

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

James F. Andrews

v.

PECO Energy Company

:
:
:
:
:

C-20031144

DOCUMENT
FOLDER

DOCKETED

DEC 22 2003

PREHEARING ORDER

On November 25, 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.)

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 March 10, 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:

Dec. 1, 2003

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

ORIGINAL RECEIVED

Exelon SM

Exelon Corporation
101 Constitution Avenue, NW
Suite 400 East
Washington, DC 20001

www.exeloncorp.com

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SECRETARY'S BUREAU

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

Re: James Andrews v. PECO Energy Company
Docket No.: C-20031144

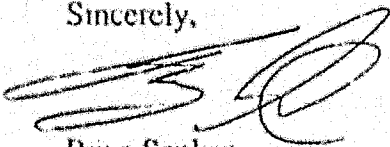
Dear Secretary McNulty:

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

DOCUMENT
FOLDER

Cc: Administrative Law Judge Charles E. Ruincy
James Andrews
Susan Licon

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MAR 0 5 2004

79

COMMONWEALTH OF
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: March 2, 2004

SUBJECT: Certification of Satisfaction Filed
C-20031144 James Andrews 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

R.IP



Exelon Corporation
101 Constitution Avenue NW
Suite 400 East
Washington, DC 20001

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

Re: James Andrews v. PECO Energy Company
Docket No.: C-20031144

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Sincerely,

Priya Sankar
Counsel for PECO Energy Company

Cc: Administrative Law Judge Charles E. Rainey
James Andrews
Susan Licon

P101078
P199256

Chapter 56 Hearing Report

Please Check Those Blocks Which Apply

| | | | | |
|----------------|---|-------------------------|---|--------------------------|
| Docket No: | C-20031144 | | YES | NO |
| | | Prehearing Held: | <input type="checkbox"/> | <input type="checkbox"/> |
| Case Name: | James F. Andrews v. PECO Energy Company | Hearing Held: | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Testimony Taped: | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Transcript Due: | <input type="checkbox"/> | <input type="checkbox"/> |
| Location: | Philadelphia | Hearing Concluded: | <input type="checkbox"/> | <input type="checkbox"/> |
| | DOCUMENT FOLDER | Further Hearing Needed: | <input type="checkbox"/> | <input type="checkbox"/> |
| Date: | March 10, 2004 | Estimated Add'l Days: | | |
| | | RECORD CLOSED: | <input type="checkbox"/> | <input type="checkbox"/> |
| Special Agent: | ALJ Charles E. Rainey, Jr. | DATE: | | |
| | | Briefs to be Filed: | <input type="checkbox"/> | <input type="checkbox"/> |
| | | DATE: | | |
| | | Bench Decision: | <input type="checkbox"/> | <input type="checkbox"/> |
| | | REMARKS: | <i>A Certificate of Satisfaction was filed on Feb. 26, 2004</i> | |

RECEIVED
 OFFICE OF C.A.L.J.
 04 MAR 16 PM 12:52
 PA PUC

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

| Name and Telephone Number | Address | Who are you representing? | | | |
|---------------------------|--|---------------------------|-------|-----|--|
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table> | City | State | Zip | |
| City | State | Zip | | | |
| Telephone: | E-mail Address: | Fax Number: | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table> | City | State | Zip | |
| City | State | Zip | | | |
| Telephone: | E-mail Address: | Fax Number: | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table> | City | State | Zip | |
| City | State | Zip | | | |
| Telephone: | E-mail Address: | Fax Number: | | | |

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

RJP

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

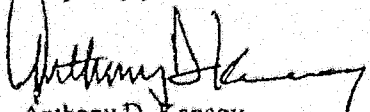
Dear Mr. McNulty:

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

**DOCUMENT
FOLDER RECEIVED**

Enclosures

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.

DOCKET NOS. [See Attachment A]

PECO ENERGY COMPANY

DOCUMENT
FOLDER
TO THE PROTHONOTARY:


WITHDRAWAL OF APPEARANCE

DOCKETED
MAY 17 2004

Please withdraw my appearance on behalf of Defendant PECO Energy Company in all the matters listed in Attachment A.

RECEIVED

MAY - 5 2004


Priya Sanka, Esq.

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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.

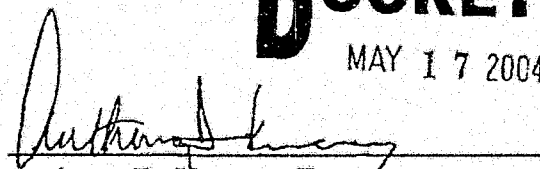
DOCUMENT
FOLDER

RECEIVED

MAY - 5 2004

PA PUBLIC UTILITY
SECRETARY'S B.

DOCKETED
MAY 17 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

ATTACHMENT A

| Complainant's Name | Docket Number |
|-----------------------|---------------|
| BRUCE SLADE | C-20030909 |
| MARGARET DURKIN | C-20030910 |
| ROBERT GANSWORTH | C-20030943 |
| SELENA SAWYER | C-20030958 |
| MAUREEN E DOUGHERTY | C-20030974 |
| CHARLES GUARINO | C-20030979 |
| DANIEL KAPLAN | C-20031003 |
| CAROL J K WHITE | C-20031004 |
| MICHAEL WELLS | C-20031013 |
| LEONA SMITH | C-20031019 |
| DARLENE D BAILEY | C-20031035 |
| BRIAN HARCAR | C-20031040 |
| PAMELA D CARROLL | C-20031063 |
| FREDERICK FRANKS | C-20031107 |
| SANDRA BROWN | C-20031108 |
| WILLIAM E GIBBONS | C-20031109 |
| TAMIKA DIXON | C-20031110 |
| MRS A STARKS | C-20031132 |
| JAMES ANDREWS | C-20031144 |
| CAROLYN LEWIS | C-20031165 |
| HELEN L WILLIAMS | C-20031188 |
| GAIL CHASE | C-20031212 |
| MAC'S DELI INC. | C-20031225 |
| DOROTHY W JONES | C-20031250 |
| LISA KIRKLAND | C-20031251 |
| ROBERT A BAILLIE | C-20031265 |
| JOHN O GREENE, III | C-20031270 |
| DENNIS BAYNARD | C-20031271 |
| LANDMARK DESIGN ASSOC | C-20031284 |
| MICHELE TROUT | C-20031285 |
| WALLQUEST | C-20031287 |
| ALLEN M SHOOP | C-20031298 |

DOCUMENT
FOLDER

COMMONWEALTH OF
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: March 2, 2004

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C-20031144 James Andrews v. PECO Energy Company

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Docket Management

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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

DOCUMENT
FOLDER

DOCKETED
JUN 4 2005

KJR



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

June 9, 2005

C-20031144

JAMES F. ANDREWS
4953 FITLER STREET APT F
PHILADELPHIA PA 19114

DOCKETED
JUN 09 2005

JAMES F. ANDREWS
v.
PECO ENERGY COMPANY

**DOCUMENT
FOLDER**

KJR

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

nvl
cc: All parties of Record
Office of ALJ