

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael L. Smith	:	
	:	
v.	:	F-2016-2579580
	:	
PECO Energy Company	:	

**PREHEARING ORDER**

The Commission has scheduled an initial telephonic hearing in this case for Friday, February 24, 2017 at 10:00 a.m. **You must be available when I contact you or I will dismiss your case. If you 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 seven (7) days before the hearing.**

The parties shall comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and shall 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. My address is:

David A. Salapa  
Administrative Law Judge  
P.O. Box 3265  
Harrisburg, Pa. 17105-3265  
Telephone: (717) 787-1399  
Fax: (717) 787-0481

**Changes are granted only in rare situations where good cause exists.**

2. **Commission policy promotes settlements. 52 Pa.Code § 5.231(a).** The utility will contact the customer at least one week before the scheduled hearing to discuss possible settlement of this case. Even if the parties are unable to settle this case, they may still resolve many questions or issues during their discussions. If the parties reach an agreement, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. If a party intends to present any documents or exhibits for my consideration, it must send one copy to the other parties and three (3) copies to me so that the other parties and I receive the copies at least five (5) days before the hearing. This includes a copy of a Protection from Abuse (PFA) Order if you marked the “yes” response on the Complaint form that asks if you are a victim under a PFA. A party should properly pre-mark exhibits for identification purposes.

4. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal proceeding and I will conduct it in accordance with the Commission’s Rules of Practice and Procedure.

5. 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. If you are a partnership, corporation, trust, association, or governmental agency or subdivision, an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted Pro Hac Vice, must represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall enter their appearance in accordance with the provisions of 52 Pa.Code § 1.24(b).

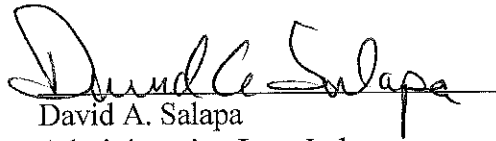
6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code § 5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days’ notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

7. **IF A PARTY FAILS TO PARTICIPATE IN THE HEARING, THE HEARING WILL PROCEED WITHOUT THAT PARTY AND A DECISION MAY BE ENTERED AGAINST THAT PARTY.**

8. The Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that he is entitled to the relief requested in the complaint.

9. If you, or anyone you plan to call as a witness on your behalf, has a limited ability to speak or understand English or are deaf or hearing-impaired, a qualified interpreter can be provided upon your request. If you need an interpreter, please contact the scheduling office for the Office of Administrative Law Judge at (717) 787-1399 at least ten (10) days before the hearing to make your request. The AT&T Relay Service number for persons who are deaf or hearing-impaired is 1-800-654-5988.

Date: January 23, 2016

  
David A. Salapa  
Administrative Law Judge

F-2016-2579580 - MICHAEL L SMITH v. PECO ENERGY COMPANY

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