

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Milton Bitters

v.

PECO Energy Company

F-01633898

PREHEARING ORDER

An Initial Hearing in this case is scheduled for Tuesday, December 27, 2005, at 9:30 a.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 9:15 a.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

The parties are hereby directed to 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 must be submitted in writing no later than five (5) business 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. The correct address is:

Administrative Law Judge Angela T. Jones
1302 Philadelphia State Office Building,
1400 West Spring Garden Street,
Philadelphia, PA 19130,
Telephone: 215.560.2105
Fax: 215.560.3133

DOCKETED
NOV 07 2005

**DOCUMENT
FOLDER**

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

2. Commission policy promotes settlements. 52 Pa.Code § 5.231(a). The utility is directed to contact you at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

4. This hearing is a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedures. 52 Pa Code, Chapters 1, 3 and 5.

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

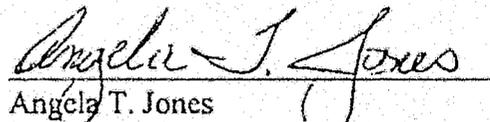
6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code § 5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days'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

7. **COMPLAINANT IS RESPONSIBLE FOR PAYMENTS OF BILLS FOR USAGE INCURRED PENDING THE RESOLUTION OF THIS COMPLAINT. FAILURE TO MAINTAIN PAYMENTS MAY RESULT IN THE TERMINATION OF UTILITY SERVICE. IN ADDITION, PAYMENT OF ALL UNPAID BILLS IN ONE LUMP SUM COULD BE REQUIRED UPON RESOLUTION OF COMPLAINT.**

8. Complainant bears the burden of proving the case and should be prepared to support his claim with documentation and/or specific dates of events which could have an impact on the claims.

9. Respondent, the utility, must prepare and submit at least five (5) business days before the hearing an account statement, showing the history of the account from January 2000 through to present or most current date.

Date: November 2, 2005



Angela T. Jones
Administrative Law Judge

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

ORIGINAL

December 20, 2005

F-01633898
In Re: # - 91633898

Mr. Milton Bitters
687 Whittier Drive
Warminster, Pa 18974

RECEIVED

James J. McNulty (Secretary)
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17105 - 3265

DEC 21 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear, Mr. James J. McNulty

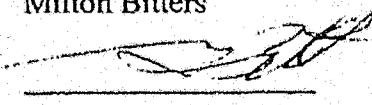
Request for a rescheduling of Hearing date 12 - 27 - 05

Reasons stated below:

- A. Wife's ongoing medical problems since 2002
- B. Medical tests most recent will be conducted on 12 - 22 - 05. This test is a dangerous test could take up to 1 ½ hours to perform.
- C. Wife cannot walk more that 20 feet without stopping for short of breath
- D. This test should find the problem and possible treatment
- E. Family doctor has to be seen shortly after test on 12 - 22 - 05
- F. Four different hospitals can not perform this dangerous test.
- G. Please find copy of test appointments
- H. Please reschedule for 2 months

Thank you,

Milton Bitters



DOCUMENT
FOLDER

109

Comprehensive Neurologic Associates, P.C.

Board Certified Neurologists

St. Mary's Medical Building
Suite 201
Langhorne, PA 19047
(215) 741-9333

Appointment: 11/16/05 12:15

- Emil L. Matarese, M.D.
- Steven E. Mazlin, M.D.
- Steven Urbaniak, D.O.

Emil Matarese

215-741-1215

*Work 9555 abur
12:15
12:15 - 1:00 pm*

2nd floor

BRAD PADDOCK, M.D.
WWW.DOCTORPADDOCK.COM
1035 WEST BRISTOL ROAD, SUITE B
WARRENSTER, PA 18974
215-442-9929

NAME Shirley Bitters
ADDRESS _____ DATE 10-21-05

R
*EMG + Nerve Cond. Studies
on Muscles of Respiration (1° + 2°)*

*Re: ① Restrictive Lung Dz
5/8/89*

*② ③ Hemiparesis 2° old
Brain Injury. 3/2/90*

TIMER _____
NOTATION PERMISSIBLE *[Signature]*

IF FOR A BRAND NAME PRODUCT TO BE DISPENSED, THE
USER MUST HANDWRITE BRAND NECESSARY OR BRAND
LY NECESSARY IN THE SPACE BELOW.

*St Mary's
Hospital*

*Langhorne - Newtown Rd.
Langhorne, PA 19047*

215-750-2000

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Jefferson Hospital call on APP 11/22/05

Phone 215 955-1200 Appt Date 12-22-05

Appt Time 1PM
ARRIVE by 12:45 PM

9th + CITIZEN

Doctor Gerald Henderson

TEST FOR

SHIRLEY BITTERS

EMG + NERVE COND. STUDIES

ON MUSCLES OF RESPIRATORY (1° + 2°)

Re: RESTRICTIVE Lung DL

518,89

① ② Hemiparesis 2° old

BRAIN Injury, 342,40

Dr Phadgal

Appt 12-22-05 Thursday at 1PM

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DEC 21 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

[Handwritten scribbles]



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
October 27, 2005

IN REPLY PLEASE
REFER TO OUR FILE

In Re: F-01633898

MILTON BITTERS
687 WHITTIER DRIVE
WARMINSTER PA 18974

Milton Bitters v. PECO Energy Company

Billing dispute.

Hearing Notice

This is to inform you that your case is scheduled for hearing at 9:30 a.m. in Hearing Room 2 in the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 9:15 a.m. and wait in the Hearing Room until the presiding Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

Type: Initial Hearing
Date: Tuesday, December 27, 2005
Time: 9:30 a.m.
Location: Hearing Room 2
State Office Building
Broad & Spring Garden Streets
Philadelphia, PA

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DEC 21 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	F-01633898	Prehearing Held:	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
Case Name:	Milton Bitters v. PECO Energy	Hearing Held:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Company:		Testimony Taken:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	December 27, 2005	Estimated Add'l Days:				
ALJ:	Angela T. Jones	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Reporting Firm:	Commonwealth Reporting	DATE:	12-27-05			
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>		
		DATE:				
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>		
<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">JAN - 3 2006</p> <p style="text-align: center;">PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU</p>		REMARKS:	MOTION MADE BY PECO FOR LACK OF PROSECUTION TO DISMISS COMPLAINT			

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

Name and Telephone Number	Address			Who are you representing?
Lisa Lutz, Esq	2301 Market St.			PECO
	City	State	Zip	
	Philadelphia	PA	19101	
Telephone: 215-841-6841	E-mail Address: lisa.lutz@pecoenergy.com			Fax Number: 215-578-3389
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:

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

12/29/05
cc:lp

Erin Taylor
Reporter's Signature

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