

Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19103
Email: Michael.swerling@exeloncorp.com

Direct Dial: 215-841-4220

December 14, 2015

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

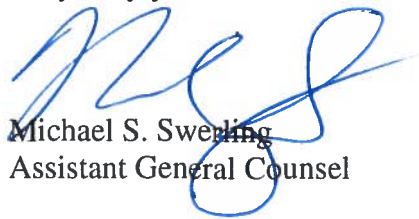
Re: Pennsylvania Public Utility Commission, Bureau of I&E v. PECO Energy Company
Docket No. C-2015-2514773

Dear Secretary Chiavetta:

Attached please find **PECO Energy Company's Motion for Extension of Time to Answer Formal Complaint**.

Please do not hesitate to contact me should you have any questions regarding this filing.

Very truly yours,



Michael S. Swerling
Assistant General Counsel

MSS/adz

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY	:	
COMMISSION, BUREAU OF	:	
INVESTIGATION AND	:	
ENFORCEMENT	:	
Complainant	:	Docket No. C-2015-2514773
	:	
v.	:	
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

**MOTION OF PECO ENERGY COMPANY
FOR EXTENSION OF TIME TO ANSWER FORMAL COMPLAINT**

PECO Energy Company, (“PECO” or the “Company”) hereby files this motion (pursuant to 52 Pa.Code § 5.103) for an extension of time to Answer the Formal Complaint and states the following:

1. On November 25, 2015, the Pennsylvania Public Utility Commission’s (the “Commission’s”) Bureau of Investigation and Enforcement (“I&E”) served PECO Energy Company (“PECO” or the “Company”) with a Formal Complaint including twenty-one (21) counts which, among other things, alleged that PECO failed to prevent Rosemont College’s excavation contractor from hitting the Company’s gas main while auguring to install a light tower foundation for a newly constructed sports field.

2. According to 52 Pa.Code § 5.61(a), PECO has twenty (20) days from the November 25 service date to file its Answer with the Commission’s Secretary’s Office. Therefore, PECO’s Answer to the Formal Complaint is due on December 15, 2015.

3. Pursuant to 52 Pa.Code § 1.15 and for good cause shown, the Commission may grant extensions of time for acts that the Pennsylvania Code requires be completed within a specified amount of time.

4. Accordingly, PECO respectfully requests an extension of time to answer the Formal Complaint for the following reasons, which serve as the foundation for a showing of good cause to grant such request.

5. Specifically, the Formal Complaint raises significant and complex questions regarding the Underground Utility Line Protection Act¹ (Pennsylvania One Call Law). PECO's investigation, for purposes of preparing its Answer, will require additional time to gather and analyze information relevant to the claimed violations. PECO's Answer also will need to incorporate its view of the jurisdictional interplay between the appropriate governing authorities (i.e., the Commission and the Department of Licenses and Inspections).

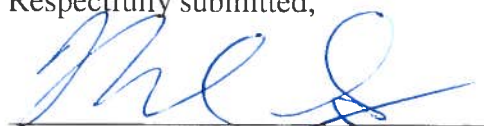
6. PECO requests that the Commission grant its motion, such that the Answer would be due on January 8, 2015.

7. Counsel for I&E has informed PECO that it does not oppose PECO's request for an extension until January 8, 2015.

¹ PA Act 287 of 1974 as amended by Act 121 of 2008 73P.S. § 176 et. seq.

WHEREFORE, for the foregoing reasons, PECO respectfully requests that this Honorable Commission grant its Motion for Extension of Time to File Answer to Complaint.

Respectfully submitted,



Dated: December 14, 2015

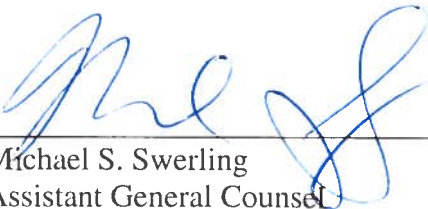
Michael S. Swerling
Assistant General Counsel
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-4220

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION, BUREAU OF :
INVESTIGATION AND :
ENFORCEMENT :
Complainant : Docket No. C-2015-2514773
v. :
PECO ENERGY COMPANY :
Respondent :

VERIFICATION

I, Michael S. Swerling, hereby declare that I am counsel for PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.



Michael S. Swerling
Assistant General Counsel
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
(215) 841-4220
Michael.swerling@exeloncorp.com

Dated: December 14, 2015

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY	:	
COMMISSION, BUREAU OF	:	
INVESTIGATION AND	:	
ENFORCEMENT	:	
Complainant	:	Docket No. C-2015-2514773
	:	
v.	:	
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

I, Michael S. Swerling, hereby certify that on December 14, 2015 I served a copy of PECO's Motion for Extension of Time to Answer Formal Complaint upon the persons indicated below, which service satisfied the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Via E-Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265

Via Email

Heidi L. Wushinski, Prosecuting Attorney
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265