

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Pennsylvania Public Utility Commission :
:
v. :
:
Philadelphia Gas Works :

JUN 11 2001
Docket No. R-00016378

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PREHEARING CONFERENCE ORDER

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A prehearing conference in this case is scheduled for June 23, 2001 at 10:00 a.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled prehearing conference date must be submitted to me, in writing, no later than five (5) days prior to the prehearing conference. 52 Pa. Code §1.15(b). Such changes are granted only in rare situations where good cause exists.

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In accordance with the foregoing, absent a timely request for a continuance for good cause (i.e., no later than June 8, 2001), all parties must be prepared to participate in the scheduled prehearing conference.

2. Please review the regulation pertaining to prehearing conferences, 52 Pa. Code §5.222, and in particular, subsection (d) which provides, in part:

(d) Participants and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. The

preparation should include, among other things, advance study of all relevant materials, and advance informal communication between the participants, including requests for additional data and information, to the extent it appears feasible and desirable.
(Emphasis added.)

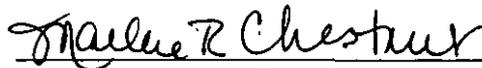
3. Each party must prepare and distribute, prior to 9:00 a.m. on the date of the prehearing conference, a prehearing memorandum which sets forth the history of the proceeding, the issues you intend to present, and a listing of your proposed witnesses and the subject of their testimony.

4. Please review the regulations relating to discovery, specifically 52 Pa. Code §5.331(b), which provides, inter alia, that “[p]articipants shall endeavor to initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code §5.322, which encourages participants to exchange information on an informal basis. I urge all parties to cooperate in discovery. Such cooperation is preferable to numerous or protracted discovery disagreements, which require the presiding officer’s participation for resolution. Please be aware that there are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371-3.572.

5. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

6. You must serve me directly with a copy of any document that you file in this proceeding. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

Date: June 6, 2001



MARLANE R. CHESTNUT
Administrative Law Judge

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