

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PROVIDENCE MEDICAL ASSOCIATES, INC. :

v. :

PECO ENERGY COMPANY :

C-20066011

DOCUMENT
FOLDER

DOCKETED
APR 24 2006

INTERIM ORDER
SETTING RESOLUTION CONFERENCE

On or about March 17, 2006, Providence Medical Associates, Inc. ("Complainant") filed a complaint against PECO Energy Company ("Respondent"), at the above-captioned Docket Number. On or about April 12, 2006, Respondent filed an answer to the complaint.

Based upon a review of the information contained in this material, I direct the parties to attempt to resolve this matter themselves. Respondent shall contact Complainant no later than May 1, 2006, to set a mutually convenient time, date and place for Respondent and Complainant to hold a conference about resolving the case. The conference must take place no later than May 15, 2006, unless this is not possible.

Within ten (10) days following the conference, Respondent shall file a short report with Bruce Bigelow ("Mediator"), setting forth:

- (a) The time, date and place of the conference;
- (b) Who participated for each party;
- (c) A statement whether a full resolution, including withdrawal of complaint, was achieved, and, if not, whether the parties consent to have this case set for mediation by the mediation staff of the Commission; and
- (d) A statement of any issues which have been resolved, if a full resolution was not achieved.

The Commission encourages mediation if the parties cannot reach an agreement through the resolution conference. Mediation is an informal process in which the parties attempt to resolve the case with the help of a mediator. The mediator is a neutral staff member of the Commission who does not give advice, make a decision, or represent any party. Instead, the mediator assists the parties in their efforts to come to an agreement.

If the parties do not reach an agreement on their own, and do not consent to mediate, they are entitled to the hearing process. The hearing process usually includes the presentation of oral testimony and other evidence before a Commission administrative law judge, who will then consider the case and make a written decision to resolve it.

If it is not possible to have the conference by the date set for that purpose, Respondent shall file a report with the Mediator, on or before ten (10) days following the conference due date, giving the reason(s) why the due date could not be met.

In either situation, a report must be filed with the Mediator by the applicable due date set forth above.

If you have any questions, you should contact the Mediator. His address and phone number are:

Mediator Bruce Bigelow
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 783-5413
Email: bbigelow@state.pa.us

Date: April 17, 2006



VERONICA A. SMITH
Chief Administrative Law Judge

C-20066011 PROVIDENCE MEDICAL ASSOCIATES, INC. v. PECO ENERGY COMPANY

PROVIDENCE MEDICAL ASSOCIATES INC
ATTN WOODROW B KESSLER
4155 PROVIDENCE ROAD
MEDIA PA 19063-3839
610.876.0744

LISA A LUTZ ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET/S23-1
P O BOX 8699
PHILADELPHIA PA 19101-8699
215.841.6841

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

PLEASE DOCKET

DATE: August 16, 2006
SUBJECT: Providence Medical Associates, Inc. v. PECO Energy Company
C-20066011
TO: Commission Document Folder
FROM: Bruce Bigelow
Mediator

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Pursuant to Chief Administrative Law Judge Smith's Interim Order, dated April 17, 2006, a report has been submitted to the Mediation Unit.

Please include this memo in the official Commission document folder.

DOCKETED
SEP 11 2006

pc: OALJ File
Beth Plantz
Mediator Bigelow
Docketing



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
August 25, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20066011

(See attached list)

Providence Medical Associates, Inc. v. PECO Energy Company

Billing dispute.

Hearing Notice

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial hearing
Date: Thursday, October 19, 2006
Time: 10:00 a.m.
Location: In an available hearing room
Philadelphia State Office Building
Broad and Spring Garden Streets
Philadelphia, PA 19130
Presiding: Administrative Law Judge Ky Van Nguyen
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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SEP 27 2006

Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

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

C-20066011 PROVIDENCE MEDICAL ASSOCIATES, INC. v. PECO ENERGY COMPANY

PROVIDENCE MEDICAL ASSOCIATES INC
ATTN WOODROW B KESSLER
4155 PROVIDENCE ROAD
MEDIA PA 19063-3839
610.876.0744

MICHAEL S SWERLING ESQUIRE
PECO ENERGY COMPANY
2301 MARKET STREET/S23-1
P O BOX 8699
PHILADELPHIA PA 19101-8699
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PROVIDENCE MEDICAL CENTER
415 South Providence Road
Media, Pennsylvania 19063

PHONE: 610-876-0744

FAX: 610-876-3004

August 30, 2006

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
P.O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
SEP - 6 2006
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RECEIVED
OFFICE OF A.L.J.
SEP - 5 PM 2:07
PA PUC

Re: Hearing notice for October 19, 2006; C-20066011
Providence Medical Associates vs. PECO Energy Company

Dear Gentlepersons:

Providence Medical Center (PMC) is a limited partnership of physicians and their families.

PMC requests that it be represented by Woodrow B. Kessler, Ph.D., M.D. rather than by an attorney.

The background relating to this request is that all prior negotiations, conversations and interactions had been conducted between employees and an attorney in the employ of PECO and Dr. Kessler. Only within the past 10 days did another Attorney enter into conversation with Dr. Kessler, explaining that the previous Attorney was no longer in PECO's employ. Introduction of an Attorney to represent PMC at this time would burden 1) the time of a practicing physician (Dr. Kessler) to re-prepare such a case and 2) the financial resources of a small business ownership, resulting in Attorney's fees which could easily exceed the amount of monies in debate.

All discussions between the initial PECO Attorney, PECO's employees and Dr. Kessler had been presented by PECO to Dr. Kessler as the entry point to an agreement based on non-legal interactions. The proposed format now introduces the new PECO Attorney and PECO as a Corporate Giant, utilizing our legal system to strangle the attempts of PECO's client (PMC) to present its view to an impartial forum.

The greater shame of this proposed format is that the Commonwealth of Pennsylvania, which purports to provide relief for abuse by PECO, would join PECO in adding to such abuse.

PROVIDENCE MEDICAL CENTER
415 South Providence Road
Media, Pennsylvania 19063

PHONE: 610-876-0744

FAX: 610-876-3004

I therefore beg that I be permitted to represent PROVIDENCE MEDICAL CENTER in any actions before this esteemed commission.

Sincerely,

Woodrow B. Kessler, Ph.D., M.D.