

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

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Daniel Clune d/b/a |  
Subway Drexel Hill |  
v. |  
PECO Energy Company |  
Initial Hearing

Docket No.: C-20065804

Pages 1-6

**ORIGINAL**

State Office Building  
1400 Spring Garden Street  
Philadelphia, Pennsylvania

Monday, July 10, 2006  
Commencing at 10:00 a.m.

BEFORE:

ANGELA T. JONES, Administrative Law Judge

APPEARANCES:

LISA LUTZ, Esquire  
2301 Market Street  
Philadelphia, Pennsylvania 19101  
For the Respondent

**DOCUMENT  
FOLDER**

REPORTER: JESSICA ASHMAN

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PA PUBLIC UTILITY COMMISSION  
REGISTRATION BUREAU

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## P R O C E E D I N G S

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JUDGE ANGELA T. JONES:

This is time and place for the matter of Daniel Clune, doing business as Subway Drexel Hill versus PECO Energy Company. I note the appearance of Ms. Lisa Lutz, Esquire, representing PECO Energy. I note that there is no appearance of Mr. Clune nor is there any notice of appearance or motion of appearance for a counsel representative able to practice in the Commonwealth of Pennsylvania for Mr. Clune. As neither notice of appearance nor the actual complainant are here in the courtroom, we will recess for 15 minutes to allow someone to --- if they are on their way to represent this complaint. We will convene in 15 minutes. Thank you.

SHORT BREAK TAKEN

JUDGE:

We are back on the record. Let the record so note that we have waited 15 minutes. It is now 10:15. There is no presence of Mr. Clune or his representative. I have also looked at the computer system internal to the Commission to see if there was a request for a continuance, and found no evidence of that. Ms. Lutz, I am willing to hear what you would

1 like to do on this matter.

2 MS. LUTZ:

3 Yes, Your Honor, I would like to make a  
4 motion to dismiss for failure to prosecute.

5 JUDGE:

6 Very well. I will be issuing an order  
7 and I will be granting your motion.

8 ATTORNEY LUTZ:

9 Thank you, Your Honor.

10 JUDGE:

11 You're welcome. We are adjourned.

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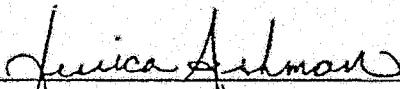
HEARING CONCLUDED AT 10:16 A.M.

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C E R T I F I C A T E

I hereby certify, as the  
stenographic reporter, that the foregoing  
proceedings were taken stenographically by  
me, and thereafter reduced to typewriting  
by me or under my direction; and that this  
transcript is a true and accurate record  
to the best of my ability.

  
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Court Reporter