

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Raymond W. Berstler

v.

PECO Energy Company

C-20065740

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SECRETARIAT'S BUREAU

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PREHEARING ORDER

An Initial Hearing in this case is scheduled for Tuesday, March 28, 2006 at 1:30 p.m. in Hearing Room 2 on the 13<sup>th</sup> floor of 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 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 continuance 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 a change of hearing date must be sent to me and all parties of record. The 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.

2. Commission policy promotes settlements. 52 Pa.Code §5.231(a). The utility will contact the Complainant at least one week before the scheduled hearing to discuss 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 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 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.

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 he/she is entitled to the relief requested in the Complaint.

Date: February 9, 2006

  
\_\_\_\_\_  
Herbert Smolen  
Administrative Law Judge

Legal Department

Exelon Business Services Company  
2301 Market Street / 523-1  
PC 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

March 16, 2006

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

## DOCUMENT FOLDER

Re: **Raymond W. Bertsler v. PECO Energy Company**  
Docket Number: **C-20065740**

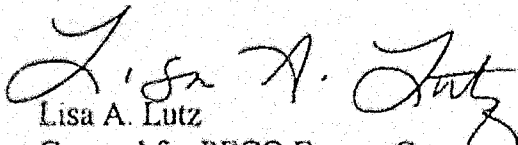
Dear Secretary McNulty,

Pursuant to 52 Pa. Code §5.24(b), PECO Energy Company certifies that the parties in the above referenced complaint have reached an accord.

By copy of this letter, I am alerting the Complainant of his 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.

Sincerely,

  
Lisa A. Lutz  
Counsel for PECO Energy Company

cc: Mr. Raymond W. Bertsler  
Administrative Law Judge Herbert Smolen  
Susan Licon

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MAR 17 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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# ORIGINAL

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**OALJ Hearing Report**

Please Check Those Blocks Which Apply

Docket No.:	C-20065740		YES	NO
Case Name:	Raymond W. Berstler 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 checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
Date:	March 28, 2006	Estimated Add'l Days:		
ALJ:	Herbert Smolen	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>HEARING CANCELLED CERT/SATIS FILED</i>	

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

Name and Telephone Number	Address	Who are you representing?
<p align="center"><b>DOCKETED</b> APR 10 2006</p>	City	State
	State	Zip
	Telephone: _____ E-mail Address: _____ Fax Number: _____	
	City	State
	State	Zip
	Telephone: _____ E-mail Address: _____ Fax Number: _____	
	City	State
	State	Zip
	Telephone: _____ E-mail Address: _____ Fax Number: _____	

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

*3/30/06 ip.*

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

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

**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

March 29, 2006

# ORIGINAL

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

**RE: Donald M. Foellner v. PECO Energy Company  
Pa. PUC Docket No.: C-20065744**

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,

Lisa A. Lutz  
Counsel for PECO Energy Company

LAL/zr

Enc.

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SECRETARY'S BUREAU  
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WITHDRAWAL OF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT  
Donald M. Foellner v. PECO Energy Company  
Docket Number: C-20065744

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

Ronald M. Foellner  
DONALD M. FOELLNER

March 22, 2006  
Date

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APR 3 2006

SECRETARY'S OFFICE  
MARCH 31 11 51 AM '06

**Exelon** SM

ORIGINAL

Business Services  
Company

**Legal Department**

Exelon Business Services Company  
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Philadelphia, PA 19101 8699

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Direct Dial: 215 841 6841

March 29, 2006

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

DOCUMENT  
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RE: **Raymond W. Bertsler v. PECO Energy Company**  
**Pa. PUC Docket No.: C-20065740**

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,

Lisa A. Lutz  
Counsel for PECO Energy Company

LAL/zr

Enc.

SECRETARY'S BUREAU  
2006 MAR 31 AM 9:23

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WITHDRAWAL OF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT  
Raymond W. Bertsler v. PECO Energy Company  
Docket Number: C-20065740

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

Raymond W. Bertsler  
RAYMOND W. BERTSLER

3-20-06  
Date

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SECRETARY'S BUREAU  
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APR 3 2006

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: April 4, 2006  
SUBJECT: C-20065740 Raymond W Bertsler v. PECO Energy Company  
TO: Wanda Zeiders  
Docket Management  
FROM: Susan Licon, ALJ Support Staff  
Office of Administrative Law Judge

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On March 31, 2006, a Petition for Leave to Withdraw was filed in the above-captioned proceeding. If no objection is filed to this petition 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 Herbert Smolen  
Beth Plantz  
Case File

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APR 11 2006