

DOCUMENT

PLEASE DOCKET

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Peter J. Giorno

v.

PECO Energy Company

Docket No. Z-01437327

**DOCKETED**

FEB 02 2004

SECRETARY'S BUREAU

04 JAN -5 AM 11:54

PREHEARING ORDER

An initial telephonic hearing in this case is scheduled for Wednesday, March 24, 2004, at 2:00 p.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. If you intend to present any documents or exhibits for my consideration, you must send one (1) copy to the other party and three (3) copies to me one week before the hearing. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of filing. If you send me any correspondence or documents, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.
2. If you or any proposed witness will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one (1) week before the hearing.
3. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes must be sent to me and all parties of record. Requests for continuances will only be granted for good cause. My correct address is: Louis G. Cocheres, Administrative Law Judge, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

4. YOU MAY LOSE THIS CASE IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

5. ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS STILL A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

6. Pursuant to 52 Pa.Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

7. The complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the complainant is entitled to the relief requested in the Complaint.

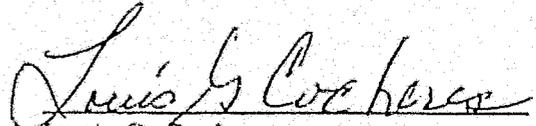
8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object,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

9. Any party may conduct discovery to learn the factual basis of another party's position in this case. However, 52 Pa.Code §5.331(b) provides, in relevant part, that "[a] participant shall endeavor to initiate discovery as early in the proceedings as reasonably

possible.” Additionally, 52 Pa.Code §5.322 provides, in relevant part, that “participants are encouraged to exchange information on an informal basis.” All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa.Code §5.361) and sanctions for abuse of the discovery process (52 Pa.Code §§5.371 & 5.372).

10. Commission policy is to encourage settlements. 52 Pa.Code §5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one (1) week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.

Dated: December 31, 2003

  
Louis G. Cocheres  
Administrative Law Judge

**Legal Department**

Exelon Business Services Company  
2301 Market Street 23-1  
PO Box 8699  
Philadelphia, PA 19101 8699

Telephone 215 841-5544  
Fax 215 568-3386  
www.exelonus.com

RECEIVED  
2004 MAR 22 AM 11:57  
F. U. C.  
SECRETARY'S BUREAU

**ORIGINAL**

Business Services  
Company

Direct Dial: 215 841 6841  
March 18, 2004

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

Re: **Peter Giorno v. PECO Energy Company**  
Docket No.: Z-01437327

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that the parties in the above referenced complaint have reached an accord. A hearing in this matter is no longer necessary and the matter may be closed.

By copy of this letter, I am alerting the Complainant of his/her right to object to the closing of this matter in writing to the Public Utility Commission within ten (10) days of the date of this letter.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you for your assistance.

Sincerely,



Priya Sankar  
Counsel for PECO Energy Company

**DOCKETED**  
MAR 22 2004

Cc: Administrative Law Judge Louis G. Cocheres  
Peter Giorno  
Susan Licon

DOCUMENT  
FOLDER

COMMONWEALTH OF  
PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: March 19, 2004

SUBJECT: Certification of Satisfaction Filed  
Z-01437327 Peter Giorno v. PECO Energy Company

TO: Wanda Zeiders,  
Docket Management

FROM: Susan Licon, Scheduling Officer  
Office of Administrative Law Judge

On March 18, 2004, a Certificate of Satisfaction was filed in the above-captioned proceeding by Priya Sankar, Esquire. If no objection is filed to this certificate within 10 days of service, 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 Louis G. Cocheres  
Elzy Ditzler  
Beth Plantz  
Case File

**DOCKETED**  
MAR 23 2004

DOCUMENT  
FOLDER



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

March 19, 2004

In Re: Z-01437327

(See Letter of 12-30-03)

Peter Giorno v. PECO Energy Company

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial telephone hearing  
Date: Wednesday, March 24, 2004  
Time: 2:00 p.m.  
Presiding: Administrative Law Judge Louis G. Cocheres

DOCUMENT  
FOLDER

Please mark your records accordingly.

pc: Judge Cocheres  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

DOCKETED  
APR 21 2004

● ORIGINAL ●

Exelon®

Legal Department

Exelon Business Services Company  
2301 Market Street/ 231  
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

April 30, 2004

James McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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APR 30 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RE: Peter J. Giorno v. PECO Energy Company  
Pa. PUC Docket No.: Z-01437327

Dear Secretary McNulty:

Enclosed is a copy of Withdrawal of Complaint signed by the Complainant in the above-referenced case. The Complainant has agreed to withdraw the complaint without prejudice. Please send me a final order or closing notice in this matter.

Thank you for your help and if you have any questions regarding this request, please call my direct dial number (215) 841-6841.

Very truly yours,



Priya Sankar  
Attorney  
Exelon Business Services Company

PS/zr

Enc.

DOCUMENT  
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# ORIGINAL

WITHDRAWAL OF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT  
Peter Giorno v. PECO Energy Company  
Docket No.: Z-01437327

The circumstances causing the above Pennsylvania Public Utility Commission formal complaint have been resolved, and I wish to withdraw this complaint.

*Peter J. Giorno*

\_\_\_\_\_  
Peter Giorno

*4/12/2004*

\_\_\_\_\_  
Date

RECEIVED

APR 30 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

**DOCKETED**  
MAY 04 2004

DOCUMENT

DOCUMENT  
FOLDER

Legal Department

Exelon Business Services Company  
2301 Market Street  
PO Box 8699  
Philadelphia, PA 19101

Telephone 215 841 5544  
OFFICE [www.exeloncorp.com](http://www.exeloncorp.com)

04 MAY -7 AM 9:04

Business Services  
Company

PA PUC

# ORIGINAL

Direct Dial: 215 841 5974  
May 5, 2004

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

## DOCUMENT FOLDER

RE: Entry of Appearance and Withdrawal of Appearance

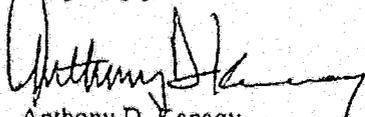
Dear Mr. McNulty:

Enclosed for filing with the Commission are the following documents and copies in the matter referenced above.

<u>X</u>	Entry and Withdrawal of Appearance (original and 3 copies)
_____	Answer (original and 3 copies)
_____	Petition (original and 3 copies)
_____	Answer and Motion (original and 3 copies)
_____	Motion/Petition (original and 3 copies)
_____	Reply to Motion/Petition (original and 3 copies)
_____	Exceptions (original and 9 copies)
_____	Reply Exceptions (original and 9 copies)
_____	Brief (original and 9 copies)
_____	Reply Brief (original and 9 copies)

Also enclosed is an extra copy of this letter which I request that you date stamp and return to me in the envelope provided as proof of filing. I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties.

Very truly yours,



Anthony D. Kanagy  
Counsel for PECO Energy Company

Enclosures

## RECEIVED

MAY - 5 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED  
OFFICE OF C.L.L.J.  
04 MAY - 7 AM 9:04

PA PUC

v.  
PECO ENERGY COMPANY

DOCKET NOS. [See Attachment A]

WITHDRAWAL OF APPEARANCE

DOCUMENT  
FOLDER

TO THE PROTHONOTARY:

Please withdraw my appearance on behalf of Defendant PECO Energy Company in all the matters listed in Attachment A.

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MAY - 5 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



Priya Sankar, Esq.

**DOCKETED**  
MAY 18 2004

ENTRY OF APPEARANCE

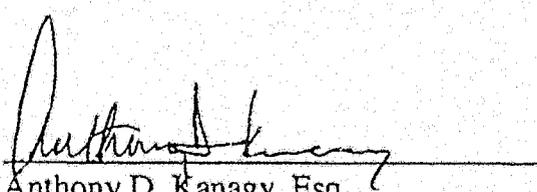
TO THE PROTHONOTARY:

Please enter my appearance on behalf of Defendant PECO Energy Company in all the matters listed in Attachment A. On the basis of this notice, I request a copy of each document hereafter issued by the Commission in this matter.

RECEIVED

MAY - 5 2004

PA PUBLIC UTILITY  
SECRETARY'S BUREAU



Anthony D. Kanagy, Esq.  
Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699  
215-841-5974

Complainant's Name	Docket Number
VANITA POLAND	Z-01413871
MARNISSA PRICE	Z-01416906
EDWARD L DUGAS	Z-01417035
GWENDOLYN DAVIS	Z-01418653
JOAN PRICE	Z-01419393
CASILDA PEREZ	Z-01419867
ROBIN FRAZIER	Z-01420079
SARITA TOLLIVER	Z-01420093
MISS SCOTT	Z-01421064
PAUL LAWSON	Z-01423514
MONICA HUGGINS	Z-01428228
THEODORE GALLMAN	Z-01428469
EMMA BRANT	Z-01429473
MICHAEL G DUNCAN	Z-01429676
LEAKESA T DUTTON	Z-01431688
SHEILA WILSON	Z-01432987
TONI ADAMS	Z-01433424
PETER J GIORNO	Z-01437327
ROSA GONZALEZ	Z-014378918
ROSETTA MALLARD	Z-01439643
MS.JUEL MC CALVIN	Z-01443074
MAXINE THORNTON	Z-01444462
BERNADETTE JONES-CARROLL	Z-01446145
JOHN BARR	Z-01448684
JOSE RIOS	Z-01450985
AILA TATE	Z-01453027
BETTY A SMITH	Z-01453852
KIMBERLY CARROLL	Z-01454118
MARY BULLOCK	Z-01456071
MARQUERITE A WERSTLER	Z-01457640
ATHENA F CARTER	Z-01458378
ADELAIDE WOOLLEY	Z-01458977