

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Luis E. Capella

v.

PECO Energy Company

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:  
:  
:

F-01917452

PREHEARING ORDER

An Initial Hearing in this case is scheduled for Tuesday, December 27, 2005, at 9:30 a.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 9:15 a.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa.Code § 1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is:

Administrative Law Judge Angela T. Jones  
1302 Philadelphia State Office Building,  
1400 West Spring Garden Street,  
Philadelphia, PA 19130,  
Telephone: 215.560.2105  
Fax: 215.560.3133

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Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa.Code § 5.231(a). The utility is directed to contact you at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

4. This hearing is a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedures. 52 Pa Code, Chapters 1, 3 and 5.

5. Pursuant to 52 Pa.Code §§ 1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).

6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code § 5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

7. **COMPLAINANT IS RESPONSIBLE FOR PAYMENTS OF BILLS FOR USAGE INCURRED PENDING THE RESOLUTION OF THIS COMPLAINT. FAILURE TO MAINTAIN PAYMENTS MAY RESULT IN THE TERMINATION OF UTILITY SERVICE. IN ADDITION, PAYMENT OF ALL UNPAID BILLS IN ONE LUMP SUM COULD BE REQUIRED UPON RESOLUTION OF COMPLAINT.**

8. Complainant bears the burden of proving the case and should be prepared to support his claim with documentation and/or specific dates of events which could have an impact on the claims.

Date: November 2, 2005

  
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Angela J. Jones  
Administrative Law Judge

**OALJ Hearing Report**

Please Check Those Blocks Which Apply

Docket No :	F-01917452		YES	NO
Case Name	Luis E. Capella v. PECO Energy	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Company		Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
Date	December 27, 2005	Estimated Add'l Days:		
ALJ:	Angela T. Jones	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:	<del>12-27-05</del>	12-27-05
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	DID NOT ADDRESS BILLING BECAUSE WAS NOT PART OF COMPLAINT	

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**RECEIVED**

JAN - 3 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Luis E. CAPELLA <del>242 W</del> 215 983 5648	242 W. Stella St 19133 Philadelphia PA	myself
Telephone:	E-mail Address:	Fax Number:
Lisa Lutz, Esq.	2301 Market Street Philadelphia PA 19101	PECO
Telephone: 215-841-6841	E-mail Address: lisa.lutz@peco.com	Fax Number: 215-568-3389
Telephone:	E-mail Address:	Fax Number:

Check this box if additional parties or attendees appear on back of form.

12/29/05

*Rowena S. Taylor*  
Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.