

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

201814

Application of PECO Energy Company :
Pursuant to Chapters 11, 19, 21, 22 and 28 of :
the Public Utility Code for Approval of (1) a :
Plan of Corporate Restructuring, Including :
the Creation of a Holding Company and (2) :
the Merger of the Newly Formed Holding :
Company and Unicom Corporation :

Docket No. :
A-00110550F0147

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ORDER GRANTING LATE-FILED PETITION TO INTERVENE OF
THE CITY OF PHILADELPHIA

On March 3, 2000, the City of Philadelphia (City) filed a "Late-Filed Petition to Intervene" (Petition) pursuant to 52 Pa. Code §§5.71-5.74. In support of its Petition, the City argued that its intervention in this proceeding is necessary and appropriate because of its interest in the following issues which it alleged are not represented by other parties:

- (1) the City receives service under a broad number of PECO Energy Company (PECO) rate schedules and the City is concerned about both the impact of the proposed merger on those rates and the interpretation of City contracts with PECO;
- (2) the City is concerned about City street lighting;
- (3) the City is concerned about PECO's system reliability;
and
- (4) the City is concerned about the impact of the proposed merger on PECO's employees and the economy.

Petition at 2-3.

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The City acknowledged that protests [as well as petitions to intervene] were required by the Commission to be filed by December 20, 1999.¹ Petition at 3. The City stated however that it “only recently received approval regarding the intervention, and thus, was unable to file a Petition to Intervene in this proceeding by the aforementioned deadline.” Petition at 3. The City also stated that it “agrees to abide by previous Commission Orders already issued in this proceeding, and will not challenge any procedural decision made in this case prior to the City’s intervention. Petition at 3. The City further stated that its intervention “will not result in any unfair prejudice to any party to this proceeding.” Petition at 3.

For the reasons stated in its Petition, I believe that the intervention of the City in this proceeding is in the public interest. Therefore, the City’s Petition will be granted. Thus, the City is permitted to join this proceeding “in progress.” It must abide by the schedule and procedures already established in this proceeding as set forth in my Prehearing Order dated January 28, 2000. In addition, it must abide by all other prior and future orders of the Commission and the presiding officer.

I do not believe that the parties will be prejudiced by the City’s intervention in this proceeding under the conditions I have set forth above. I also note that hearings have not yet been held in this proceeding.²

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Late-Filed Petition to Intervene of the City of Philadelphia is granted subject to the conditions set forth herein.

¹ See, Notice in the Pennsylvania Bulletin dated December 4, 1999.

² Public input hearings are scheduled for March 27-31, 2000 and April 4, 2000. Evidentiary hearings are scheduled for April 25-28, 2000.

2. That the City of Philadelphia shall abide by the schedule and procedures already established by the presiding officer in this proceeding.

3. That the City of Philadelphia shall abide by all prior and future orders of the Commission and the presiding officer in this proceeding.

March 13, 2000
DATE

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CHARLES E. RAINEY, JR.
Administrative Law Judge

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