

Legal Department
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April 5, 2017

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

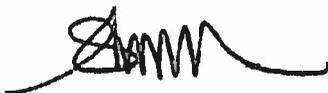
**RE: John's Pizza & Pasta, Inc. v. PECO Energy Company
PUC Docket No. C-2016-2554665**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is a *Motion for Continuance of Hearing Date* with regard to the matter referenced above.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,



Shawane Lee
Counsel for PECO Energy Company

SL/alb
Enclosure

cc: Honorable Dennis J. Buckley, ALJ
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOHN'S PIZZA & PASTA, INC.

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2016-2554665

MOTION FOR CONTINUANCE OF HEARING DATE

PECO Energy Company ("PECO"), pursuant to 52 Pa. Code § 1.15(b), hereby requests a continuance of the hearing date scheduled in this matter and states the following:

1. A telephonic hearing for this matter is currently scheduled to take place on Wednesday, April 26, 2017, at 10:00 a.m.
2. PECO Energy's counsel, Shawane L. Lee, is scheduled for a presentation that day with over 166 attendees; and therefore, she is unavailable to represent PECO at the hearing.
3. Pursuant to 52 Pa.Code § 1.15(b), a request for a change of the scheduled hearing date must be submitted by motion in writing, filed no later than five (5) days prior to the hearing with the Commission. The motion must state the facts upon which the request rests.
4. Consistent with 52 Pa.Code § 1.15(b), PECO respectfully requests a change of the scheduled hearing date due to counsel's unavailability.
5. PECO has reached out to the Complainant's counsel, Peter McHugh, Esquire, to obtain the Complainant's consent for the continuance and Mr. McHugh has stated there is no objection.
6. The parties have agreed they are available on the following days at 10:00 AM for a rescheduled hearing: May 3, May 5, May 8, May 11, May 12, and May 15.

7. The Prehearing Order in this matter states that requests for a continuance are only granted “in rare situations where good cause exists.” (Prehearing Order, citing 52 Pa. Code § 1.15).

8. PECO Energy avers that “good cause” exists to continue the scheduled hearing to another date because PECO Energy’s counsel, who is knowledgeable of the facts, circumstances and evidence, concerning the Complainant’s formal complaint against the company is not available to represent the company.

9. PECO Energy therefore respectfully requests that the hearing be continued to a further date.

Respectfully Submitted,



Shawane L. Lee
Counsel for PECO Energy Company
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Philadelphia, PA 19103
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Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOHN'S PIZZA & PASTA, INC.

v.

PECO ENERGY COMPANY

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VERIFICATION

I, Shawane L. Lee, hereby declare that I am counsel for PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.



Shawane L. Lee

Date: April 5, 2017

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOHN'S PIZZA & PASTA, INC.

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2016-2554665

CERTIFICATE OF SERVICE

I, Shawane L. Lee, hereby certify that I have this day served a copy of PECO Energy Company's Motion in the above matter upon all interested parties by mailing and emailing a copy, properly addressed and postage prepaid to:

Honorable Dennis J. Buckley
Administrative Law Judge
P.O. Box 3265
Harrisburg PA 17105
Via E-mail

Peter J. McHugh, Esquire
47 Marchwood Road, Suite I-H
Exton, PA 19341
Via E-mail - peterjmchugh@hotmail.com

John Hasheem, Principal
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300 North Bailey Road
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Shawane.Lee@exeloncorp.com

Dated at Philadelphia, Pennsylvania, April 5, 2017.