



R-00 97393-37

COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA PUBLIC UTILITY COMMISSION
 P.O. BOX 3265, HARRISBURG, PA 17105-3265
 ISSUED: NOVEMBER 9, 1999

IN REPLY PLEASE
 REFER TO OUR FILE
 M-FACE9906

DOCUMENT
 FOLDER

DELIA W STROUD ESQUIRE
 PECO ENERGY COMPANY
 2301 MARKET STREET S23-1
 PO BOX 8699
 PHILADELPHIA PA 19101-8699

PECO Energy Company Transition Cost Recovery Reconciliation Statement - Year 1

TO WHOM IT MAY CONCERN:

Enclosed is a copy of the Recommended Decision of Administrative Law Judge Herbert S. Cohen.

An original and nine (9) copies of signed exceptions to the decision, if any, **MUST BE FILED WITH THE SECRETARY OF THE COMMISSION IN ROOM B-20, NORTH OFFICE BUILDING, NORTH STREET AND COMMONWEALTH AVENUE, HARRISBURG, PA OR MAILED TO P.O. BOX 3265, HARRISBURG, PA 17105-3265**; a copy in the hands of the Office of Special Assistants, Room 210; and a copy in the hands of each party of record no later than **November 19, 1999** by 4:30 P.M. 52 Pa. Code §1.56(b) cannot be used to extend the prescribed period for the filing of exceptions or reply exceptions.

Replies to exceptions, if any, must be served on the Secretary of the Commission, in the manner described above, no later than **November 29, 1999** by 4:30 P.M. as well as served upon the parties. A certificate of service shall be attached to the filed exceptions.

Exceptions and reply exceptions shall obey 52 Pa. Code 5.533 and 5.535, particularly the 40-page limit for exceptions and the 25-page limit for replies to exceptions. Exceptions should be clearly labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)".

Any reference to specific sections of the Administrative Law Judge's Recommended Decision shall include the page number(s) of the cited section of the decision.

Parties are also requested to provide the Commission's Office of Special Assistants with a copy of exceptions/reply exceptions on a computer disk, 3 1/2" in size, in Microsoft Word 6.0 format. If Word 6.0 is not available, either Wordperfect 5.1 or ASCII format is acceptable.

Very truly yours,

FG
 Encls.
 Certified Mail
 Receipt Requested

James J. McNulty
 Secretary

CC:ALJCOHEN/OFFICE OF ALJ/OSA/BFUS-TARIFF/OTS/OCA/LAW/BFUS/PIO/CEEP/AUDITS/OUR FILE/C&A/CHAIRMAN COMMISSIONERS

See Attached Listing for Additional Parties of Record

ELIA STROUD ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET S23-1
PO BOX 8699
PHILADELPHIA PA 19101-8699

ANYA J MCCLOSKEY ESQUIRE
OFFICE OF CONSUMER ADVOCATE
FORUM PLACE 5TH FLOOR
555 WALNUT STREET
HARRISBURG PA 17101-1923

CHARIS M BURAK ESQUIRE
MCNEES WALLACE & NURICK
PO BOX 1166
HARRISBURG PA 17108-1166

KENNETH L MICKENS ESQUIRE
OFFICE OF TRIAL STAFF
PENNSYLVANIA PUBLIC UTILITY
COMMISSION
PO BOX 3265
HARRISBURG PA 17105-3265

BERNARD A RYAN JR ESQUIRE
OFFICE OF SMALL BUSINESS
ADVOCATE
300 N 2ND STREET SUITE 1102
HARRISBURG PA 17101

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PECO Energy Company	:	Docket No.
Transition Cost Recovery	:	M-FACE9906
Reconciliation Statement - Year 1	:	

RECOMMENDED DECISION

Before
HERBERT S. COHEN
Administrative Law Judge

DOCUMENT
FOLDER

HISTORY OF THE PROCEEDING

A public hearing on this matter was held on October 27, 1999 in Harrisburg before the undersigned administrative law judge to review the Transition Cost Recovery Reconciliation Statement for Year 1 ("Statement") filed by PECO Energy Company ("PECO Energy" or the "Company"). The Company filed this Statement pursuant to the Final Order in the Company's Application for Approval of its Restructuring Plan under Section 2806 of the Public Utility Code at Docket Nos. R-00973953 and P-00971265 and to the Commission's Orders at D-989042 and in accordance with Sections 1307(e) and 2808(f) of the Public Utility Code, 66 Pa. C.S. §§1307(e) and 2808(f). Appearances at the hearing were entered by Delia W. Stroud, Esquire, for PECO Energy Company, by Tanya J. McCloskey, Esquire, for Office of Consumer Advocate, by Charis M. Burak, Esquire, for Philadelphia Area Industrial Energy Users Group, by Kenneth L. Mickens, Esquire, for Office of Trial Staff, and by Bernard A. Ryan, Jr., Esquire, for Office of Small Business Advocate. At this hearing, the Company presented one witness, Stephen R. Xander, Manager, Tariff Administration, and sponsored five exhibits.

FINDINGS OF FACT

1. A public hearing to review PECO Energy's Transition Cost Recovery Reconciliation Statement for Year 1 was held on October 27, 1999.

2. On August 30, 1999 the Company filed its preliminary Statement of five exhibits including the amounts of Transition Cost over and under recoveries for Year 1 by rate class. The August filing contained actual data through July. In its August filing the Company indicated that before October 30, 1999 it would update the filing to include actual data for the months of August and September.

3. On October 22, 1999, the Company filed the three exhibits that required updated data.

4. At the hearing, the Company provided a corrected Exhibit 4.

5. The five final exhibits comprising the Statement were admitted into the record.

6. An exhibit submitted by the Office of Trial Staff ("OTS") summarizing the amounts of over or under recoveries of Transition Cost was also admitted into the record.

7. No objection was raised by any party to the admission into evidence of PECO Energy's five exhibits and of OTS' one exhibit.

CONCLUSIONS OF LAW

1. The Statement filed by PECO Energy shall be deemed to be an adequate filing within the meaning of Sections 1307(f) and 2808(f) of the Public Utility Code, 66 Pa. C.S. §§1307(e), and 2808(f), subject to such further review and revision as may be found necessary by this Commission as a result of an audit under Section 1307(d) of the Public Utility Code, 66 Pa. C.S. §1307(d).

2. Any adjustments required by Transition Cost over and under recoveries for Year 1 should be implemented by the Company as provided in Docket Nos. R-00973953 and P-00971265 and in accordance with its Tariff Electric-Pa. P.U.C. No. 3.

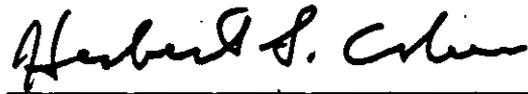
THEREFORE, IT IS ORDERED (Subject to Commission approval):

1. That PECO Energy's Statement is hereby accepted insofar as it is undisputed.

2. That acceptance of the undisputed Statement is subject to such further review and revision as may be found necessary as a result of a subsequent Commission audit pursuant to Section 1307(d) of the Public Utility Code, 66 Pa. C.S. §1307(d).

3. That the Company shall implement adjustments required by Transition Cost over and under recoveries for Year 1 as provided in Docket Nos. R-00973953 and P-00971265 and in accordance with its Tariff Electric-Pa P.U.C. No. 3.

Date: 11-5-95



HERBERT S. COHEN
Administrative Law Judge