

Legal Department
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September 6, 2016

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

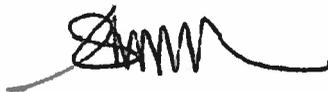
RE: Jeff Wagenmann v. PECO Energy Company
PUC Docket No.: C-2016-2554724

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy Company's Motion for Continuance* with regard to the matter referenced above.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a long horizontal flourish extending to the right.

Shawane Lee
Counsel for PECO Energy Company

cc: Certificate of Service

sl/LD

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JEFF WAGENMANN

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2016-2554724

MOTION FOR CONTINUANCE OF HEARING DATE

PECO Energy Company ("PECO"), pursuant to 52 Pa. Code § 1.15(b), hereby requests a continuance of the hearing date scheduled in this matter and states the following:

1. An in person hearing for this matter is currently scheduled to take place on Friday, October 21, 2016 at 10:00 a.m.

2. PECO is requesting a continuance of the October 21st hearing date because of the unavailability of Asplundh herbicide witness, Joe Lentz.

3. In the Complainant's formal complaint, the Complainant specifically alleges that PECO's subcontractor came onto his property without notification or permission and sprayed poison killing multiple trees.

4. Mr. Lentz is unavailable on October 21st because of a pre-scheduled commitment.

5. Mr. Lentz's testimony is critical to defend the Complainant's allegations; therefore, PECO respectfully requests that the hearing be continued to a further date.

6. The Prehearing Order in this matter states that requests for a continuance are only granted "in rare situations where good cause exists." (Prehearing Order, citing 52 Pa. Code § 1.15).

7. PECO avers that "good cause" exists to continue the scheduled hearing to another date because one of PECO's key witnesses is unavailable.

8. PECO reached out to the Complainant, Jeff Wagenmann to obtain his position on PECO's continuance request and he stated that he is "opposed to any continuance."

9. PECO therefore respectfully requests that the hearing be continued to a further date.

Respectfully Submitted,



Shawane L. Lee
Counsel for PECO Energy Company
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Philadelphia, PA 19103
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Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JEFF WAGENMANN

v.

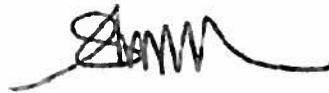
PECO ENERGY COMPANY

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DOCKET NO. C-2016-2554724

VERIFICATION

I, Shawane L. Lee, 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.



Shawane L. Lee

Date: September 6, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JEFF WAGENMANN

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2016-2554724

CERTIFICATE OF SERVICE

I, Shawane L. Lee, hereby certify that I have this day served a copy of PECO Energy Company's Motion in the above matter upon all interested parties by mailing, emailing and faxing a copy, properly addressed to:

Jeff Wagenmann
2027 Valley Hill Road
Malvern, PA 19355
Via Email – jwagenmann@gmail.com

Cynthia Williams Fordham, Administrative Law Judge
Pa. Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
Via email



Shawane L. Lee
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Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

Dated at Philadelphia, Pennsylvania, September 6, 2016.