

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Francisco Rodriguez

v.

PECO Energy Company

:  
:  
:  
:  
:

C-20067034

DOCUMENT  
FOLDER

PREHEARING ORDER

**DOCKETED**  
DEC 21 2006

An initial telephonic hearing in this case is scheduled for Friday, January 5, 2007 at 1:00 p.m. Accordingly, 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 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 Commission's current service list of the parties to this proceeding is enclosed with this Order.

2. If you or any proposed witness 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 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 hearings must be sent to the undersigned Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. Only the undersigned Administrative Law Judge or OALJ Scheduling Staff may grant a request for a

change of an initial hearing. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent hearings, if any, should also be served directly on me.

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. Pursuant to 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.

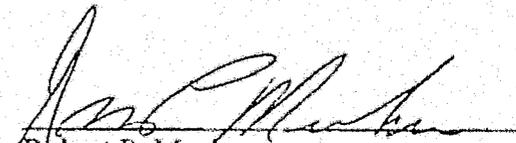
7. The Complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the Respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the Complainant is entitled to the relief requested in the complaint.

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." 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 & 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.

Date: December 12, 2006

  
Robert P. Meehan  
Administrative Law Judge

# OALJ Hearing Report

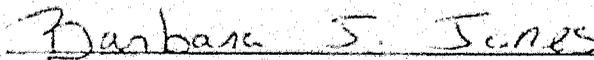
Please Check Those Blocks Which Apply

Docket No.:	C-20067034		YES	NO
	Francisco Rodriquez	Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
	v.	Hearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
	PECO Energy Company	Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Pittsburgh	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
Date:	January 5, 2007			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Robert P. Meehan	DATE:	1-5-07	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Sargents Court Reporting Service, Inc.	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	Certified transcription provided - please check records letter	

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

Name and Telephone Number	Address	Who are you representing?						
Francisco Rodriquez	6115 Ditman Street, 1 <sup>st</sup> Floor	Self						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> <tr> <td>Philadelphia</td> <td>PA</td> <td>19135</td> </tr> </table>	City	State	Zip	Philadelphia	PA	19135	DOCUMENT FOLDER
City	State	Zip						
Philadelphia	PA	19135						
Telephone: 215-333-0247	E-mail Address:	Fax Number:						
Michael S. Swerling, Esq.	2301 Market Street, S23-1 P O Box 8699	PECO Energy Company						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> <tr> <td>Philadelphia</td> <td>PA</td> <td>19101-8699</td> </tr> </table>	City	State	Zip	Philadelphia	PA	19101-8699	
City	State	Zip						
Philadelphia	PA	19101-8699						
Telephone 215-841-6841	E-mail Address:	Fax Number:						
<i>elp</i>								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	City	State	Zip				
City	State	Zip						
Telephone:	E-mail Address:	Fax Number:						

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.*

**Legal Department**

Exelon Business Services Company  
2301 Market Street/523  
P.O. Box 8699  
Philadelphia, PA 19101-8699

Telephone 215-841-3544  
Fax 215-568-3389  
www.exeloncorp.com

Business Services  
Company

Direct Dial: 215-841-6841  
January 10, 2007

**ORIGINAL**

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

**Re: Francisco Rodriguez v. PECO Energy Company**  
**Docket Number: C-20067034**

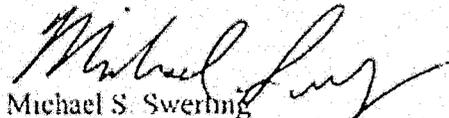
Dear Secretary McNulty:

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  
FOLDER**

cc: Mr. Francisco Rodriguez  
Administrative Law Judge Robert P. Meehan  
OALJ Scheduling Officer Dawn Reitenbach

SECRETARY'S OFFICE

2007 JAN 12 PM 12:52

**BTL**

2007 JAN 12 PM 12:52

SECRETARY GENERAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FRANCISCO RODRIGUEZ

COMPLAINANT

v.

PECO ENERGY COMPANY

RESPONDENT

DOCKET NO. C-20067034

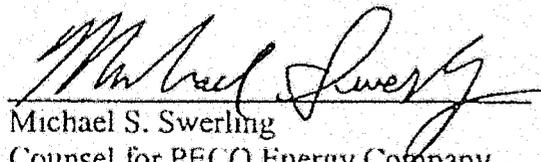
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CERTIFICATE OF SATISFACTION

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-20067034 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.

**DOCKETED**  
JAN 22 2007



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: January 10, 2007

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FRANCISCO RODRIGUEZ

COMPLAINANT

v

PECO ENERGY COMPANY

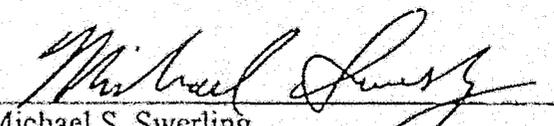
RESPONDENT

DOCKET NO. C-20067034

CERTIFICATE OF SERVICE

I, Michael S. Swerling, hereby certify that I have this day served a true and correct copy of the foregoing document upon the interested parties and in the manner indicated below.

Service by first class mail:  
Mr. Francisco Rodriguez  
6115 Ditman Street  
1<sup>st</sup> Floor  
Philadelphia, PA 19135

  
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

Dated: January 10, 2007

SECRETARY'S JRM:U  
2007 JAN 12 PM 12:52

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: January 18, 2007

SUBJECT: C-20067034  
Francisco Rodriguez v. PECO Energy Company

TO: Wanda Zeiders  
Docket Management

FROM: Dawn M. Reitenbach, ALJ Support Staff  
Office of Administrative Law Judge

On January 10, 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.

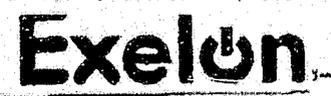
All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Robert P. Meehan  
Beth Plantz  
Case File

DOCUMENT  
FOLDER

DOCKETED  
JAN 24 2007



Fax

Business Services Group

Exelon  
Legal Department, S23-1  
2301 Market Street, P.O. Box 8699  
Philadelphia, PA 19101

Original will be sent via US Mail

Telephone: 215-841-5544  
FAX: 215-568-3389

Date	Number of Pages	
January 10, 2007	(including cover)	4

From	Direct Dial Number
Zulma Rodriguez	215 841 5604
To	
PUC Scheduling	717 787 0481
ALJ Robert P. Meehan	412 565 5692
Re	
Francisco Rodriguez v. PECO Energy Company PUC Docket No.: C-20067034 Filing of Certificate of Satisfaction	
Comments	
Please see attached.	

07  
PA PUC

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For transmitting problems call Zulma Y Rodriguez at 215 841 5604



Business Services  
Company

Legal Department

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PO Box 8099  
Harrisburg, PA 17107 8699

Direct Dial: 215-841-6841  
January 10, 2007

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

Re: Francisco Rodriguez v. PECO Energy Company  
Docket Number: C-20067034

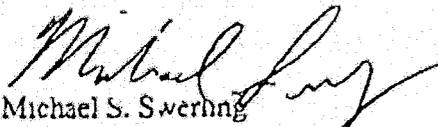
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Michael S. Swerling  
Counsel for PECO Energy Company

cc: Mr. Francisco Rodriguez  
Administrative Law Judge Robert P. Meehan  
OALJ Scheduling Officer Dawn Reitenbach

07 JAN 10 11:31  
PA PUC

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FRANCISCO RODRIGUEZ

COMPLAINANT

v.

PECO ENERGY COMPANY

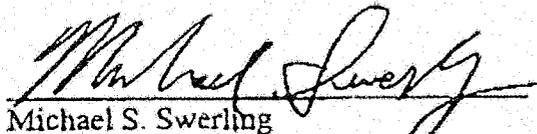
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P.O. Box 8699  
Philadelphia, PA 19101-8699  
(215) 841-6841  
Michael.Swerling@exeloncorp.com

Date. January 10, 2007

PA PUC  
01/10/07 3:11

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FRANCISCO RODRIGUEZ

COMPLAINANT

v.

PECO ENERGY COMPANY

RESPONDENT

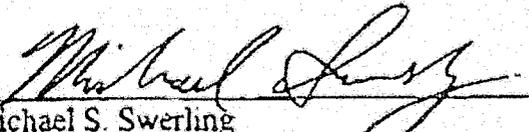
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6115 Ditman Street  
1<sup>st</sup> Floor  
Philadelphia, PA 19135

  
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Counsel for PECO Energy Company  
2301 Market Street, S23-1  
P.O. Box 8699  
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Michael.Swerling@exeloncorp.com

Dated: January 10, 2007