

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

David Nippes

v.

PECO Energy Company

DOCUMENT  
FOLDER

C-20077811

PREHEARING ORDER

**DOCKETED**  
AUG 13 2007

A telephonic Initial Hearing in this case is scheduled for Monday, September 10, 2007, at 10.00 a.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. If you intend to present any proposed exhibits for my consideration, you must send one (1) copy to the other party and three (3) copies to me one week before the hearing. Proposed exhibits should be properly pre-marked 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, you must send a copy to all other parties. For your convenience, a copy of the Pennsylvania Public Utility Commission's ("Commission" or "PUC") current service list of the parties 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.

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 parties, and must be sent to me and all parties of record. The correct address is: Administrative Law Judge Angela T. Jones, 1302 Philadelphia State Office Building, 1400 West Spring Garden

**KJR**

Street, Philadelphia, PA 19130. 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 parties, 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, limited liability company, 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 parties 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.

**OALJ Hearing Report**

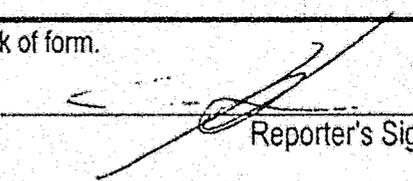
Please Check Those Blocks Which Apply

Docket No.:	C-20077811	YES	NO
Case Name:	David C. Nippes v. PECO Energy Company	Prehearing Held:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>DOCUMENT FOLDER</b>		Hearing Held:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		Testimony Taken:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		Transcript Due:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		Hearing Concluded:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Location:	Philadelphia	Further Hearing Needed:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Date:	September 10, 2007	Estimated Add'l Days:	
ALJ:	Angela T. Jones	RECORD CLOSED:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reporting Firm:	Sargents Court Reporting	DATE:	9-10-07
<b>RECEIVED</b> SEP 21 2007 PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU		Briefs to be Filed:	<input type="checkbox"/> YES <input type="checkbox"/> NO
		DATE:	
		Bench Decision:	<input type="checkbox"/> YES <input type="checkbox"/> NO
		REMARKS:	COMPLAINANT DECIDED TO DISCONNECT FROM THE PHONE. I DID CALL BACK. COMPLAINANT ADVISE ME NOT TO CALL HIM BACK AGAIN

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

Name and Telephone Number	Address	Who are you representing?
DAVID C. NIPPES	P.O. BOX 493 City: HONEYBROOK State: PA Zip: 19344	SELF
MICHAEL S. SWERLINS, ESQ.	2301 MARKET ST./S23-1 P.O. BOX 8699 City: PHILA. State: PA Zip: 19101-8699	PECO ENERGY CO.

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.