



# PECO ENERGY

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June 25, 1997

**By Fax and First Class Mail**

**DOCUMENT  
FOLDER**

KJR

Daniel Clearfield, Esq.  
Alan Kohler, Esq.  
Wolf, Block, Schorr and Solis-Cohen  
305 N. Front Street, Suite 401  
Harrisburg, PA 17101

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

003154

Dear Dan and Alan:

Enclosed are two copies of PECO Energy Company's Interrogatories to Enron Set IV.

Sincerely,

Paul Bonney  
Ward L. Smith

**DOCKETED**

JUL 11 1997

RECEIVED  
PROTHONOTARY'S OFFICE  
97 JUN 27 AM 9:34

PRB/mtg

Enclosures

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

## INSTRUCTIONS

A. In answering these Interrogatories and Document Requests (collectively, the "Discovery Requests"), furnish all information available to you, including any such information in possession of your attorneys or anyone acting on your behalf, and not merely such information known of your own personal knowledge. If you cannot answer the Discovery Requests in full after exercising due diligence to secure the information to do so, so state and answer to the extent possible.

B. If the answer to any of the Discovery Requests is that you lack knowledge of some or all of the requested information, describe all efforts made by you to obtain the information necessary to answer that Discovery Request.

C. If any matter responsive to any of the Discovery Requests is withheld based on any claim of privilege, describe generally the matter withheld, state the privilege being relied upon, and identify all persons or entities who have or have had access to said matters. If you refuse to describe and/or produce any document on the basis of a claim of privilege or protection from discovery of any kind, with respect to each such document, set forth the following information:

- (i) the date of the document;
- (ii) its authors;
- (iii) all recipients of the document;
- (iv) the present location and custodian of the document; and
- (v) the basis of the claim of privilege or protection from discovery.

In addition, if you refuse to produce information based on the ground that such information is preliminary and/or still in draft form, set forth the following information:

(i) the date the information was first created or recorded;

(ii) the last date on which the information was changed or altered in any manner; and

(iii) the expected date that the information will be finalized.

D. Each lettered sub-part of a numbered Discovery Request is to be considered a separate Discovery Request for the purpose of Plaintiff's answers and objections. You must object separately to each sub-part and must answer any other sub-parts.

E. These Discovery Requests are to be deemed continuing in nature, and you shall promptly supply, by way of supplemental response, any additional responsive information that may become known to you or anyone acting on your behalf after your answers have been prepared or served.

F. For all documents produced, identify by Bates number which document or documents are responsive to each separate Discovery Request. If you respond by stating that the requested documents already have been produced in response to prior discovery requests, identify the responsive documents previously produced either by Bates number or by describing the author(s), recipients(s), date of creation, and general description of the document. If you respond by stating that the requested information already has been produced in response to prior discovery requests or as part of your testimony, identify by date, specific page number(s), and general description the prior discovery responses or portions of testimony that are responsive.

### **DEFINITIONS**

A. "You" refers to the company, agency, or organization to whom PECO has directed

these Discovery Requests, and any agent, agency, or affiliate thereof.

B. "PECO" refers to the PECO Energy Company and any agent, agency, or affiliate thereof.

C. "Assumption" refers to any predictions, projections, assumptions, or other estimates.

D. "Person" or "persons" means all individuals and entities, including natural persons, representative persons, public or private corporations, companies, unincorporated associations, partnerships, organizations, government entities or groups, plus any divisions, departments, or units thereof.

E. "Document" or "documents" means any written, printed, typed, recorded, or graphic matter, whether produced or reproduced or stored on paper, cards, tapes, film, electronic facsimile, computer storage devices or any other devices or media, including, but not limited to papers; books; letter; photographs; objects; tangible things; correspondence; telegrams; cables; telex messages; memoranda; notes; notations; records; work papers; transcripts; minutes; reports and recordings of telephone or other conversations, or of interviews, or of conferences, or of other meetings; affidavits; statements; opinions; proposals; reports; studies; analyses; audits; evaluations; contracts; agreements; journals; statistical records; ledgers; books of account; bookkeeping entries; financial statements; tax returns; vouchers; checks; check stubs; invoices; receipts; desk calendars; appointment books; diaries; lists; tabulations; summaries; sound recordings; computer printouts; data processing input and output; microfilms; all records kept by electronic, photographic, or mechanical means; and things similar to any of the foregoing, however denominated. When one or more of the following documents is requested or referred to,

the request or reference shall include, but is not limited to, the original and each and every copy and draft thereof having writings, notations, corrections, or markings unique to such copy or draft.

F. "Oral communication" means any and all non-written forms of expression or communication, whether face-to-face or by telephone, in a conference or otherwise.

G. "Identify" or "identification", when used in reference to a document, means to:

1. state the type of document (e.g., letter, log, report, etc.);
2. state its date;
3. state its title, heading or other designation and any other information (e.g., index or file number) which would facilitate the identification thereof;
4. identify the person(s) who prepared and/or signed the document;
5. identify the persons (or if widely distributed, the organization or classes of persons) to whom it was sent;
6. identify the last known location of the document and of each copy thereof having notations or markings unique to such copy;
7. if the document was, but no longer is, in your possession or subject to your control, identify its last known custodian, describe the circumstances under which it passed from your control to that person, and identify each person having knowledge of such circumstances;
8. describe its general subject matter and contents; and
9. if the document exceeds one page in length, or is contained in a series of documents or a larger portion, identify the specific document by appropriate identifying name or symbol, the number of the particular page or pages (or other descriptive aid) and of the line or lines thereof upon which the information referred to in the Discovery Request or your response appears.

H. "Identify" or "identification", when used in reference to a natural person, means to provide the following information:

1. his or her full name;
2. his or her business affiliation(s), position(s), title(s), and job description(s) during the period delineated in the Discovery Request (and the dates during which each affiliation, position, title, and job description applied to him or her);
3. his or her present or last known business address (and the date of that last knowledge); and
4. his or her present or last known residence address (and the date of that last knowledge).

I. "Identify" or "identification", when used in reference to an oral communication or statement, means to:

1. state the date of the oral communication or statement;
2. state the place where it occurred;
3. identify the persons(s) making and listening to the oral communication or statement;
4. identify all other persons present at the time it was made;
5. if by telephone, identify the persons participating in the conversation and where each was located at the time of the call; and
6. describe the substance of the oral communication or statement.

J. "Date" means the exact day, month, and year if ascertainable, or, if not, the best approximation thereof or best approximation in relation to other events.

K. "Describe" means to set forth fully and clearly every relevant fact and/or event, including particulars of time, place and manner.

L. "Set forth the factual basis" for a particular assumption means: (a) describe in detail the facts underlying the assumption; (b) identify each and every document which

constitutes, evidences, refers, or relates in any way to the assumption; (c) identify each and every person whom OCA knows or believes to have knowledge or information concerning the assumption; and (d) describe in detail the nature of each such person's knowledge or information.

M. Where the context so requires:

1. the terms "and" and "or" mean "and/or";
2. the plural of a word includes the singular, and the singular includes the plural;
3. the past tense of verb includes the present, and the present tense includes the past;
4. the masculine gender includes feminine and neuter genders, and the neuter gender include the masculine and feminine.

O. All other words are to be given their ordinary and usual meanings, according to a current edition of Webster's Dictionary.

PECO ENERGY COMPANY  
DOCKET NO. R-00973953  
INTERROGATORIES AND DOCUMENT REQUESTS  
TO ENRON POWER MARKETING, INC.  
SET IV

Witness Raymond W. Bowen, Jr.

1. In Mr. Bowen's testimony, p. 28, lines 3-4, he states that "PECO Energy Company should be precluded from preparing or disseminating customer education information or materials." In Mr. Bowen's opinion, should PECO have a role in educating its customers about utility-specific issues, e.g., how to enroll in its pilot program? If yes, please describe that role in detail. If no, please explain why not.

DOCKETED  
JUL 01 1997

DOCUMENT  
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Certificate of Service

I hereby certify that I have this day served the foregoing document on the following in the matter of Pennsylvania Public Utility Commission v. PECO Energy Company Pa. PUC Docket No. R-00973953.

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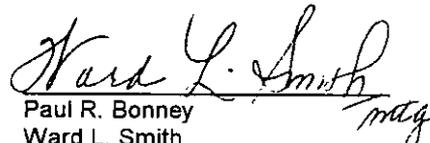
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