY'S OFFICE

ORIGINAL

PETITION TO INTERVENE OF  
AMERICAN ENERGY SOLUTIONS, INC.

Pursuant to Section 5.72 of the Commission's Rules of Practice and Procedure, 52 Pa. Code § 5.72, American Energy Solutions, Inc. ("American Energy™") respectfully submits this petition to intervene in the above-captioned proceeding. In support, American Energy states as follows:

1. American Energy provides consulting, regulatory, and energy procurement and management services on behalf of wholesale and retail energy consumers nationwide. American Energy, which has received its power marketer certificate from the Federal Energy Regulatory Commission, is and will be providing such services to energy consumers in the Commonwealth of Pennsylvania, including customers in the service territory of PECO Energy Company ("PECO"). The ability of American Energy to provide such services may be adversely affected by PECO's proposed Restructuring Plan submitted in this docket, as further described below.<sup>1</sup>

<sup>1</sup> American Energy is completing its licensing application for submission to the Commission consistent with the recently enacted Electricity Generation Customer Choice and Competition Act (the "Act").

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2. All notices and communications to American Energy with respect to this proceeding should be sent to:

Michael L. Kessler  
Vice President and General Counsel  
American Energy Solutions, Inc.  
111 South Alfred Street  
Alexandria, VA 22314  
(703) 684-1006  
(703) 683-3256 fax

3. In the instant proceeding, PECO seeks permission of the Commission to implement its proposed Restructuring Plan (the "Restructuring Plan") pursuant to Section 2806(D) of the Act and the Commission's Order at Docket No. M-00960890 (the "Order"). In its Order, the Commission offered interested parties the opportunity to file comments, complaints, protests, interventions or other proceedings in response to specific Restructuring Plans such as that being presented by PECO. As a customer-oriented provider of energy procurement and management services, including marketing and aggregation services, American Energy may be adversely affected by the Restructuring Plan as presented by PECO.

4. Specifically, PECO has proposed, in an extensive filing and supporting documentation, to establish: "unbundled" retail rates; the level of recovery of CTC and stranded costs; a program for universal service and energy conservation; procedures for ensuring direct access; billing protocols and procedures; transmission and related ancillary services; standards of reliability and its ongoing "obligation to serve"; and, standards of conduct, among other matters. The Commission's determinations with respect to each of these matters will affect the ability of American Energy to effectively compete with PECO and to provide the consumers of Pennsylvania the types of benefits contemplated by the Act.

WHEREFORE, American Energy Solutions, Inc. respectfully requests that it be granted leave to intervene and file these comments in the above-captioned proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael L. Kessler', is written over a solid horizontal line.

Michael L. Kessler  
Vice President and General Counsel  
American Energy Solutions, Inc.  
111 South Alfred Street  
Alexandria, VA 22304  
(703) 684-1006

Dated: April 29, 1997

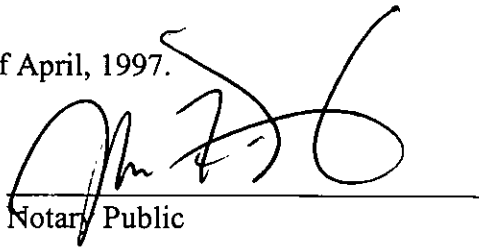
**AFFIDAVIT**

Michael L. Kessler, being duly sworn according to law, deposes and says that he is General Counsel for American Energy Solutions, Inc. in this proceeding, that in this capacity he is authorized to and does make this Affidavit for them, and that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of his knowledge, information and belief.



Michael L. Kessler

Sworn and subscribed to me this 29<sup>th</sup> day of April, 1997.



Notary Public

My Commission Expires 7/31/99

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

APR 29 1997

\_\_\_\_\_  
Application of PECO Energy Company for )  
Approval of its Restructuring Plan Under )  
Section 2806 of the Public Utility Code. )  
\_\_\_\_\_

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE  
Docket No. R-00973953

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of § 1.54 of the Commission's Rules of Practice and Procedure.

Marlane R. Chestnut, ALJ  
Pennsylvania Public Utility Commission  
1302 Philadelphia State Office Building  
Broad & Spring Garden Streets  
Philadelphia, PA 19130

Steven Steinmetz, Esq.  
Tanya J. McCloskey, Esq.  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

Charles E. Rainey, Jr.  
Pennsylvania Public Utility Commission  
1302 Philadelphia State Office Building  
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David M. Kleppinger, Esq.  
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Office of Small Business Advocate  
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Kenneth Mickens  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
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Philadelphia, PA 19103-4252

Kenneth Zielonis  
Stevens & Lee  
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Regulatory Law Office  
Office of the Judge Advocate General  
Department of the Army  
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Indianapolis Power & Light Co.  
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Donald A. Kaplan, Esq.  
Preston Gates Ellis & Rouvelas Meeds  
1735 New York Avenue, N.W.  
Suite 500  
Washington, DC 20006-4759

Dated this 29th day of April, 1997.

Counsel for:  
American Energy Solutions, Inc.



Michael L. Kessler

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JAMES L. FRITZ  
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JOHN S. OYLER  
GARY A. RITTER  
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JENNIFER L. BAKER  
RICHARD J. BIEL  
JEFFREY F. CHAMPAGNE  
JAMES P. DEANGELO  
JAMES P. DOUGHERTY  
KATHLEEN A. DUNST  
DEBRA P. FOURLAS  
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JAMES W. KUTZ

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F. STEPHENSON MATTHES  
JON R. MOONEY  
SHARON R. PAXTON  
CHAD F. PHIPPS  
PAMELA C. POLACEK  
JONATHAN H. RUDD  
BRUCE R. SPICER  
CAROL A. STEINOUR  
SUSAN V. STEWART  
ROBERT F. TEPLITZ  
ROBERT A. WEISHAAR, JR.  
DERRICK P. WILLIAMSON  
JOHN A. WITHEROW, JR.  
KATHLEEN A. WOLOWSKI  
SAMUEL S. YUN

Writer's Direct Dial:  
(717) 237-5446

E-Mail: [dwilliam@mwn.com](mailto:dwilliam@mwn.com)

April 29, 1997

Paul R. Bonney, Esq.  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19103

Re: **Pennsylvania Public Utility Commission v. PECO Energy Company - Application of PECO Energy Company for Approval of its Restructuring Plan under Section 2806 of the Public Utility Code; Docket No. R-00973953**

Dear Mr. Bonney:

Please find enclosed two (2) copies of the Philadelphia Area Industrial Energy Users Group's Interrogatories, Set V, to PECO Energy Company in the above-referenced proceeding.

Responses to these interrogatories are due within ten (10) days of service. Please endeavor to forward responses in an organized manner as they are completed; it is not necessary to await completion of all responses prior to forwarding those completed more quickly. Please send one (1) copy of your responses and all attachments to the undersigned. In addition, please provide one (1) copy of your responses and all attachments to:

Stephen J. Baron  
J. Kennedy and Associates, Inc.  
35 Glenlake Parkway, Suite 475  
Atlanta, GA 30328

**VIA FEDERAL EXPRESS**

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ROTHENOTARY OFFICE

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Paul R. Bonney, Esq.  
April 29, 1997  
Page 2

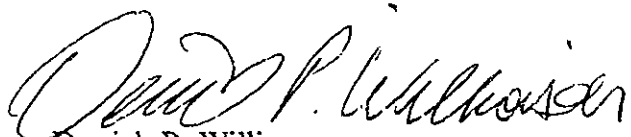
Please communicate any objections or questions that you may have to these interrogatories as quickly as possible.

Copies of these interrogatories are being served on all parties consistent with the attached Certificate of Service.

Thank you for your attention to this matter.

Very truly yours,

McNEES, WALLACE & NURICK

By   
Derrick P. Williamson

Counsel to the Philadelphia Area  
Industrial Energy Users Group

DPW/aeH  
Enclosures

c: Certificate of Service  
Mr. Stephen J. Baron  
James J. McNulty, Prothonotary (transmittal letter and Certificate of Service only)

KA14608115BONNEY6.LTR

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Interrogatories of the Philadelphia Area Industrial Energy Users Group upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL:

Tanya J. McCloskey, Esq.  
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Harrisburg, PA 17120

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Office of Small Business Advocate  
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Harrisburg, PA 17101

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Preston, Gates, et al.  
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Page 2

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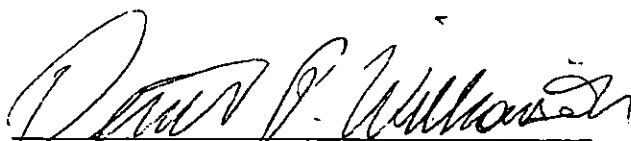
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Allegheny Power  
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Mr. Brian Kalcic  
Excel Consulting  
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Joel D. Newton, Esq.  
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& Hand  
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Washington, DC 20005-2301

Craig A. Doll, Esq.  
214 State Street  
Harrisburg, PA 17101

  
Derrick P. Williamson

Dated this 29th day of April, 1997, in Harrisburg, Pennsylvania.

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SAMUEL B. RUSSELL  
W. EDWIN OGDEN  
ALAN MICHAEL SELTZER  
TERRANCE J. FITZPATRICK  
JEFFREY A. FRANKLIN  
JANET E. ARNOLD  
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800 NORTH THIRD STREET  
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JOHN S. MCCONAGHY (1981)

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19610-1221  
TELEPHONE: (610) 372-4761  
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April 30, 1997

James J. McNulty, Esquire  
Deputy Prothonotary  
Pennsylvania Public Utility Commission  
206 North Office Building  
Harrisburg, Pennsylvania 17105-3265

ORIGINAL

**Re: Application of PECO Energy Company  
for Approval of its Restructuring Plan  
Docket No. R-00973953**


Dear Mr. McNulty:

Enclosed for filing with the Commission in the above captioned proceeding are an original and three (3) copies of the Petition to Intervene of Metropolitan Edison Company and Pennsylvania Electric Company, individually and collectively trading as GPU Energy.

Copies of this petition are being served upon the parties of record in this proceeding and the presiding Administrative Law Judges, as shown on the attached Certificate of Service.

Please do not hesitate to contact me if you have any questions regarding this filing.

Very truly yours,



Terrance J. Fitzpatrick

TJF/cc

Enclosure

cc: Honorable Marlane R. Chestnut  
Honorable Charles E. Rainey, Jr.  
All parties of record

DOCUMENT  
FOLDER

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Application of PECO Energy Company :  
Company for Approval of its Restructuring :  
Plan Under Section 2806 of the Public : Docket No. R-00973953  
Utility Code :

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91 APR 30 PM 3:46  
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PROTHONOTARY

PETITION TO INTERVENE OF GPU ENERGY

Metropolitan Edison Company ("Met-Ed") and Pennsylvania Electric Company ("Penelec"), individually and collectively trading as GPU Energy, file this Petition to Intervene in the above-referenced matter involving the Application of PECO Energy Company ("PECO") for approval of its restructuring plan under § 2806 of the Public Utility Code. In support of this Petition, filed pursuant to this Commission's regulations at 52 Pa.Code § 5.71, GPU states as follows:

1. GPU Energy is the trade name for Met-Ed and Penelec, two jurisdictional public utilities providing generation, transmission, distribution and related services to retail customers in portions of the Commonwealth of Pennsylvania.

2. GPU Energy's principal place of business is located at:

2800 Pottsville Pike  
Reading, PA 19640-0001

3. GPU Energy will be represented in this proceeding by Ryan, Russell,

Ogden and Seltzer, and specifically by the individuals listed below:

Terrance J. Fitzpatrick, Esquire  
David M. DeSalle, Esquire  
RYAN, RUSSELL, OGDEN & SELTZER LLP  
800 North Third Street, Suite 101  
Harrisburg, PA 17102-2025  
Phone: (717) 236-7714

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The aforesaid counsel request that they be placed on the official service list for all documents filed by any of the parties in this proceeding.

4. On December 3, 1996, Governor Tom Ridge signed into law the Electricity Generation Customer Choice and Competition Act ("Act"), 66 Pa.C.S. §§ 2801-2812, that provides for the restructuring of the electric industry in Pennsylvania.

5. Section 2806(d) of the Act requires all electric utilities in the Commonwealth to submit restructuring plans to the Commission, on the schedule established by the Commission, beginning on April 1, 1997 and ending no later than September 30, 1997.

6. PECO filed the instant Application for approval of its restructuring plan with this Commission on April 1, 1997 in accordance with §2806 of the Act.

7. GPU Energy consists of two of the seven major electric utilities in the Commonwealth which are subject to the provisions of the Act, including the requirement to file a Restructuring Plan pursuant thereto.

8. The Commission has scheduled GPU Energy to file its Restructuring Plan on June 1, 1997.

9. Over the next few months all of the electric utilities in the Commonwealth will be filing with the Commission applications for approval of Restructuring Plans under the Act. Certain issues of first impression will or may arise in these proceedings, and the Commission's resolution of these issues in the earlier proceedings could have a precedential impact on later proceedings, although GPU Energy contends that the Commission should resolve many of these issues or policies on a case-by-case basis due to the importance of the issues to each utility and its customers, the complexity of the issues, the short time frames for the Commission's decisions, and the significantly different circumstances facing the Commonwealth's electric utilities.

10. PECO's restructuring proceeding will address the methodology and procedures for projecting future competitive market prices, calculating a utility's stranded costs, and determining the recoverability of stranded costs, among other issues.

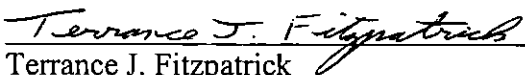
11. GPU Energy's participation in this proceeding as an active party is necessary to protect its substantial and unique interests with regard to certain issues under the Act that will or may be raised in the proceeding.

12. GPU Energy's intervention will not unduly burden the record in this proceeding. GPU Energy's participation in this proceeding will be limited to establishing its position on certain issues that will also be present in GPU Energy's restructuring proceeding.

13. GPU Energy was granted leave to intervene in PECO Energy Company's Application for a Qualified Rate Order, Docket No. R-00973877.

WHEREFORE, for all the foregoing reasons, Metropolitan Edison Company and the Pennsylvania Electric Company, doing business as GPU Energy, respectfully request that this Commission grant this Petition and approve their intervention as an active party of record in this proceeding.

Respectfully submitted,

  
\_\_\_\_\_  
Terrance J. Fitzpatrick  
David M. DeSalle  
RYAN, RUSSELL, OGDEN & SELTZER LLP  
800 North Third Street, Suite 101  
Harrisburg, PA 17120  
Phone: (717) 236-7714

Attorneys for  
Metropolitan Edison Company and  
Pennsylvania Electric Company, doing  
business as GPU Energy

## Certificate of Service

I hereby certify that I have this day served by first class mail a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of § 1.54 (relating to service by a participant.)

Honorable Marlane R. Chestnut  
Administrative Law Judge  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130

Honorable Charles E. Rainey, Jr.  
Administrative Law Judge  
1302 Philadelphia State Office Building  
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Janet Miller, Esquire  
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Senator Vincent J. Fumo  
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David Boonin  
New Energy Ventures  
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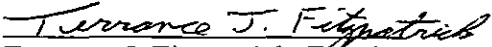
Linda C. Smith, Esquire  
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Gerald Gornish, Esquire  
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Wolf, Block, Schorr & Solis-Cohen  
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Harrisburg, PA 17101

Craig A. Doll, Esquire  
Delmarva Power & Light Company  
214 State Street  
Harrisburg, PA 17101

Bruce A. Connell, Esquire  
DuPont Power Marketing Inc.  
600 North Dairy Ashford, ML-1034  
Houston, Texas 77079

Dated this April day of 30, 1997.

  
Terrance J. Fitzpatrick, Esquire



DEPARTMENT OF THE NAVY  
NAVAL FACILITIES ENGINEERING COMMAND  
LITIGATION HEADQUARTERS 09L  
WASHINGTON NAVY YARD BUILDING 218  
901 M STREET SE  
WASHINGTON DC 20374-5018

IN REPLY REFER TO:

30 April 1997

ORIGINAL

Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265, Harrisburg, PA 17105-3265

FedEx address:  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
North Office Building  
Room B120  
Commonwealth and North Streets  
Harrisburg, PA 17120  
(717) 787-8147

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APR 30 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Re: R-00973953  
PECO Energy Company  
Application for approval of a Restructuring Plan  
and Consumer Education Program

KJR

To Whom It May Concern:

Please accept for filing the original and 3 copies of the Request to Intervene by the Department of the Navy in the above-captioned action. Please do not hesitate to contact the undersigned if there are any questions.

Respectfully submitted,

AUDREY VAN DYKE  
(Associate Counsel, Litigation)  
Naval Facilities Engineering Command  
Acting as Attorney for  
the Secretary of the Navy  
(202) 685-1931

cc:(w/encl)  
Service List  
Administrative Law Judge Marlane R. Chestnut  
Administrative Law Judge Charles E. Rainey, Jr.

DOCUMENT  
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109

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH OF PENNSYLVANIA

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APR 30 1997

In Re:

PEPCO Energy Company

) Docket No. R-00973953  
)

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

MOTION TO INTERVENE AND BECOME A PARTY

This Motion to Intervene and Become a Party before the Pennsylvania Public Utility Commission is respectfully submitted by the Department of the Navy. As ground for said intervention, Movant avers as follows:

1. Movant maintains military installations within the Commonwealth of Pennsylvania which activities obtain and use electric services from PECO Energy Company.
2. The nature of the matters which are the subject of this docket could have a substantial impact on the Movant.
3. Movant's intervention would serve the public interest by assisting in the development of a sound record through Movant's participation.
4. Communications in regard to this petition are to be addressed to:

Mr. Sam DeFrawi  
Director, Navy Rate Intervention  
Washington Navy Yard, Building 212, Code 00RI  
901 M Street, S.E.  
Washington, D.C. 20374-5018

DOCKETED  
MAY 7 1997

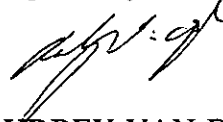
with copy to:  
Audrey Van Dyke  
Associate Counsel (Litigation)  
Naval Facilities Engineering Command  
Washington Navy Yard, Building 218, Room 200  
901 M Street, S.E.  
Washington, D.C. 20374-5018

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WHEREFORE, Movant requests that the Commission grant the Motion of the Department of the Navy to Intervene and Become a Party hereto with the right to have notice of and appear at the taking of testimony, produce and cross examine witnesses, and be heard in person or by counsel, upon brief and at oral argument, if oral argument is granted, and to otherwise be granted full party status herein.

Dated the 30th day of April 1997.

Respectfully submitted,



AUDREY VAN DYKE

(Associate Counsel, Litigation)

Naval Facilities Engineering Command  
Acting as Attorney for  
the Secretary of the Navy  
(202) 685-1931



# PECO ENERGY

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Fax 215 568 3389

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Jenny P. Shulbank  
Ward L. Smith  
Dawn Getty Sutphin  
Noel H. Trask  
Assistant General Counsel

Direct Dial: 215 841 4252

April 30, 1997

## By Overnight Delivery

Derrick P. Williamson, Esquire  
McNees, Wallace & Nurick  
100 Pine Street  
Harrisburg, PA 17108-1166

0000361

KJR

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

Dear Derrick:

Enclosed are PECO Energy Company's Answers to Philadelphia Area Industrial  
Energy Users Group's Interrogatory:

Set I PAIEUG-I-1; PAIEUG-I-3 through PAIEUG-I-6; and PAIEUG-I-10 through  
PAIEUG-14.

Set III PAIEUG-III-23 and PAIEUG-III-24.

Sincerely,

Paul Bonney

PRB/mbo

Enclosure

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

97 MAY - PH 2021  
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Office of Trial Staff's Interrogatories: **OTS-RR-1 through OTS-RR-10; and OTS-RR-12 through OTS-RR-15.**

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Pennsylvania Public Utility Commission  
Office of Trial Staff  
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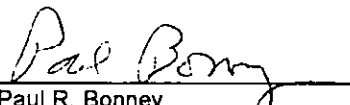
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Paul R. Bonney  
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2301 Market Street, S23-1  
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(215) 841-4252

Dated: April 30, 1997



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Assistant General Counsel

Direct Dial: 215 841 4252

April 30, 1997

## By Overnight Delivery

Kenneth L. Mickens, Senior Prosecutor  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
901 North 7<sup>th</sup> Street Rear  
Harrisburg, PA 17120

00365

KJR

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

RECEIVED  
PROTHONOTARY'S OFFICE  
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Dear Ken:

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Interrogatories:

OTS-RR-1 through OTS-RR-10; and OTS-RR-12 through OTS-RR-15.

Sincerely,

Paul Bonney

PRB/mbo

Enclosures

DOCUMENT  
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cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

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Dated: April 30, 1997

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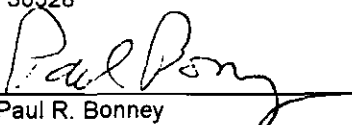
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# PECO ENERGY

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Direct Dial: 215 841 4252

April 30, 1997

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**By Overnight Delivery**  
Tanya McCloskey  
Assistant Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

000303

Dear Tanya:

Enclosed is PECO Energy Company's Answer to the Office of Consumer  
Advocate's Interrogatory:

Set III OCA-III-48.

If you have any questions, please call me at (215) 841-4252.

Sincerely,

Paul Bonney

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PRB/mbo  
Enclosures

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

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000364

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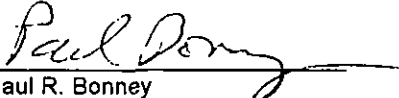
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Atlanta, GA 30328

  
Paul R. Bonney  
Assistant General Counsel  
PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-4252

Dated: April 30, 1997

COMMONWEALTH OF PENNSYLVANIA

DATE: May 1, 1997

SUBJECT: R-00973953

KJR

TO: Office of Administrative Law Judge

FROM: *WJR* John G. Alford, Secretary

PECO ENERGY COMPANY FOR APPROVAL OF ITS RESTRUCTURING  
PLAN

---

Attached is copy of a Petition to Intervene of Metropolitan Edison Company, Pennsylvania Electric Company; and American Energy Solutions, Inc. filed in connection with the above docketed proceeding.

This matter is assigned to your Office for appropriate action.

Attachment

cc: OTS

wjz

**DOCKETED**

**MAY 05 1997**

**DOCUMENT  
FOLDER**



# PECO ENERGY

000146

Legal Department

PECO Energy Company  
2301 Market Street  
PO Box 8699  
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Edward J. Cullen, Jr.  
Todd D. Cutler  
Viina Waldron Gaston  
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Susan E. Sciamanna  
Jenny P. Shulbank  
Ward L. Smith  
Dawn Getty Sutphin  
Noel H. Trask  
Assistant General Counsel

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PROTHONOTARY'S OFFICE Direct Dial: 215 841 4252

May 1, 1997

**By Overnight Delivery**

Tanya McCloskey  
Assistant Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

KJR

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

Dear Tanya:

Enclosed is PECO Energy Company's Answer to the Office of Consumer  
Advocate's Interrogatory:

Set III OCA-III-47.

If you have any questions, please call me at (215) 841-4252.

Sincerely,

*Paul Bonney/mbo*

Paul Bonney

PRB/mbo  
Enclosures

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

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Office of Trial Staff's Interrogatories: OTS-RB-2 and OTS-RB-5.

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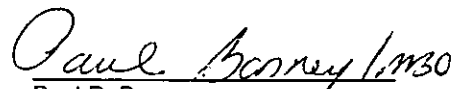
Janet Miller, Esquire  
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2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-4252

Dated: May 1, 1997



# PECO ENERGY

000144

Legal Department

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Fax 215 568 3389

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Noel H. Trask  
Assistant General Counsel

May 1, 1997

KJR

## By Overnight Delivery

Derrick P. Williamson, Esquire  
McNees, Wallace & Nurick  
100 Pine Street  
Harrisburg, PA 17108-1166

Re: Application of PECO Energy Company for Approval of its Restructuring  
Plan under Section 2806 of the Public Utility Code  
Docket No. R-00973953

Dear Derrick:

Enclosed are PECO Energy Company's Answers to Philadelphia Area Industrial  
Energy Users Group's Interrogatories:

Set II PAIEUG-II-25 and PAIEUG-II-26.

Set III PAIEUG-III-2; PAIEUG-III-4 through PAIEUG-III-10; PAIUEG-III-12; and  
PAIEUG-III-16 through PAIEUG-III-22.

Sincerely,

*Paul Bonney /mbo*

Paul Bonney

PRB/mbo

Enclosure

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

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Office of Trial Staff's Interrogatories: OTS-RB-2 and OTS-RB-5.

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(215) 841-4252

Dated: May 1, 1997



# PECO ENERGY

000142

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Noel H. Trask  
Assistant General Counsel

Direct Dial: 215 841 4252

May 1, 1997

## By Overnight Delivery

Kenneth L. Mickens, Senior Prosecutor  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
901 North 7<sup>th</sup> Street Rear  
Harrisburg, PA 17120

KJR

Re: Application of PECO Energy Company for Approval of its Restructuring  
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Docket No. R-00973953

Dear Ken:

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Sincerely,

*Paul Bonney / mbo*

Paul Bonney

PRB/mbo

Enclosures

cc: w/enclosures  
Certificate of Service (w/enclosure)  
James McNulty, Acting Prothonotary (Certificate of Service Only)

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Roger Clark, Esquire  
NESIP 905 Denston Drive  
Ambler, PA 19002-3901

DATE: May 2, 1997

SUBJECT: R-00973953

TO: Office of Administrative Law Judge

KJR

FROM: *WJZ* John G. Alford, Secretary

APPLICATION OF PECO ENERGY COMPANY FOR  
APPROVAL OF ITS RESTRUCTURING PLAN

---

Attached is copy of a Petition to Intervene of the Department of the Navy filed in connection with the above docketed proceeding.

This matter is assigned to your Office for appropriate action.

Attachment

cc: OTS

wjz

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