



Exelon Business Services Company  
Legal Department  
2301 Market Street/S23-1  
Philadelphia, PA 19103  
215 568 3389 Fax  
www.exeloncorp.com

Direct Dial: 215.841.6863

April 22, 2014

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

**RE: Rama Construction, Inc. t/a Ramada Inn International Airport v. PECO  
Energy Company  
PUC Docket No.: C-2008-2058320**

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 cursive script, appearing to read "Ward L. Smith".

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**

<b>Rama Construction, Inc., t/a Ramada Inn</b>	:	
<b>International Airport</b>	:	
	:	
v.	:	<b>Docket No. C-2008-2058320</b>
	:	
<b>PECO Energy Company</b>	:	
	:	
<b>Rama Construction, Inc., t/a Ramada Inn</b>	:	<b>Docket No. C-2009-209694</b>
<b>International Airport</b>	:	
	:	
v.	:	
	:	
<b>Celeren Corporation</b>	:	

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**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**

<b>Rama Construction, Inc., t/a Ramada Inn</b>	:	
<b>International Airport</b>	:	
	:	
<b>v.</b>	:	<b>Docket No. C-2008-2058320</b>
	:	
<b>PECO Energy Company</b>	:	
	:	
<b>Rama Construction, Inc., t/a Ramada Inn</b>	:	<b>Docket No. C-2009-209694</b>
<b>International Airport</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>Celeren Corporation</b>	:	

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**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 an 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, 2<sup>nd</sup> 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 Celeren Corporation*

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

Date: April 22, 2014

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

  
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**

Rama Construction, Inc. t/a Ramada Inn	:	
International Airport	:	C-2008-2058320
v.	:	
PECO Energy Company	:	

Rama Construction, Inc. t/a Ramada Inn	:	
International Airport	:	C-2009-209694
v.	:	
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 August 7, 2008, when Rama Construction, Inc. t/a Ramada Inn International Airport ("Rama") filed a complaint with the Pennsylvania Public Utility Commission naming, as Respondents, PECO Energy Company, Exelon Corporation, Hess Corporation, and Celeren Corporation.
2. The Commission's Secretary's Bureau assigned docket numbers as follows: *Rama v. PECO*, C-2008-2058320; *Rama v. Hess*, C-2008-2058200; *Rama v. Celeren*, C-2009-2089694. On November 7, 2008, the Commission issued an Initial Decision by Administrative Law Judge David A. Salapa dismissing the Hess complaint. The PECO and Celeren complaints were assigned to Administrative Law Judge Guy M. Koster.

3. ALJ Koster scheduled an evidentiary hearing for November 21, 2008 in the PECO and Celeren dockets. At the request of Complainant, the evidentiary hearing was converted into a prehearing conference.

4. On February 19, 2009, the Commission adopted ALJ Salapa's Initial Decision dismissing the Hess complaint.

5. By notice dated March 12, 2009, ALJ Koster scheduled an evidentiary hearing to take place on June 4, 2009.

6. On April 6, 2009, the Celeren bankruptcy trustee contacted ALJ Koster and invoked the automatic stay provisions of the United States Bankruptcy Code.

7. On April 7, 2009, Administrative Law Judge Guy M. Koster issued an Order that had two effects. First, the Order consolidated the PECO 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 [complaint] 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. 5): "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."

8. Consequently, the instant consolidated proceeding has been stayed, with no further activity in the docket allowed, since April 7, 2009, pending closure of the Celeren bankruptcy proceeding.

9. On February 18, 2014, the Bankruptcy Court issued a Final Decree closing the Celeren bankruptcy proceeding.

10. On March 12, 2014, the Commission issued a Judge Change Notice assigning this matter to Administrative Law Judge Cynthia W. Fordham.

11. 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.

12. 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 7, 2009 Order, has now been eliminated.

13. This docket is thus now ripe for continued activity and resolution.

14. PECO therefore respectfully requests the issuance of an Order stating that:

- a. The Stay in this proceeding, established by Order on April 7, 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](mailto: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: L.Richenderfer@klehr.com

**WARD L. SMITH**  
**MAR 24 2014**

March 18, 2014

**VIA US MAIL**

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

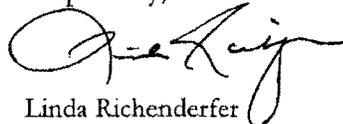
**Re: Rama Construction, Inc. t/a Ramada Inn International Airport v.  
Celeren Corporation; C-2009-2089694**

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.  
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:

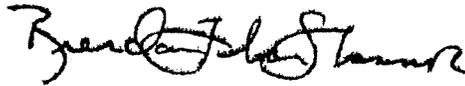
The Chapter 7 Trustee indicated below is hereby discharged as trustee of the estate of the above-name debtor(s) and the bond is cancelled.

George L. Miller

This case is hereby closed.

2/18/14

Date



United States Bankruptcy Judge