

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>INTERNATIONAL BROTHERHOOD OF</b>	:	
<b>ELECTRICAL WORKERS, LOCAL 614</b>	:	
	:	
v.	:	<b>DOCKET NO. C-2016-2525801</b>
	:	
<b>PECO ENERGY COMPANY</b>	:	

**PETITION OF THE  
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 614  
FOR LEAVE TO WITHDRAW COMPLAINT WITH PREJUDICE**

Pursuant to 52 Pa. Code § 5.94, the International Brotherhood of Electrical Workers Local 614 (“Local 614”) hereby petitions for leave to withdraw its Complaint with prejudice in this proceeding. As set forth herein, PECO Energy Company (“PECO” or the “Company”) has briefed Local 614 on its inspection procedures as those procedures relate to work completed under the Company’s Long-Term Infrastructure Improvement Plan (“LTIP”) and has confirmed that qualified PECO employees will be inspecting LTIP work. PECO and the Office of Consumer Advocate (“OCA”) do not oppose this Petition.

**PROCEDURAL HISTORY**

1. A detailed procedural history of this case is set forth in prior Orders issued by Administrative Law Judge Cynthia W. Fordham (the “ALJ”) and, therefore, is not necessary to repeat here. For present purposes, Local 614 filed its Complaint on January 25, 2016, and the ALJ issued Prehearing Order #3 on June 7, 2016, which established a procedural schedule for this proceeding.

2. In accordance with Prehearing Order #3, Local 614 served its Direct Testimony on June 30, 2016.

3. On July 28, 2016, PECO filed a Motion for Extension of Time and Objections to Notices of Deposition issued by Local 614.

4. On August 3, 2016, the ALJ issued Prehearing Order #4, which revised the procedural schedule and established that Rebuttal Testimony would be served on September 29, 2016, with hearings scheduled for October 24-25, 2016.

5. On September 28, 2016, the parties requested that the ALJ further revise the procedural schedule to provide PECO and Local 614 with an opportunity to discuss settlement. Subsequently, the ALJ directed that Rebuttal Testimony would be due on October 27, 2016. The parties agreed to provide status updates to the ALJ on October 14 and 21, 2016.

6. On October 14, 2016, the parties reported that PECO and Local 614 were engaged in settlement discussions and agreed to continue these discussions, if necessary, through December 31, 2016. PECO and Local 614 also agreed to work with the OCA to develop a new procedural schedule for the ALJ's consideration if a settlement could not be achieved on or before December 31, 2016.

7. On October 20, 2016, PECO and Local 614 filed a Joint Motion for a Continuance of the Procedural Schedule, which requested that the scheduled hearings be cancelled to allow the parties to continue settlement negotiations.

8. On October 21, 2016, the ALJ issued Prehearing Order #5 granting the Joint Motion and cancelling the scheduled hearings.

## **II. REQUEST FOR LEAVE TO WITHDRAW THE COMPLAINT WITH PREJUDICE**

9. Local 614 initiated this proceeding to enforce the provisions of PECO's LTIP and the Public Utility Code regarding the inspection of LTIP work performed by contractors. *See Complaint, pp. 9-10.*

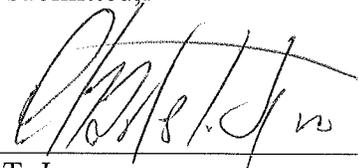
10. During the course of settlement discussions between PECO and Local 614, the Company explained its inspection procedures for work performed pursuant to the LTIP. In particular, the Company confirmed that qualified PECO employees will inspect LTIP work. The Company's procedures for LTIP inspection address the key concerns identified by Local 614 in its Complaint and do not warrant further litigation.

11. Withdrawal of the Complaint with prejudice is in the public interest because it will save time and resources of the Commission and the parties. In addition, PECO and the OCA do not oppose the withdrawal.

WHEREFORE, for the foregoing reasons, the ALJ should issue an Order granting the Petition of Local 614 to withdraw its Complaint with prejudice.

Respectfully submitted,

By: \_\_\_\_\_



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