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December 5, 2014

**VIA E-Mail**

Administrative Law Judge Cynthia W. Fordham  
Pennsylvania Public Utility Commission  
Philadelphia Regional Office  
Office of Administrative Law Judge  
801 South Market Street  
Philadelphia, PA 19107

**RE: PECO CAP Design -- Docket No. M-2012-2290911**

Dear Judge Fordham:

This follows on our recent discussion and provides a status update.

On October 30, 2014, PECO filed a status report with the Commission in which it stated that mediation had reached impasse. In that status report PECO proposed a litigation schedule to begin with the filing by PECO of its CAP Design proposal today, December 5, 2014, and ending in May 2015.

Since that report was filed, the stakeholders have reinitiated good faith negotiations and have continued to exchange proposals. The stakeholders believe that an additional 10 days of negotiations may eliminate the need for a litigated resolution. As we discussed, PECO therefore will hold on filing its proposal today. PECO will provide a further status update to you on Monday, December 15.

Very truly yours,

A handwritten signature in blue ink that reads "Ward L. Smith".

Ward L. Smith  
Assistant General Counsel

cc: Rosemary Chiavetta, Office of Secretary  
Cynthia Lehman, Office of Mediation  
Certificate of Service