

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Samuel M. Rubino

v.

PECO Energy Company

:
:
:
:
:

C-20030117

SECRETARY'S BUREAU
01/13/04 - 5 PM 10:26

PREHEARING ORDER

On February 19, 2004, 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:

I. 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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MAR 16 2004

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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 April 15, 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:

10th Mar. 1, 2004

Charles E. Rainey, Jr.
Charles E. Rainey, Jr.
Administrative Law Judge

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20030117		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Samuel M. Rubino v. PECO Energy Company	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
Date:	April 15, 2004	RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Charles E. Rainey, Jr.	DATE:	5-17-04	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Sargents Court Reporting Service, Inc.	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	<i>The record will close on May 17, 2004.</i>	

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MAY - 3 2004

PA PUC
PUBLIC UTILITY COMMISSION
PLEASE PRINT CLEARLY

Incomplete information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Samuel M. Rubino Telephone: 610-644-3229	#4 Rustic Lane City: Malvern State: PA Zip: 19355	Pro Se
Priya Sankar, Esq. Telephone: 215-841-6841	2301 Market St. City: Phila. State: PA Zip: 19101	PECO Energy Co.
Telephone: E-mail Address: Fax Number:		

RJP

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

Danielle M. Lannas

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
PO 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

RE: Entry of Appearance and Withdrawal of Appearance

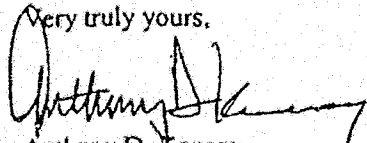
Dear Mr. McNulty:

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

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FOR FILING

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MAY - 5 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Enclosures

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

PA PUC

v.

DOCKET NOS. [See Attachment A]

PECO ENERGY COMPANY

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WITHDRAWAL OF APPEARANCE

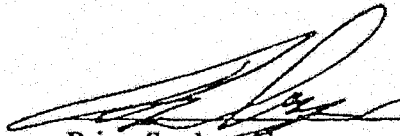
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MAY 14 2004

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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MAY - 5 2004


Priya Sankar, Esq.

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ENTRY OF APPEARANCE

DOCKETED
MAY 14 2004

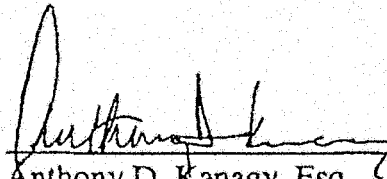
TO THE PROTHONOTARY:

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


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

PA PUBLIC UTILITY
SECRETARY'S B.

ATTACHMENT A

Complainant's Name	Docket Number
SKENDER KQIRA	C-20026889
ROBERT A SALLARD	C-20028002
SARAH SABIN	C-20028005
MARY BORSCIK	C-20028047
MYRA EDWARDS	C-20028097
PAUL TOY	C-20028126
PAMELA C WOLFE	C-20028258
KAREN KELLY	C-20028354
DONALD H SILKNITTER JR	C-20028496
HENRY BARRETT	C-20028588
ANTONIO ROMEO	C-20028591
FRANKLIN T REESE JR	C-20028633
AUREA OCASIO	C-20028983
JOHN CHO	C-20028987
SAL PAOLELLA	C-20029186
JOEL HARDEN	C-20030005
RICHARD TOLAND	C-20030042
TANYA BAILEY	C-20030043
NICHOLAS MACRINE	C-20030079
JOHN MC NEAR	C-20030114
SAMUEL RUBINO	C-20030117
ANNE E WONDOLAWSKI	C-20030127
LOLA BLAKENEY	C-20030129
MRS A NOEL	C-20030130
LENORA ELLISON	C-20030131
JULIE BENOIT	C-20030166
ENID BABB	C-20030211
KELLY WILLIAMS	C-20030216
ALFRED L RUGH JR	C-20030219
SHIRLEY BOGGS	C-20030221
RALPH BRANTLEY	C-20030229
SHELIA HOPKINS	C-20030333