

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

3175 JFK Associates, L. P.

v.

PECO Energy Company

**DOCKETED**  
JUL 19 2007

C-20065806

ORDER GRANTING REQUEST  
FOR CONTINUANCE

DOCUMENT  
FOLDER

By Hearing Notice dated June 1, 2007, an initial hearing is scheduled in this matter for July 23, 2007. By letter dated July 8, 2007, Michael S. Swerling, Esq., counsel for respondent, requested that the hearing be rescheduled because he will be on vacation on that date.

This request will be granted, although I note that the request did not indicate the agreement or opposition of the other party, as required by the April 20, 2007 Prehearing Order. I note that a request for a continuance made by complainant's counsel for the same reason was granted.

I strongly urge the parties to use this opportunity to see if the Complaint can be resolved without the necessity of having a hearing. They should understand, however, that no further continuances will be granted unless for extremely good cause.

THEREFORE,

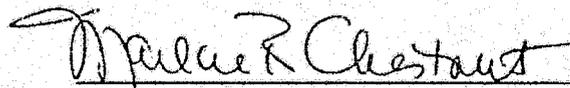
IT IS ORDERED:

1. That the request for continuance made by respondent PECO Energy Company is granted; and

BA

2. That the initial hearing scheduled for July 23, 2007 be continued and rescheduled.

Date: July 12, 2007



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Marlane R. Chestnut  
Administrative Law Judge

3175 JFK Associates , L. P. v. PECO Energy Company  
Docket Number C-20065806

SERVICE LIST

Ethan N. Halberstadt, Esquire  
Halberstadt Curley LLC  
1100 E. Hector Street, Suite 425  
Conshohocken, PA 19428

Michael S. Swerling, Esquire  
Exelon Business Services Company  
2301 Market Street S23-1  
P.O. Box 8699  
Philadelphia, PA 19101-8699



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
July 18, 2007

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20065806

(SEE ATTACHED LIST)

DOCUMENT  
FOLDER

3175 JFK Associates, L.P. v. PECO Energy Company

Service / Reliability Issues

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for July 23, 2007, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing  
Date: Monday, September 24, 2007  
Time: 10:00 a.m.  
Location: In an available hearing room  
13th Floor  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130  
Presiding: Administrative Law Judge Marlane R. Chestnut  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215-560-2105  
Fax: 215-560-3133

**DOCKETED**  
JUL 26 2007

2007 JUL 25 PM 3:13  
RECEIVED BY: [illegible]

Please mark your records accordingly.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired:  
1-800-654-5988

pc: Judge Chestnut  
Stacy Nolan, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File

C-20065806 3175 JFK ASSOCIATES, L.P. v. PECO ENERGY COMPANY

3175 JFK ASSOCIATES LP  
C/O PHILADELPHIA MANAGEMENT AND COMPANIES  
1411 WALNUT STREET  
3RD FLOOR  
PHILADELPHIA PA 19102

ETHAN N HALBERSTADT ESQUIRE  
HALBERSTADT CURLEY LLC  
1100 E HECTOR STREET  
SUITE 425  
CONSHOHOCKEN PA 19428  
610-834-8819

MICHAEL SWERLING ESQUIRE  
WARD L SMITH ESQUIRE  
PECO ENERGY COMPANY  
2301 MARKET STREET/S23-1  
PO BOX 8699  
PHILADELPHIA PA 19101-8699  
215-841-6841

Legal Department

Exelon Business Services Company  
2301 Market Street/523-1  
PO Box 8699  
Philadelphia, PA 19101 8699

Telephone 215.841.4000  
Fax 215.568.3389  
www.exeloncorp.com

Business Services  
Company

# ORIGINAL

Direct Dia: 215 841 6841

September 19, 2007

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

## RECEIVED

SEP 19 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

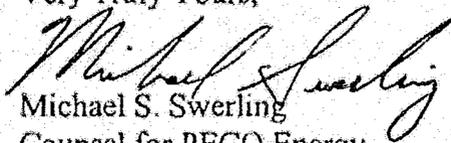
Re: 3175 JFK Associates, L.P. v. PECO Energy Company  
Docket No.: C-20065806  
Hearing Date: Monday, September 24, 2007

Dear Secretary McNulty:

Please find original and three copies of PECO Energy Company's Entry of Appearance of Ward Smith, Esquire as co-counsel to be filed in the above referenced matter, scheduled for hearing on Monday, September 24, 2007. Please adjust the Service list to reflect the entrance of Mr. Smith as counsel for PECO Energy Company, along with Mr. Michael Swerling.

Thank you.

Very Truly Yours,

  
Michael S. Swerling  
Counsel for PECO Energy

## DOCUMENT FOLDER

MSS/zr

cc: PUC Scheduling (via fax)  
ALJ Marlane R. Chestnut (via fax and regular mail)  
A. Armstead

BTL

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

**ORIGINAL**

3175 JFK ASSOCIATES, L.P.

Complainant

v.

PECO ENERGY COMPANY

Respondent

DOCKET NO. C-20065806

**RECEIVED**

SEP 19 2007

ENTRY OF APPEARANCE

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

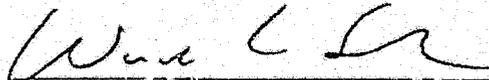
To The Secretary:

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

DOCUMENT  
FOLDER

**DOCKETED**  
SEP 24 2007

Respectfully Submitted,



WARD L. SMITH  
Co-Counsel for PECO Energy Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-6863  
ward.smith@exeloncorp.com

September 19, 2007

# OALJ Hearing Report

Please check Those Blocks Which Apply

Docket No.:	C-20065806		YES	NO	
Case Name:	3175 JFK Asspcoates, L.P. v. PECO Energy	Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>	
Company:	DOCUMENT FOLDER	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Location:		Philadelphia	Testimony Taken:	<input type="checkbox"/>	
Date:		September 24, 2007	Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ:		Marlane R. Chestnut	Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		Estimated Add'l Days:			
		RECORD CLOSED:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
		DATE:	12/31/07		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>	
		DATE:			
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>	
		REMARKS:	Parties settled - need nothing more in writing when actions done. C. Williams		

NOV - 1 2007  
 PAPERS DIVISION  
 SECRETARY'S OFFICE

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

Name and Telephone Number	Address	Who are you representing?
Michael S. Swearing	2301 Market Street <small>City: Philadelphia State: PA Zip: 19101</small>	PECO Energy Company
Telephone: 215 841 6841	E-mail Address:	Fax Number:
WARD SMITH	2301 Market St 523-1 <small>City: Phila State: PA Zip: 19103</small>	PECO Energy
Telephone: 215-841-6863	E-mail Address: ward.smith@pecoenergy.com	Fax Number: 215-522-3389
Ethan Halberstadt	1100 E. Hector St., So. Telcom 425 <small>City: Coashohocken State: PA Zip: 19028</small>	Conco ETT
Telephone: 610.834.8817	E-mail Address: ehalberstadt@halcor.com	Fax Number: 610.834.8819

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.**