

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Matthew J. Szumicki

v.

PECO Energy Company

DOCKETED
MAY 22 2007

C-20077510

PREHEARING ORDER

**DOCUMENT
FOLDER**

An initial telephonic hearing in this case is scheduled for Thursday, August 2, 2007 at 10:00 a.m. The parties are hereby directed to comply with the following requirements:

1. If you intend to present any documents or 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. Be sure that you serve me directly with a copy of any documents 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 Commission's current service list of the parties to this proceeding is enclosed with this Order. My address appears in numbered paragraph 3 below.
2. If you or any proposed witness will be at a telephone number that is different from 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 initial or subsequent hearings must be sent to the Administrative Law Judge, with copies to all parties of record. The correct address is: Administrative Law Judge Ky Van Nguyen, Pennsylvania Public Utility Commission, 1302 Philadelphia State Office Building,

1400 West Spring Garden Street, Philadelphia, PA 19130. Such 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. Under 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Any attorney representing a party in this proceeding must enter an appearance in accordance with the Commission regulations at 52 Pa. Code §§1.24-.25.

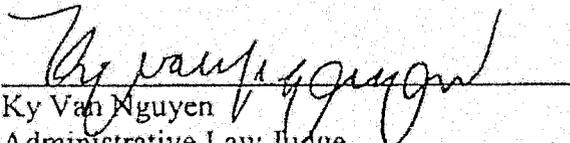
7. The customer-complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the respondent has violated the Public Utility Code or a Pennsylvania Public Utility Commission regulation or order so that the complainant is entitled to the relief requested 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] participant shall endeavor to initiate discovery as early in the proceedings as reasonably possible." Additionally, 52 Pa. Code §5.322 provides, in relevant part, that "participants are encouraged to exchange information on an informal basis." All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa. Code §5.361) and sanctions for abuse of the discovery process (52 Pa. Code §§5.371-.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 (1) 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.

Date: May 18, 2007


Ky Van Nguyen
Administrative Law Judge

Legal Department

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

Telephone 215 841-6000
Fax 215 568-3389
www.exeloncorp.com

Business Services
Company

Direct Dial: 215-841-6841
August 02, 2007

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

Re: Matthew J. Szumicki v. PECO Energy Company
Docket Number: C-20077510

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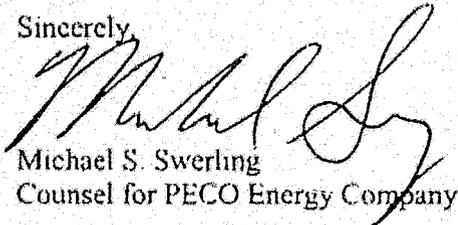
Dear Secretary McNulty:

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 matter in 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 above. Thank you.

Sincerely,


Michael S. Swerling
Counsel for PECO Energy Company

**DOCUMENT
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BTL

cc: Mr. Matthew J. Szumicki
Administrative Law Judge Ky Van Nguyen
PUC Scheduling

RECEIVED
AUG 02 2007
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MATTHEW J. SZUMICKI

COMPLAINANT

v.

PECO ENERGY COMPANY

RESPONDENT

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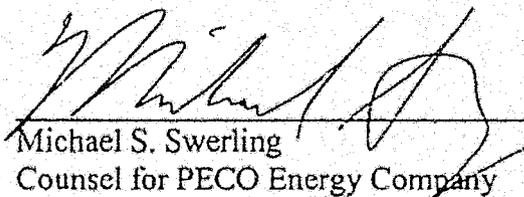
DOCKET NO. C-20077510

CERTIFICATE OF SATISFACTION

I, Michael S. Swerling, 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-20077510 has been 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.

**DOCUMENT
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Michael S. Swerling
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Michael.Swerling@exeloncorp.com

Date: August 02, 2007

DOCKETED
AUG 06 2007

RECEIVED

AUG 02 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20077510	Prehearing Held:	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
Case Name:	Matthew J. Szumicki v. PECO Energy Company	Hearing Held:	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
		Testimony Taken:	<input type="checkbox"/>		<input checked="" type="checkbox"/>	
		Transcript Due:	<input type="checkbox"/>		<input checked="" type="checkbox"/>	
Location:	Philadelphia, PA	Hearing Concluded:	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
Date:	August 2, 2007	Further Hearing Needed:	<input type="checkbox"/>		<input checked="" type="checkbox"/>	
		Estimated Add'l Days:				
ALJ:	Ky Van Nguyen	RECORD CLOSED:	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
Reporting Firm:	Precision Reporting	DATE:	August 2, 07			
		Briefs to be Filed:	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
		DATE:				
		Bench Decision:	<input type="checkbox"/>		<input type="checkbox"/>	
		REMARKS:	The Parties settled the case			

DOCUMENT FOLDER

RECEIVED

AUG 24 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

Name and Telephone Number	Address			Who are you representing?
Michael Swerling, Esq				PECO
Telephone:	City	State	Zip	
	E-mail Address:			Fax Number:
Matthew Szumicki				Self
Telephone:	City	State	Zip	
	E-mail Address:			Fax Number:
Telephone:	City	State	Zip	
	E-mail Address:			Fax Number:

BTL

Check this box if additional parties or attendees appear on back of form.

Lidia Cooper
Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: August 6, 2007
SUBJECT: C-20077510
Matthew J. Szumicki v. PECO Energy Company
TO: Wanda Zeiders
Docket Management
FROM: Ona Lester, ALJ Support Staff
Office of Administrative Law Judge

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FOLDER

On August 2, 2007, 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 Ky Van Nguyen
Beth Plantz
Case File

DOCKETED
AUG 8 2007

BA



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

August 31, 2007

C-20077510

MATTHEW J. SZUMICKI
523 APPLE STREET
WEST CONSHOHOCKEN PA 19428

DOCKETED
AUG 29 2007

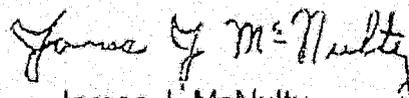
MATTHEW J. SZUMICKI
v.
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**DOCUMENT
FOLDER**

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,


James J. McNulty
Secretary

cc: All parties of Record

nvl

BTL