

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Jonathan J. Kravitz

v.

PECO Energy Company

:
:
:
:
:

Docket Number

Z-01104979

PREHEARING ORDER

A telephonic Initial Hearing in this case is scheduled for Tuesday, September 10, 2002, at 10:00 a.m.. Accordingly, the participants 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 participant and three (3) copies to me one week before the hearing. Proposed exhibits should be properly premarked for identification purposes. 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 document, you must send a copy to all other participants. For your convenience, a copy of the Commission's current service list of the participants 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.

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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 of the hearing date must state the agreement or opposition of other participants, and must be sent to me and all participants of record. The correct address is: Administrative Law Judge Wayne L. Weismandel, P.O. Box 3265, Harrisburg, PA 17105-3265. Changes are granted only in rare situations where good cause exists.

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 participants, 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 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).

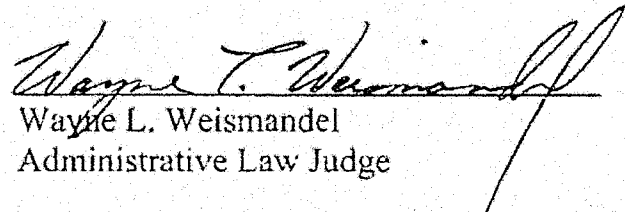
7. The complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the complainant is entitled to the relief requested in the Complaint.

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 participants 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 participant may conduct discovery to learn the factual basis of another participant'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 participants are urged to cooperate in informal information exchanges and in conducting discovery. 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.

Date: August 2, 2002


Wayne L. Weisman
Administrative Law Judge

THEODORE M. KRAVITZ

Attorney at Law

691 Washington Crossing Road
Newtown, PA 18940
215-968-2830 (telephone)
215-968-2831 (facsimile)
kravitzlaw@snip.net (e-mail)

New Jersey Office:
214 White Horse Pike
P.O. Box 88
Haddon Heights, New Jersey 08035
856-547-3500

August 30, 2002

Honorable Wayne L. Weismandel
Administrative Law Judge
P O. Box 3265
Harrisburg, PA 17105-3265

SRB
DOCUMENT

RE: KRAVITZ v. PECO #Z-01104979

Dear Judge Weismandel:

Enclosed herewith please find my entry of appearance on behalf of Jonathan J. Kravitz. Please file same and return the conformed copy to me in the envelope provided.

Additionally, I am enclosing three copies of Complainant's Exhibit One which will be used during the hearing and offered into evidence.

The hearing date of September 10, 2002 at 10:00 a.m. is confirmed. However, I would like to change the telephone number for Complainant to 215-968-2830 (my office). Please contact the Complainant and I at the new number on the day of the hearing.

Very truly yours,

Theodore M. Kravitz

TMK/ot
Enclosures
cc: Henri P. Marcial, Esquire

02 SEP -3 PM 2:47
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PUBLIC UTILITIES COMMISSION

DOCKETED

SEP 05 2002

IN THE MATTER OF:

Jonathan J. Kravitz

Docket Number

v.

Z-01104979

PECO Energy Company

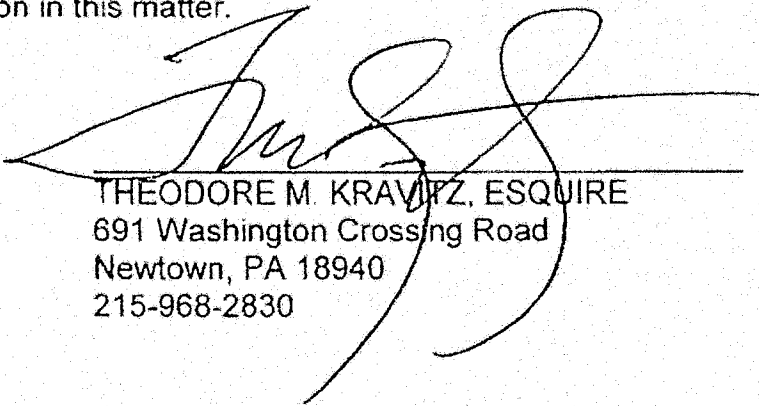
DOCUMENT

NOTICE OF APPEARANCE

Please enter my appearance on behalf of **Jonathan J. Kravitz** in the above-captioned matter.

I am authorized to accept service on behalf of said participant in this matter.

On the basis of this notice I am hereby requesting a copy of each document hereafter issued by the Commission in this matter.



THEODORE M. KRAVITZ, ESQUIRE
691 Washington Crossing Road
Newtown, PA 18940
215-968-2830

SECRETARY'S BUREAU

02 SEP -3 PM 2:47

Legal Department

Exelon Business Services Company
2701 Market Street/ 523-1
PO Box 8099
Philadelphia, PA 19101-8699

Telephone (215) 841-5544
Fax (215) 568-3389
www.exeloncorp.com

Business Services
Company

SRB

Direct Dial: 215 841 6841

September 9, 2002

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SEP 06 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

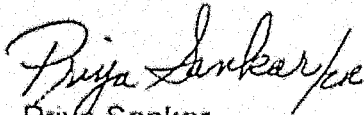
RE: Docket No. Z-01016735
Docket No. Z-01104979
Docket No. C-00015076
Docket No. Z-01117148

Dear Secretary McNulty:

Enclosed for filing please find the original and three (3) copies of my Entry of Appearance as co-counsel for PECO Energy Company in the above-captioned matters.

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.

Very truly yours,



Priya Sankar
Attorney
Exelon Business Services Company

PS/zt

Enc.

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHNATHAN KRAVITZ

v.

PECO ENERGY COMPANY

DOCKET NO. Z-01104979

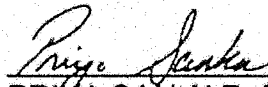
ENTRY OF APPEARANCE

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To The Secretary:

Kindly enter my appearance as co-counsel on behalf of Defendant PECO
Energy Company in the above captioned matter.

Respectfully Submitted,



PRYA SANKAR, ESQ.

Attorney

PECO Energy Company

2301 Market Street

PO Box 8699

Philadelphia, PA 19101-8699

(215) 841-6841

priya.sankar@exeloncorp.com

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September 9, 2002

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Legal Department

Exelon Business Services Company
2501 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 5974

SRB September 10, 2002

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

ORIGINAL

Re: Jonathan J. Kravitz v. PECO Energy Company
Pa. PUC Docket No. Z-01104979

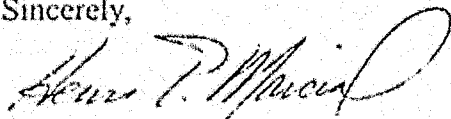
Dear Secretary McNulty,

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,



Henri P. Marcial
Assistant General Counsel

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Cc: Administrative Law Judge Wayne L. Weismandel
Theodore M. Kravitz, Esq.
Jonathan J. Kravitz
Teresa Ferrier

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SEP 10 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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OALJ Hearing Report


Please Check Those Blocks Which Apply

Docket No.	Z-01104979	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name.	Jonathan J. Kravitz v. PECO Energy Company	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DOCKETED		Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location.	HBG	Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date:	September 10, 2002	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ.	Wayne L. Weismandel	Estimated Add'l Days:	N/A	
Reporting Firm:	Commonwealth Reporting	RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DOCUMENT FOLDER		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
02 SEP 17 11 9:20 PA PUC		REMARKS:	PARTIES NEGOTIATED SETTLEMENT AGREEMENT. PECO TO FILE CERTIFICATE OF SATISFACTION.	

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

Name and Telephone Number	Address	Who are you representing?
Theodore M. Kravitz	691 Washington Crossing Road City: Newtown, State: PA, Zip: 18940	Jonathan J. Kravitz
Henri P. Marcial	2301 Market St. P.O. Box 8699 City: Philadelphia, State: PA, Zip: 19101-8699	PECO Energy

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


 Reporter's Signature

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

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: September 12, 2002

SUBJECT: Certification of Satisfaction Filed
Z-01104979 Jonathan J. Kravitz v PECO Energy Company

TO: Wanda Zeiders
Docket Management

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

SRB

On September 10, 2002, a Certificate of Satisfaction was filed in the above-captioned proceeding by Henri P. Marcial, 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 Wayne L. Weismandel
Beth Plantz
Case File

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SEP 30 2002

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