

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**SUSAN KREIDER,**

**Complainant**

v.

**Docket No. P-2015-2495064**

**PECO ENERGY COMPANY,**

**Respondent**

**NOTICE TO PLEAD**

To: PECO Energy Company  
2301 Market Street / S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699

Laura Sunstein Murphy, *Amicus Curiae* in the above-captioned proceeding, has filed a Motion for Leave to File an Answer to PECO's Petition for Reconsideration, which you may answer in accordance with 52 Pa. Code § 5.103(c), unless otherwise provided by the applicable rules. You are hereby notified to file a written response to the enclosed Motion within twenty (20) days from service of this pleading or a judgment may be entered against you.

Respectfully submitted,



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Date: October 15, 2015

Counsel for *Amicus Curiae*

**BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

**SUSAN KREIDER,**

**Complainant**

v.

**Docket No. P-2015-2495064**

**PECO ENERGY COMPANY,**

**Respondent**

**MOTION OF *AMICUS CURIAE* FOR LEAVE TO FILE  
ANSWER TO RESPONDENT'S PETITION FOR RECONSIDERATION**

Pursuant to Section 5.103 of the Commission's regulations, 52 Pa. Code § 5.103, Laura Sunstein Murphy, *Amicus Curiae* in the above-captioned proceeding hereby respectfully requests that the Commission grant leave to file an Answer to the Petition for Reconsideration filed by PECO Energy Company ("PECO"). In support of its Motion, *Amicus* submits the following.

**I. INTRODUCTION**

1. On July 28, 2015, PECO filed a Petition for Interlocutory Review at the above-captioned docket seeking review of the Prehearing Order of Administrative Law Judge Darlene Heep dated June 3, 2015.

2. *Amicus* filed a Brief in response to PECO's Petition for Interlocutory Review on August 7, 2015 pursuant to 52 Pa. Code § 5.502(e).

3. In her Brief, *Amicus* argued that she has an interest in the Kreider matter and the Commission's decision in PECO's Petition because an adverse ruling from the Commission would compromise the Complainants' due process rights and would directly affect the prosecution of *Amicus*' complaint at Docket No. C-2015-2475726.

4. On September 3, 2015, the Commission issued an Order answering PECO's material questions in the negative.

5. On September 18, 2015, PECO filed a Petition for Reconsideration of the Commission's September 3, 2015 Order.

6. *Amicus* was not served with the Commission's September 3, 2015 or the September 18, 2015 Petition for Reconsideration.<sup>1</sup>

## **II. MOTION FOR LEAVE TO FILE ANSWER**

7. Pursuant to Section 5.103, "[a] request may be made by motion for relief desired... A motion must set forth the ruling or relief sought, and state the grounds therefor and the statutory or other authority upon which it relies." 52 Pa. Code § 5.103(a).

8. A motion may be made in writing at any time. 52 Pa. Code § 5.103(b).

9. The Commission's rules permit the filing of answers to a petition for reconsideration within 10 days after service of a petition. 52 Pa. Code § 5.572(e).

10. *Amicus* did not have an opportunity to respond to PECO's Petition for Reconsideration because the petition was not served on *Amicus*.

11. *Amicus* has a substantial interest in the outcome of the subject matter of the Petition for Reconsideration.

12. *Amicus* respectfully requests that this Honorable Commission grant her Motion to File an Answer to PECO's Petition for Reconsideration.

13. The Commission's decision on PECO's Petition for Reconsideration will affect *Amicus*' prosecution of her Complaint.

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<sup>1</sup> In a conversation with *Amicus*, Complainant Susan Kreider stated that she was not served with the Commission's September 3, 2015 Order or PECO's Petition for Reconsideration.

14. An answer to PECO's Petition for Reconsideration from *Amicus* will assist the Commission in evaluating the position of the parties and reaching a fair adjudication of the issues presented by the Petition.

15. It is in the public interest to permit *Amicus* to file an answer to PECO's Petition for Reconsideration, as it will help clarify the issues raised by the Petition.

### III. CONCLUSION

Based on the foregoing, *Amicus Curiae*, Laura Sunstein Murphy respectfully requests leave to file an Answer to the Petition for Reconsideration of PECO in the instant matter. Further, *Amicus* respectfully requests that the Commission issue an Order permitting *Amicus* to file an Answer no later than 10 days from the service of the Order granting this Motion.

Respectfully submitted,



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Counsel for *Amicus Curiae*  
Laura Sunstein Murphy

Date: October 15, 2015

**CERTIFICATE OF SERVICE**

I hereby certify that this day I served a copy of the Motion of *Amicus Curiae* for Leave to File an Answer to PECO's Petition for Reconsideration upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

**Via Electronic Mail and/or First Class Mail**

Hon. Jeffery A Watson  
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PA Public Utility Commission  
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Pittsburgh, PA 15222  
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Hon. Darlene D. Heep  
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Date: October 15, 2015



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