

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Providence Medical Associates, Inc.

v.

PECO Energy Company

**DOCKETED**  
JAN 04 2007

C-20066011

PREHEARING ORDER

**DOCUMENT  
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An initial hearing in this case is scheduled for Thursday, October 19, 2006 at 10:00 a.m. 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 submit one (1) copy to the other party, one (1) copy to me and two (2) copies to the court reporter at the hearing.

2. 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 of initial or subsequent hearings must be sent to the Administrative Law Judge, with copies to all parties of record. The correct address is: Administrative Law Judge Ky Van Nguyen, Pennsylvania Public Utility Commission, 1302 Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, PA 19130. Such changes are granted only in rare situations where good cause exists.

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

4. THIS HEARING IS A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

5. Under 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. Any attorney representing a party in this proceeding must enter an appearance in accordance with the Commission regulations at 52 Pa. Code §§1.24-.25.

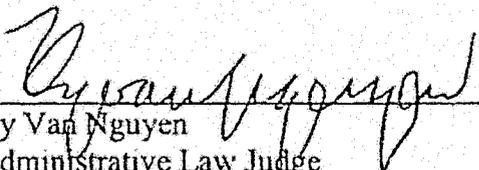
6. The customer-complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the respondent has violated the Public Utility Code or a Pennsylvania Public Utility Commission regulation or order so that the complainant is entitled to the relief requested in the complaint.

7. 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 the other parties will have the required ten (10) days' notice to answer or object, and so you will have enough time to receive the subpoena and serve it.

8. 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-.372).

9. 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.

Date: September 5, 2006

  
Ky Van Nguyen  
Administrative Law Judge

Providence Medical Associates, Inc. v. PECO Energy Company  
Docket Number C-20066011

SERVICE LIST

Providence Medical Associates, Inc.  
(Attn. Woodrow B. Kessler)  
4155 Providence Road  
Media, PA 19063-3839

Michael S. Swerling, Esquire  
PECO Energy Company  
2301 Market Street  
P.O. Box 8699  
Philadelphia, PA 19101-8699



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
October 19, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20066011

(SEE LETTER DATED 8/25/06)

Providence Medical Associates, Inc. v. PECO Energy Company  
Billing Dispute

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for October 19, 2006, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing  
Date: Monday, December 18, 2006  
Time: 10:00 a.m.  
Location: In an available hearing room  
13th Floor  
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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Please mark your records accordingly.

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  
Stacy Nolan, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File

**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

**ORIGINAL**

Direct Dial: 215-841-6841  
December 01, 2006

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

**RECEIVED**

DEC 4 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Re: Providence Medical Associates, Inc. v. PECO Energy Company**  
**Docket Number: C-20066011**

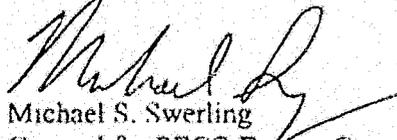
Dear Secretary McNulty:

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 its 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,

  
Michael S. Swerling  
Counsel for PECO Energy Company

**DOCUMENT  
FOLDER**

cc: Providence Medical Associates, Inc.  
Attn: Woodrow B. Kessler  
Administrative Law Judge Ky Van Nguyen  
PUC Scheduling

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DEC 06 2006

RECEIVED

DEC 4 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PROVIDENCE MEDICAL ASSOCIATES, INC. :

COMPLAINANT :

v. :

PECO ENERGY COMPANY :

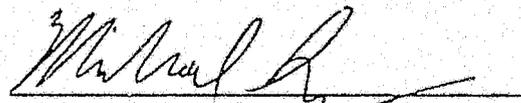
RESPONDENT :

DOCKET NO. C-20066011

CERTIFICATE OF SATISFACTION

I, Michael S. Swerling, Esquire, representing PECO Energy Company ("PECO") in this matter, hereby certify that the issues raised in the Formal Complaint filed by Complainant with the Pennsylvania Public Utility Commission and docketed at Complaint Docket No. C-20066011 has been satisfied.

This Certificate of Satisfaction is provided pursuant to 52 Pa. Code §5.24(b). Unless Complainant files an objection to this Certificate within ten (10) days of its filing, the Formal Complaint shall be withdrawn and the Commission's file closed.



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@exeloncorp.com

Date: December 01, 2006

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DEC 4 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

PROVIDENCE MEDICAL ASSOCIATES, INC. :

COMPLAINANT :

v. :

PECO ENERGY COMPANY :

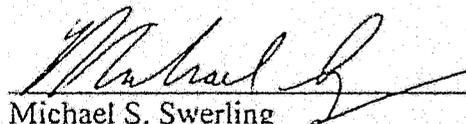
RESPONDENT :

DOCKET NO. C-20066011

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:  
Providence Medical Associates, Inc.  
Attn: Woodrow B. Kessler  
4155 Providence Road  
Media, PA 19063

  
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@exeloncorp.com

Dated: December 01, 2006



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
December 5, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20066011

(SEE LETTER DATED 8/25/06)

Providence Medical Associates, Inc. v. PECO Energy Company

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial Hearing  
Date: December 18, 2006  
Time: 10:00 a.m.  
Presiding: Administrative Law Judge Ky Van Nguyen

Please mark your records accordingly.

pc: Judge Nguyen  
Dawn Reitenbach  
Beth Plantz  
Docket Section  
Calendar File

**DOCKETED**  
DEC 14 2006

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FOLDER

**BTL**

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: December 6, 2006

SUBJECT: C-20066011  
Providence Medical Associates, Inc. v. PECO Energy Company

TO: Wanda Zeiders  
Docket Management

FROM: Dawn M. Reitenbach, ALJ Support Staff  
Office of Administrative Law Judge

On December 6, 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 Ky Van Nguyen  
Beth Plantz  
Case File

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DEC 07 2006

BTL

**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

December 13, 2006

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

**ORIGINAL**

RE: **Providence Medical Associates, Inc. v. PECO Energy Company**  
**Pa. PUC Docket No.: C-20066011**

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,

  
Michael S. Swerling  
Counsel for PECO Energy Company

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FOLDER**

MSS/zr

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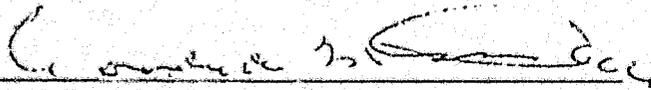
SECRETARY'S BUREAU  
2006 DEC 22 11:10:55

**ORIGINAL**

WITHDRAWAL OF  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FORMAL COMPLAINT

Providence Medical Associates, Inc. v. PECO Energy Company  
Docket Numbers: C-20066011

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



PROVIDENCE MEDICAL ASSOCIATES, INC.

\_\_\_\_\_  
Date

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**DOCKETED**  
DEC 22 2006

SECRETARY'S BUREAU  
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