

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission

v.

PECO Energy Company

Petition of ENRON Energy Services

Power, Inc

DOCKETED

NOV 26 1997

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Docket No. R-0097395

Docket No. P-00971265

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PREHEARING ORDER #6

At the hearings held on November 17 through 19, 1997, the following procedural matters were addressed:

- (1) The Petition to Intervene of Southeastern Pennsylvania Transportation Authority (SEPTA) was granted.
- (2) The Motion of James R. Burdett, Esq., for admission pro hac vice of Kenneth G. Hurwitz, Esq., for the purpose of representing SEPTA in this proceeding was granted.
- (3) The Motion of James R. Burdett, Esq., for admission pro hac vice of Maureen Z. Hurley, Esq., for the purpose of representing SEPTA in this proceeding was granted.
- (4) The Motion to Strike Testimony and Exhibits (NEV St. DMB-2 and Environmentalists Sts. 1-E, 2-E, and 3-E) filed by PECO on November 7, 1997 was denied.

(5) The parties who responded to Commissioner Interrogatories (Sets 1, 2 and 3) were directed to designate those responses as appropriate exhibits for inclusion into the record on or before Tuesday, November 25, 1997.

(6) The testimony which would have been the subject of the hearing on November 14, 1997 (which was canceled) was admitted into the record. These statements are EPMI St. 4SR, NEV St. 2, OCA St. 5R, PECO St. 15R, and PECO Exh. JGS.

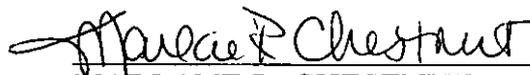
(7) The following schedule was adopted:

November 21	Filing of surrebuttal testimony
November 25	Hearing on any outstanding issue
December 2	Briefs filed, record certified to Commission
December 11	Commission Order

It should be noted in connection with the schedule that: (1) it was agreed that the parties would notify the presiding officers by noon on November 24, 1997 if it was necessary to have the scheduled hearing on November 25, 1997 or if that hearing could be canceled; (2) testimony and brief due dates are dates of receipt, not dates of mailing. Pursuant to the Commission's regulations, faxing is not permitted as a means of filing and the "mailbox rule" at 52 Pa. Code §1.56 cannot be used to extend the filing date of the brief; and (3) consistent with the manner in which the proceeding has been conducted, the November 25, 1997 hearing will be held in Philadelphia.

(8) Briefs are to be filed in accordance with the following: (1) Two hard copies and one 3.5" diskette (in Word 6.0 or lower) are to be filed with the Prothonotary. In addition, two hard copies and one diskette are to be filed directly with the Office of Special Assistants, the Law Bureau and each Commissioner's office. One hard copy of each brief is to be filed with each of the Presiding Officers; (2) Parties are limited to a total of 45 pages; (3) Briefs need not include a narration of the history of the proceeding, but if such a section is included, it will count toward the page limit; (4) the proposed findings of fact (with specific record references) and conclusions of law may be included as an appendix, which will not count toward the page limitation. Any other appendix or attachment does count toward the page limitation.

DATE: Nov. 20, 1997


MARLANE R. CHESTNUT
Administrative Law Judge

CHARLES E. RAINEY, JR.
Administrative Law Judge

Pennsylvania Public Utility Commission v. PECO Energy Company

Docket No. R-973953

November 20, 1997

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