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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Application of Herbert L. : Docket No. A-00114384F0003
Joseph, II, t/d/b/a/ :
Jeunne Noire Enterprises of :
Pennsylvania :

SECRETARY'S OFFICE

INTERIM ORDER
SETTING SETTLEMENT CONFERENCE

DOCKETED

JAN 09 2003

On or about October 24, 2002, Herbert L. Joseph, II, t/d/b/a Jeunne Noire Enterprises of Pennsylvania ("Applicant") filed an application at the above-captioned Docket Number. Two protests were filed to the application.

Based upon a review of the pleadings, the parties are hereby directed to attempt to settle this matter. Applicant shall contact Protestants, on or before January 27, 2003, concerning a time, date and place for Protestants and Applicant to hold a conference. The conference shall take place on or before February 10, 2003, unless this is not possible.

Within ten (10) days following the conference, Applicant shall file a short report with Bruce Bigelow, Mediator ("Mediator"), setting forth:

(a) The time, date and place of the settlement conference;

(b) Who participated for each party;

(c) A statement whether a full settlement (restrictive amendment), including withdrawal of protests, was achieved, and, if not, whether the parties consent to have this case set for mediation by the mediation staff of the Commission; and

(d) A statement of any issues which have been resolved, if a full settlement was not achieved.

If an agreement has not been reached, and the parties do not consent to mediate, the parties are entitled to have a hearing. A hearing is a formal procedure in which an administrative law judge will make a decision to resolve the case. Mediation is an informal procedure in which the parties themselves attempt to resolve the case through a voluntary agreement. The mediator is a neutral person who helps the parties in their efforts to come to an agreement. The Commission encourages mediation.

If it is not possible to have the conference by the date set for that purpose, Applicant shall file a report with the Mediator, on or before ten (10) days following the conference due date, giving the reason(s) why the due date could not be met.

In either situation, a report must be filed with the Mediator by the applicable due date set forth above.

If you have any questions, you should contact the Mediator. His address and phone number are:

Mediator Bruce Bigelow
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 783-5413
Email: bbigelow@state.pa.us

Robert A. Christianson

ROBERT A. CHRISTIANSON
Chief Administrative Law Judge

Date: 1/8/03