



Exelon Business Services Company
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April 22, 2014

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

RE: Crescent Hotel – Plymouth Meeting v. PECO Energy Company
PUC Docket No.: C-2008-2068258

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Motion to Lift Stay and Re-Activate the Proceeding*.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ward L. Smith", written in a cursive style.

Ward L. Smith
Counsel for PECO Energy Company

cc: Cynthia Fordham, Adm. Law Judge (via First Class Mail)

WS/lo

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Crescent Hotel – Plymouth Meeting, LP	:	
v.	:	Docket No. : C-2008-2068258
	:	
PECO Energy Company	:	
	:	
Crescent Hotel – Plymouth Meeting, LP	:	Docket No. : C-2008-2068267
v.	:	
	:	
UGI Corporation	:	
	:	
Crescent Hotel – Plymouth Meeting, LP	:	Docket No. : C-2009-2089563
v.	:	
	:	
Celeren Corporation	:	

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §5.103, you are hereby notified that, if you do not file a written response denying or correcting the enclosed MOTION TO LIFT STAY AND RE-ACTIVATE of PECO Energy Company within 20 days from service of this notice, a decision may be rendered against you. All pleadings, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Ward L. Smith, and where applicable, the Administrative Law Judge presiding over the issue.

File with:
Rosemarie Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

With a copy to:
Ward L. Smith, Esq.
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, April 22, 2014



Ward L. Smith, Esq.
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
215-841-6863

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Crescent Hotel – Plymouth Meeting, LP	:	
v.	:	Docket No. : C-2008-2068258
	:	
PECO Energy Company	:	
	:	
Crescent Hotel – Plymouth Meeting, LP	:	Docket No. : C-2008-2068267
v.	:	
	:	
UGI Corporation	:	
	:	
Crescent Hotel – Plymouth Meeting, LP	:	Docket No. : C-2009-2089563
v.	:	
	:	
Celeren Corporation	:	

CERTIFICATE OF SERVICE

I hereby certify and affirm that I have this day served a copy of PECO Energy Company's Motion to Lift Stay and Re-Activate the Proceeding on the following persons in the manner specified in accordance with the requirements of 52 Pa. Code § 1.54:

VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA FIRST CLASS MAIL

Paul A. Bucco Esquire
Robert D. Ardizzi, Esquire
Davis Bucco & Ardizzi
10 East Sixth Avenue, Suite 100
Conshohocken, PA 19428

*Representing Crescent Hotel – Plymouth
Meeting, L.P.*

George Miller, Trustee for Celeren Corporation
c/o Linda Richenderfer, Esq.
Klehr Harrison
919 Market Street, Suite 1000
Wilmington, DE 19801-3062


Cynthia Fordham, Administrative Law Judge
Pa. Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107

Frank H. Markle, Esq.
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406

Representing UGI Energy Services

Celeren Corporation
Two Bala Plaza, Suite 300
Bala Cynwyd, PA 19004

Date: April 22, 2014


Ward L. Smith, Esq. (Pa. I.D. 47670)
Counsel for PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699
Phone: 215.841.6863
Fax: 215.568.3389

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Crescent Hotel-Plymouth Meeting, LP	:	
v.	:	C-2008-2068258
PECO Energy Company	:	
Crescent Hotel-Plymouth Meeting, LP	:	
v.	:	C-2008-2068267
UGI Corporation	:	
Crescent Hotel-Plymouth Meeting, LP	:	
v.	:	C-2009-2089563
Celeren Corporation	:	

PECO Energy Company's Motion to Lift Stay and Re-Activate the Proceeding

PECO Energy Company ("PECO"), pursuant to 52 Pa. Code § 5.103, makes this Motion to lift the existing bankruptcy stay in this matter and to re-activate this proceeding. The Celeren bankruptcy proceeding that was the basis for the existing stay has been completed, and there is therefore no longer any basis to stay the instant proceeding. In support of its Motion, PECO states as follows:

1. This proceeding was initiated on October 1, 2008, when Crescent Hotel-Plymouth Meeting, LP ("Crescent ") filed a complaint with the Pennsylvania Public Utility Commission naming, as Respondents, PECO Energy Company/Exelon Corporation, UGI Energy Services, and Celeren Corporation.
2. The Commission's Secretary's Bureau assigned docket numbers as follows: *Crescent v. PECO*, C-2008-2068258; *Crescent v. UGI*, C-2008-8267; *Crescent v. Celeren*, C-2009-2089563. All three complaints were assigned to Administrative Law Judge Guy M. Koster.
3. By notice dated February 23, 2009, ALJ Koster scheduled a prehearing conference in this matter to take place on April 7, 2009.

4. On April 1, 2009, the Celeren bankruptcy trustee contacted ALJ Koster and invoked the automatic stay provisions of the United States Bankruptcy Code.
5. On April 2, 2009, Administrative Law Judge Guy M. Koster issued an Order that had two effects. First, the Order consolidated the PECO, UGI, and Celeren proceedings on the grounds that (p. 3): “The issues in the in the present cases involve common questions of law or fact. Resolving the complaint against Celeren will affect resolution of the other [complaints] and therefore the cases are appropriate for consolidation.” Second, the Order stayed further action in the consolidated docket because Celeren had filed for bankruptcy and (p. 4): “The filing of a petition in bankruptcy, with limited exceptions, none of which are applicable here, acts as an automatic stay of any proceedings against the Debtor.”
6. Consequently, the instant consolidated proceeding has been stayed, with no further activity in the docket allowed, since April 2, 2009, pending closure of the Celeren bankruptcy proceeding.
7. On February 18, 2014, the Bankruptcy Court issued a Final Decree closing the Celeren bankruptcy proceeding.
8. On March 12, 2014, the Commission issued a Judge Change Notice assigning this matter to Administrative Law Judge Cynthia W. Fordham.
9. On March 18, 2014, counsel for the Bankruptcy Trustee informed the Commission and the parties, by letter addressed to ALJ Fordham, of the Bankruptcy Court Final Decree. A copy of that letter, which includes a copy of the Final Decree, is appended to this Motion.
10. With the issuance of the bankruptcy Final Decree, the basis for the Stay of the instant proceeding, as set forth in ALJ Koster’s April 2, 2009 Order, has now been eliminated.
11. This docket is thus now ripe for continued activity and resolution.

12. PECO therefore respectfully requests the issuance of an Order stating that:
- a. The Stay in this proceeding, established by Order on April 2, 2009, is hereby lifted.
 - b. The parties may proceed with such filings and other activity in this docket as they deem appropriate and as are otherwise allowed by the Commission's Rules and Regulations.

Respectfully submitted,



Ward L. Smith
Assistant General Counsel
Exelon Business Services Company
Attorney I.D. 47670
2301 Market Street
S23-1
Philadelphia, PA 19103
215-841-6863
ward.smith@exeloncorp.com
Counsel for PECO Energy Company and Exelon Corporation

April 22, 2014

KLEHR | HARRISON | HARVEY | BRANZBURG LLP

Linda Richenderfer
Direct Dial: (302) 552-5513
Email: LRichenderfer@klehr.com

March 18, 2014

VIA US MAIL

Administrative Law Judge Cynthia W. Fordham
Suite 4063
801 Market Street
Philadelphia, PA 19107

WARD L. SMITH
MAR 24 2014

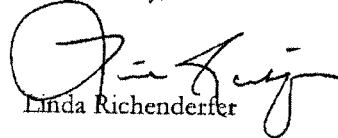
**Re: Crescent Hotel Plymouth Meeting, L.P. v. Celeren Corporation;
C-2009-2089563**

Dear Judge Fordham:

I previously served as counsel to George L. Miller, the Chapter 7 Trustee for Celeren Corporation. I write to advise that the Chapter 7 estate of Celeren Corporation has now been fully administered. On February 18, 2014, a Final Decree was entered discharging Mr. Miller and closing Celeren's Bankruptcy case. A copy of the Final Decree is enclosed.

Please do not hesitate to contact me if you have any questions or need further information.

Respectfully,


Linda Richenderfer

LR:can
Enclosure

cc: Paul A. Bucco, Esq.
Ward L. Smith, Esq.
Frank H. Markle, Esq.
George L. Miller

United States Bankruptcy Court
District of Delaware

In re: Celeren Corporation

Case No: 08-12132-BLS

Debtor(s)

SSN/Tax ID: 23-3078615

Chapter 7

Final Decree

The estate of the above-named debtor(s) has been fully administered.

IT IS ORDERED THAT:

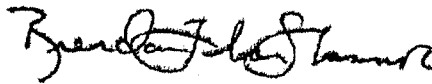
The Chapter 7 Trustee indicated below is hereby discharged as trustee of the estate of the above-name debtor(s) and the bond is cancelled.

George L. Miller

This case is hereby closed.

2/18/14

Date



United States Bankruptcy Judge