

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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|--------------------------------------|---|----------------|
| PHILADELPHIA HGI ASSOCIATES, L.P. | : | |
| v. | : | C-2008-2069070 |
| PECO ENERGY COMPANY; | : | |
| PHILADELPHIA HGI ASSOCIATES, L.P. | : | C-2008-2069128 |
| v. | : | |
| PHILADELPHIA GAS WORKS; | : | |
| PHILADELPHIA HGI ASSOCIATES, L.P. | : | C-2009-2089696 |
| v. | : | |
| CELEREN CORPORATION | : | |

**RESPONSE OF PHILADELPHIA HGI ASSOCIATES, L.P. TO THE MOTION OF PECO
ENERGY COMPANY TO LIFT STAY AND RE-ACTIVATE THE PROCEEDING**

Complainant Philadelphia HGI Associates, L.P. ("HGI"), by and through its undersigned counsel, hereby submits this response to the Motion of PECO Energy Company to Lift Stay and Re-Activate the Proceeding (the "Motion"), and in support thereof, avers as follows:

1. Admitted in part, denied in part. It is admitted that, in or about October 2008, HGI filed a complaint with the Pennsylvania Public Utility Commission. The remaining allegations are denied because the Complaint is a document, and the terms of that document speak for themselves. By way of response, HGI does not object to this motion to lift the stay and re-activate these

proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

2. Admitted, upon information and belief. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

3. Denied. The allegations of this paragraph refer to the Initial Decision, which is a writing, and the terms of that document speak for themselves. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

4. Denied. The allegations of this paragraph refer to the notice of prehearing conference, which is a writing, and the terms of that document speak for themselves. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

5. Denied. Upon reasonable investigation, HGI is without sufficient information to determine the veracity of the facts alleged in this paragraph of the Motion, and therefore, this paragraph is denied. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

6. Admitted, upon information and belief. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

7. Denied. Upon reasonable investigation, HGI is without sufficient information to determine the veracity of the facts alleged in this paragraph of the Motion, and therefore, this paragraph is denied. The allegations of this paragraph are further denied because they refer to writings, the terms of which speak for themselves. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

8. Admitted, upon information and belief. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

9. Denied. The allegations of this paragraph refer to a Final Decree, which is a writing, and the terms of that document speak for themselves. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

10. Denied. The allegations of this paragraph refer to the Judge Change Notice, which is a writing, and the terms of that document speak for themselves. By way of response, HGI does not object to this motion to lift the stay and re-activate

these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

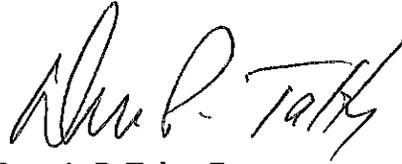
11. Denied. The allegations of this paragraph refer to the letter dated March 18, 2014, which is a writing, and the terms of that document speak for themselves. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

12. Denied. The allegations of this paragraph contain conclusions of law to which no response is required. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

13. Denied. The allegations of this paragraph contain conclusions of law to which no response is required. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

14. Admitted, upon information and belief. By way of response, HGI does not object to this motion to lift the stay and re-activate these proceedings. By way of further response, HGI intends to file a Motion for Leave to Withdraw Complaint pursuant to 52 Pa. Code § 5.94.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dennis P. Talty". The signature is fluid and cursive, with the first name "Dennis" and last name "Talty" clearly legible.

Dennis P. Talty, Esq.
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*Counsel for Philadelphia HGI
Associates, L.P.*

Dated: May 13, 2014