

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCUMENT
FOLDER

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.

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A-00110550

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ORDER GRANTING LATE-FILED PETITION TO INTERVENE OF
THE DEPARTMENT OF THE NAVY

On March 13, 2000, the Department of the Navy (the Navy), filed a petition to intervene¹ (Petition) in this case pursuant to 52 Pa. Code §§5.71-5.74. In support of its Petition, the Navy argues that: (1) it maintains a military installation within the Commonwealth of Pennsylvania which obtains and uses electric services; and (2) its rates for electric service may be affected by PECO Energy Company's (PECO) merger application. Petition at 1.

The Navy explains that the reason why its Petition was filed late is because, "The appropriate Rate Intervention office only became aware of this proceeding last week and immediately notified the Company [PECO]." The Navy also states that it "seeks full intervenor status in order to participate in hearings and discussions regarding all matters pertaining to this Docket and to cross-examine the witnesses of other parties." Petition at 1-2. The Navy further states that it "is aware that settlement discussions are

¹ The Navy actually referred to its filing as a "Notice of Intervention". However, since the Navy does not cite a United States or Commonwealth statute which confers upon it a right to intervene in this proceeding, I will treat its filing as a petition to intervene. See, 52 Pa. Code §5.72.

ongoing, and does not seek to broaden the issues involved in the settlement discussions.”
Petition at 2.

For the reasons stated in its Petition, I believe that the intervention of the Navy in this proceeding is in the public interest. Therefore, the Navy’s Petition will be granted. Thus, the Navy 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 Navy’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 Department of the Navy is granted subject to the conditions set forth herein.
2. That the Department of the Navy shall abide by the schedule and procedures already established by the presiding officer in this proceeding.
3. That the Department of the Navy shall abide by all prior and future orders of the Commission and the presiding officer in this proceeding.

March 20, 2000
DATE

Charles E. Rainey Jr.
CHARLES E. RAINEY, JR.
Administrative Law Judge

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

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