

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission

v.

PECO Energy Company

Docket No.

R-00973953

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PREHEARING ORDER #2

I. Parties Present

A second prehearing conference in this proceeding was held in Harrisburg on May 21, 1997. The presiding officers were Administrative Law Judges Charles E. Rainey, Jr. and Marlane R. Chestnut. Present were PECO Energy Company (PECO), the Commission's Office of Trial Staff (OTS), Office of Consumer Advocate (OCA), Office of Small Business Advocate (OSBA), Enron Corp. (Enron), Consumers Education and Protective Association (CEPA), Tenants' Action Group (TAG), Association of Community Organizations for Reform Now (ACORN), Action Alliance and John W. Long, Jr. (through counsel), State Senator Vincent J. Fumo, Jr. (through counsel), Indianapolis Power & Light Company (IPL), Mid-Atlantic Power Supply Association (MAPSA), Philadelphia Area Industrial Energy Users Group (PAIEUG), Pennsylvania Power & Light Company (PP&L), "Environmentalists" consisting of the Delaware Valley Citizens' Clean Air Council (Clean Air Council), the Sierra Club, Citizen Action, Pennsylvania Public Interest Research Group (PennPIRG), Grass Roots Alliance for a Solar Pennsylvania (GRASP), Nonprofit Energy

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Savings Investment Program (NESIP), and the Philadelphia Solar Energy Association (PSEA), Allegheny Power (Allegheny), GPU Energy (GPU), Delmarva Power & Light Company (DP&L), New Energy Ventures, the Department of Navy (Navy), American Association of Retired Persons (AARP), Municipal Intervenors Group (Municipals) and CNG Energy (CNG).

II. Prehearing Memoranda

Memoranda for the second prehearing conference were submitted by MAPSA, PAIEUG, OCA, CEPA, TAG, ACORN, Action Alliance, John W. Long, Jr., PECO, CNG, Allegheny, New Energy Ventures, IPL, PP&L, GPU, Environmentalists, Senator Fumo, DP&L, Municipals, Enron, OTS and AARP.

III. Petitions to Intervene

The Petitions to Intervene of Allegheny, CNG, the Municipals and New Energy Ventures were granted. (Tr. 77).

IV. Hearing Schedule

The following revised hearing and briefing schedule was adopted:

<u>DATE</u>	<u>ACTIVITY</u>
April 1, 1997	PECO filing
April 15, 1997	First prehearing conference
April 23, 1997*	First informal discovery/technical conference
May 21, 1997	Second prehearing conference
June 20, 1997	Opposing party testimony
June 27, 1997*	Second informal discovery/ technical conference
July 18, 1997	Rebuttal testimony

August 1, 1997	Surrebuttal testimony
August 4-22, 1997	Evidentiary hearings
September 19, 1997**	Initial briefs
October 3, 1997**	Reply briefs
November 4, 1997**	Recommended Decision
November 19, 1997	Exceptions
November 26, 1997**	Reply exceptions
December 18, 1997**	Polling
December 31, 1997	End 9-month period
January 8, 1998**	Commission Order

* May be changed by agreement of the parties.

** Denotes revisions to the original schedule. (Tr. 80-82).

All hearings will begin at 10:00 a.m. in an available hearing room on the 13th Floor of the Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA. The dates for submissions are in-hand dates to the Commission and the Presiding Officers. (Tr. 82-83). The date for reply exceptions is the only date which is not an in-hand date for the parties. Id.

It was agreed that public input hearings would be held in the counties of Philadelphia, Bucks, Montgomery, Delaware and Chester. (Tr. 83). However, the parties were not able to reach a consensus on the dates and times for the public input hearings. (Tr.83-84). The parties were given until Friday, May 23, 1997 to reach an agreement on the dates and times for public input hearings, or else we would make the decision. (Tr. 84). On June 2, 1997, we received a stipulation from interested parties regarding the public input hearings. Consistent with that stipulation, public input hearings will be held at 7:00 p.m. on Wednesday, August 13, 1997 in Philadelphia; Monday, August 18, 1997 in Norristown; and

Tuesday, August 19, 1997 in Media. Public input hearings will be held at 10:00 a.m. on Monday, September 8, 1997 in Doylestown; Tuesday, September 9, 1997 in West Goshen; and Wednesday, September 10, 1997 in Philadelphia. We are presently in the process of confirming the availability of facilities for the public input hearings. The parties will be provided with a complete public input hearing schedule after the locations have been confirmed. Also consistent with the stipulation regarding the public input hearings, the following schedule for responsive testimony by PECO (if necessary), and a telephonic hearing (if necessary), was adopted:

September 12, 1997*	PECO written responsive testimony to public input testimony
September 15, 1997*	Parties' written request to cross-examine PECO witness(es) on responsive testimony
September 17, 1997	Telephonic hearing for cross-examination of PECO responsive testimony

* By 4:00 p.m., in-hand to the Administrative Law Judges and by fax to the parties.

V. Other Matters

The following additional matters were addressed at the second prehearing conference:

1. The parties were reminded that they are to designate only one address for the Commission's official service list. (Tr. 84-85).

2. PECO stated that it would file as supplemental testimony in question and answer form, its responses to Commissioner John Hanger's questions. (Tr. 85-86). (PECO had previously, in response to discovery, submitted responses to Commissioner Hanger's questions. (Tr. 85)).
3. We accepted the offer of the Environmentalists to enlist the parties to develop a common outline for briefs. (Tr. 86).

DATE: June 11, 1997


CHARLES E. RAINEY, JR.
Administrative Law Judge

MARLANE R. CHESTNUT
Administrative Law Judge

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June 11, 1997

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