

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

John Batts

v.

PECO Energy Company

C-20065867

SECRETARY'S OFFICE  
2006 JUL 17 PM 3:28  
REC-1111

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CORRECTED PREHEARING ORDER

An Initial Hearing in this case is scheduled for Wednesday, August 16, 2006 at 1:30 p.m. (please note corrected time) in Hearing Room 2 in the Philadelphia State Office Building. This 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 1:15 p.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 the customer is not present and prepared to go forward with the case when it is called, the 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. My correct address is:

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.

BTL

2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will contact the customer 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 Procedure.

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).

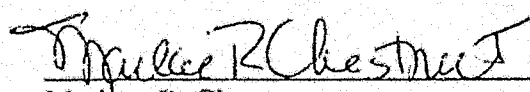
6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days'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

7. The Complainant is responsible for payment of current undisputed bills for service pending the resolution of this complaint. 52 Pa. Code §56.181. Failure to make payments may result in the termination of utility service.

8. THE COMPLAINT WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.

9. The complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that respondent violated its tariff, the Public Utility Code or a Commission order or regulation, and that he/she is entitled to the relief requested in the Complaint.

Date: July 13, 2006

  
\_\_\_\_\_  
Marlane R. Chestnut  
Administrative Law Judge

Legal Department

Exelon Business Services Company  
2301 Market Street / 523 1  
PO Box 8699  
Philadelphia, PA 19101-8699

Telephone 215.841.5544  
Fax 215.568.3389  
www.exeloncorp.com

Business Services  
Company

Direct Dial: 215 841 6841

August 8, 2006

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

ORIGINAL

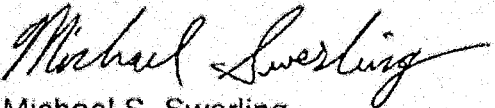
RE: John Batts v. PECO Energy Company  
Pa. PUC Docket No.: C-20065867

Dear Secretary McNulty:

Please find original and three copies of Entry of Appearance of Michael S. Swerling to be filed in the above referenced matter scheduled for Wednesday, August 16, 2006.

Thank you.

Very truly yours,



Michael S. Swerling  
Counsel for PECO Energy Company

DOCUMENT  
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MSS/zr

Enc.

cc: John Batts  
ALJ Marlane R. Chestnut  
Sue Licon (via fax)

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PA PUBLIC UTILITY COMMISSION  
HARRISBURG, PA

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

JOHN BATTS

v.

PECO ENERGY COMPANY

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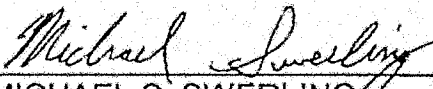
DOCKET NO. C-20065867

ENTRY OF APPEARANCE

TO JAMES MCNULTY, SECRETARY:

Kindly enter my appearance on behalf of Respondent PECO Energy  
Company in the above-captioned matter.

DOCUMENT  
FOLDER

  
MICHAEL S. SWERLING  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19101-8699  
215-841-6841  
[michael.swerling@exeloncorp.com](mailto:michael.swerling@exeloncorp.com)

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SEP 12 2006

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AUG 09 2006  
PA PUBLIC UTILITY COMMISSION  
GENERAL COUNSEL

Legal Department

Exelon Business Services Company  
2301 Market Street / 523-1  
PO Box 8699  
Philadelphia, PA 19101-8699

Telephone 215 841-5544  
Fax 215 568 3389  
www.exeloncorp.com

Business Services  
Company

Direct Dial: 215 841 6841

August 15, 2006

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

ORIGINAL

RE: **John Batts v. PECO Energy Company**  
**Pa. PUC Docket No.: C-20065867**  
**FILING OF CERTIFICATE OF SATISFACTION**

Dear Secretary McNulty:

Enclosed for filing with the Commission are the original and three (3) copies of a Certificate of Satisfaction in connection with the above-referenced case. This Certificate indicates that PECO Energy Company and the Complainant have resolved the issues raised in the Formal Complaint. Unless the Complainant files an objection to the enclosed Certificate of Satisfaction within ten (10) days, the Formal Complaint should be withdrawn and the Commission's file closed.

If you have any questions with regard to this filing, please contact me at 215.841.6841. Thank you.

Sincerely,

Michael S. Swerling  
Counsel for PECO Energy Company

MSS/zr

cc: Mr. John Batts  
Administrative Law Judge, Marlane R. Chestnut  
Sue Licon

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AUG 15 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN BATTS

COMPLAINANT

v.

PECO ENERGY COMPANY

RESPONDENT

DOCKET NO. C-20065867

CERTIFICATE OF SERVICE

I, Michael S. Swerling, hereby certify that I have this day served a true and correct copy of the foregoing document upon the interested parties and in the manner indicated below.

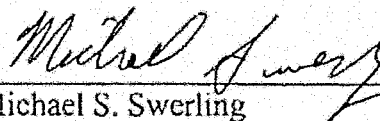
Service by first class mail:

John Batts  
402 E. Mt. Airy Avenue  
Philadelphia, PA 19119

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AUG 15 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



Michael S. Swerling  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841  
Michael.Swerling@cxeloncorp.com

Dated: August 15, 2006

**OALJ Hearing Report**

*Please check Those Blocks Which Apply*

Docket No.:	C-20065867		YES	NO
Case Name:	John Batts v. PECO Energy Company	Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
Date:	August 16, 2006	Estimated Add'l Days:		
ALJ:	Marlane R. Chestnut	RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<i>Jetted per to hearing</i>	

**RECEIVED**

AUG 22 2006

**DOCUMENT FOLDER**

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?
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:

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

*elf*

\_\_\_\_\_  
Reporter's Signature

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

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: August 21, 2006  
SUBJECT: C-20065867 John Batts v. PECO Energy Company  
TO: Wanda Zeiders  
Docket Management  
FROM: Susan Licon, ALJ Support Staff  
Office of Administrative Law Judge

DOCUMENT  
FOLDER

On August 16, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Marlane R. Chestnut  
Beth Plantz  
Case File

**DOCKETED**  
SEP 6 2006