

PLEASE DOCKET

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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P.A.U.C.
SECRETARY'S BUREAU

Alonzo W. Smith

v.

PFCO Energy Company

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:
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:
:

Z-01348605

DOCUMENT
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PREHEARING ORDER

On October 28, 2003, I was assigned to preside over this case. The purpose of this order is to bring to the attention of all parties certain procedural rules, observance of which will serve to "secure the just, speedy and inexpensive determination" of this proceeding. 1 Pa. Code §1.2(a). The parties are directed to comply with the following requirements:

1. Proceedings before the Commission are governed by, inter alia, 52 Pa. Code §1.15, which provides:

§1.15. Extensions of time.

....

(b) Except as otherwise provided by statute, requests for continuance of hearings or for extension of time in which to perform an act required or allowed to be done at or within a specified time by this title or by order of the Commission or the presiding officer, shall be by motion in writing, timely filed with the Commission, stating the facts on which the application rests, except that during the course of a proceeding, the requests may be made by oral motion in the hearing before the Commission or the presiding officer. Only for good cause shown, will requests for continuance be considered. The requests should be submitted at least 5 days prior to the hearing date. (Emphasis added.)

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In accordance with the foregoing, absent a timely request for continuance for good cause (i.e., no later than 5 days before the scheduled hearing on February 18, 2004), all parties to this proceeding shall be prepared to participate in the scheduled hearing.

2. IF YOU WISH TO OFFER INTO EVIDENCE AT THE HEARING MATERIAL IN THE FORM OF DOCUMENTS (LETTERS, BILLS, CANCELLED CHECKS AND THE LIKE), YOU MUST SEND THREE (3) COPIES OF ALL EXHIBITS YOU INTEND TO PRESENT TO MY OFFICE, AND ONE (1) COPY TO EACH PARTY OF RECORD AT LEAST THREE (3) DAYS PRIOR TO THE HEARING.

3. YOU MUST ARRANGE TO HAVE THOSE WHO INTEND TO TESTIFY AS WITNESSES ON YOUR BEHALF PRESENT WITH YOU AT THE TIME SET FOR THE HEARING.

4. **COMPLAINANT:** Please be aware that you have the burden of proof in this proceeding, and must show by a preponderance of the evidence that respondent has violated the Public Utility Code or a regulation or order of the Commission, and that you are entitled to the relief requested in the Complaint. If this burden is not satisfied, the Complaint must be denied as a matter of law. Pursuant to 52 Pa. Code §§1.21 and 1.22, if you are an individual, you may be represented by an attorney or you may represent yourself. **If this is an adversarial proceeding and you are a partnership, corporation, trust, association or governmental agency or subdivision, you must be represented by an attorney.**

5. Please be aware that there often is a delay in my receiving documents filed in Harrisburg. Therefore, serve me directly with any documents that you file in this proceeding.

6. I will emphasize that if you are not available for the hearing and a continuance has not been granted, I will conduct the hearing without you. If you are the complainant, that may mean that the complaint will be dismissed. If you are the respondent, the complaint may be sustained and sanctions imposed, if appropriate, based on the record adduced.

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

8. The parties are encouraged to informally discuss any of the matters involved in this case prior to the scheduled hearing.

ORDER

The parties shall comply with procedural rules and regulations discussed herein.

Date:

Nov. 3, 2003

Charles E. Rainey, Jr.
CHARLES E. RAINEY, JR.
Administrative Law Judge

OALJ Hearing Report

Please Check Those Blocks Which Apply

| | | | | |
|-----------------|--|-------------------------|-------------------------------------|-------------------------------------|
| Docket No.: | Z-01348605 | | YES | NO |
| Case Name: | Alonzo W. Smith v. PECO Energy Company | Prehearing Held: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | Hearing Held: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | Testimony Taken: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | Transcript Due: | <input checked="" 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"/> |
| | | Estimated Add'l Days: | | |
| Date: | February 18, 2004 | RECORD CLOSED: | <input type="checkbox"/> | <input type="checkbox"/> |
| ALJ: | Charles E. Rainey, Jr. | DATE: | | |
| | | Briefs to be Filed: | <input type="checkbox"/> | <input type="checkbox"/> |
| | | DATE: | | |
| Reporting Firm: | Sargents Court Reporting Service, Inc. | Bench Decision: | <input type="checkbox"/> | <input type="checkbox"/> |

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

REMARKS: *The parties attached prior to hearing. Respondent will file a Certificate of Satisfaction by Feb. 23, 2004.*

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

| Name and Telephone Number | Address | | | Who are you representing? |
|--|---|--|--|---------------------------|
| Alonzo W. Smith Telephone: 215-328-9068 | 203 Luff Lane City: Warminster State: PA Zip: 18974 | | | Pro Se |
| Priya Sankar, Esquire Telephone: 215-841-6841 | 2301 Market Street City: Philadelphia State: PA Zip: 19101 | | | PECO Energy Company |
| | | | | |
| | | | | |

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

RJP
Reporter's Signature
Anthony J. Batten; Sargents Court Reporting

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

| 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 |
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| | City | State | Zip | |
| Telephone: | E-mail Address: | | | Fax Number. |
| | | | | |
| | City | State | Zip | |
| Telephone: | E-mail Address: | | | Fax Number |

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Exelon SM

Exelon Corporation
101 Constitution Avenue, NW
Suite 400 East
Washington, DC 20002

www.exeloncorp.com

Direct Dial: 215 841 6841
February 26, 2004

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

DOCUMENT
FOI DE

Re: Alonzo Smith v. PECO Energy Company
Docket No.: Z-01348605

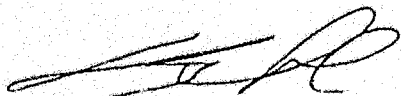
Dear Secretary McNulty:

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 05 2004

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2004 MAR - 1 PM 12:03
SECRETARY'S BUREAU

Cc. Administrative Law Judge Charles E. Rainey
Alonzo Smith
Susan Licon

RJP

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COMMONWEALTH OF
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: March 2, 2004

SUBJECT: Certification of Satisfaction Filed
Z-01348605 Alonzo W. Smith v. PECO Energy Company

TO: Wanda Zeiders,
Docket Management

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

On February 26, 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 Charles E. Rainey, Jr.
Elzy Ditzler
Beth Plantz
Case File

DOCKETED
JUN 7 2005

DOCUMENT
FOLDER

RJP

Legal Department

Exelon Business Services Company
2201 Market Street/ 23
PO Box 8699
Philadelphia, PA 19101-8699

Telephone 215 841-5544
Fax 215 563-3389
www.exeloncorp.com

Business Services
Company

ORIGINAL

Direct Dial: 215 841 6841

March 11, 2004

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

RE: Alonzo Smith v. PECO Energy Company
Pa. PUC Docket No.: Z-01348605

SECRETARY'S BUREAU
04 MAR 15 AM 10:38

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.

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MAR 15 2004

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**WITHDRAWAL OF
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT**

**Alonzo Smith v. PECO Energy Company
Docket No.: Z-01348605**

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

Alonzo W. Smith
Alonzo Smith

3/1/04
Date

04 MAR 15 AM 10:38
SECRETARY'S BUREAU

DOCKETED
MAR 15 2004

Legal Department

Exelon Business Services Company
2301 Market Street
P.O. Box 8699
Philadelphia, PA 19101

Telephone 215.841.5544

OFFICE 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

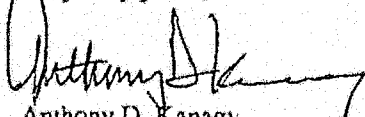
Dear Mr. McNulty:

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

- X 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

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MAY - 5 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

PA PUC

v.
PECO ENERGY COMPANY

DOCKET NOs. [See Attachment A]

WITHDRAWAL OF APPEARANCE

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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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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU


Priya Sankar, Esq.

DOCKETED
MAY 18 2004

ENTRY OF APPEARANCE

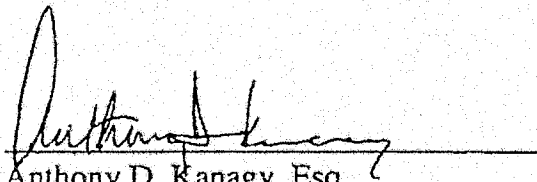
TO THE PROTHONOTARY:

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.

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MAY - 5 2004

PA PUBLIC UTILITY
SECRETARY'S B.


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 |
|----------------------------|---------------|
| GREGORY L MATHIS | Z-01326520 |
| KIMBERLY D MACKEY | Z-01326836 |
| WILLIAM C C. SOMERSHOE, JR | Z-01332370 |
| EDITH L SIMPSON | Z-01334347 |
| DANA M LOWERY | Z-01343162 |
| CATHERINE LONG | Z-01345423 |
| ANNA G MAYER | Z-01345947 |
| JOSEPH BLAIR | Z-01346514 |
| ALONZO W SMITH | Z-01348605 |
| BARBARA BOTDORF | Z-01348749 |
| INEZ P SMITH | Z-01351969 |
| AURELIA R WHARTON | Z-01364343 |
| THOMAS MCCARTHY | Z-01366739 |
| LINDA L DUNLAP | Z-01367508 |
| MARY HITNER | Z-01369572 |
| DERRICK HAMM | Z-01371328 |
| ANGELA RILEY | Z-01372435 |
| PRISCILLA GEIST | Z-01389685 |
| JOE HORAN | Z-01390114 |
| CARMENCITA PEDRO-FISHER | Z-01392788 |
| SUSAN MOTKOWSKI | Z-01394624 |
| KARIN O VANTOLL | Z-01396479 |
| CONYA HILL | Z-01401789 |
| RAY B HUGHES | Z-01402197 |
| JAMES E HINES | Z-01403593 |
| CARMEN MCGRIFF | Z-01405586 |
| ALICE PIERCE | Z-01406970 |
| LEONARD CHEATHAM | Z-01407899 |
| DORTHEA BOULWARE | Z-01408170 |
| JANIS SITER | Z-01409100 |
| CAROL A LYONS | Z-01409378 |
| CAROL HAINES | Z-01412655 |