

PLEASE RECYCLE

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Whitehill Manufacturing Corporation :
 :
 v. : C-20065931
 :
 PECO Energy Company :

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PREHEARING ORDER

An Initial Hearing in this case is scheduled for an available hearing room in the Philadelphia State Office Building on Wednesday, July 19, 2006, at 10:00 a.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. You must 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 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. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and 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 hearing dates 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 Street, Philadelphia, PA 19130. Changes are granted only in rare situations where good cause exists.

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

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4. The hearing is a formal proceeding and will be conducted in accordance with the Pennsylvania Public Utility Commission's Rules of Practice and Procedure.

5. If you intend to introduce any exhibits into evidence at the hearing, you must supply an original and one copy for the court reporter, a copy for me, and one copy for each other party. Proposed exhibits should be properly pre-marked for identification purposes.

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, WHITEHILL MANUFACTURING CORP., 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 THE 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 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.

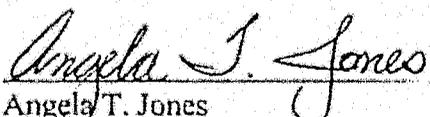
9. Any party may conduct discovery to learn the factual basis of another party's position in this case. However, 52 Pa. Code § 5.331(b) provides, in relevant part, that "[a] party

shall initiate discovery as early in the proceedings as reasonably possible." Additionally, 52 Pa. Code § 5.322 provides, in relevant part, that "parties are encouraged to exchange information on an informal basis." Parties 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 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.

11. Whitehill Manufacturing Corp. is cautioned that the Commission cannot award damages as part of a claim. A claim to award damages must be sought in a different forum as explained in the April 25, 2006 Order issued by Chief Administrative Law Judge Veronica A. Smith. The Commission can fine a utility for violation of the PUC's regulations.

Date: June 2, 2006


Angela T. Jones
Administrative Law Judge

2301 Market Street / 523-1
PO Box 8699
Philadelphia, PA 19101-8699

Direct Dial 215-841-6841

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July 11, 2006

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

ORIGINAL

Re: Whitehill Manufacturing Corporation v. PECO Energy Company
Docket Number: C-20065931

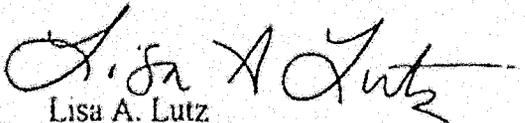
Dear Secretary McNulty:

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 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.
Thank you.

Sincerely,


Lisa A. Lutz
Counsel for PECO Energy Company

cc: Whitehill Manufacturing Corporation, Attention: Victoria Whitehill
Administrative Law Judge Angela T. Jones

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

WHITEHILL MANUFACTURING
CORPORATION

COMPLAINANT

v.

PECO ENERGY COMPANY

RESPONDENT

DOCUMENT
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DOCKET NO. C-20065931

RECEIVED

JUL 1 2 2006

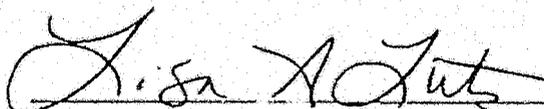
CERTIFICATE OF SATISFACTION

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

I, Lisa A. Lutz, 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-20065841 have been withdrawn/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.

DOCKETED
JUL 1 4 2006



Lisa A. Lutz
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
lisa.lutz@exeloncorp.com

Date: July 11, 2006

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: July 12, 2006

SUBJECT: C-20065931 Whitehall Manufacturing Corporation v. PECO Energy Company

TO: Wanda Zeiders
Docket Management

FROM: Susan Licon, ALJ Support Staff
Office of Administrative Law Judge

On July 12, 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 Angela T. Jones
Beth Plantz
Case File

DOCKETED
AUG 3 2006

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Public Utility Commission

Date: July 24, 2006

Subject: Update or Correction to the File
Docket No. C-20065931 Whitehall Manufacturing
Corporation v. PECO Energy Company

To: Docketing Supervisor
Docket Management Division – Secretary's Bureau

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

This is to inform you that the initial hearing in the above-referenced proceeding, previously scheduled for July 19, 2006 was canceled.

pc: ALJ Angela T. Jones
Christine Williams, Supervisor
Scheduling File

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