



An Exelon Company

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April 7, 2017

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

**RE: Andrea McMurtrie v. PECO Energy Company**  
**PUC Docket No. C-2016-2577882**

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,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a stylized flourish at the end.

Shawane Lee  
Counsel for PECO Energy Company

SL/alb  
Enclosure

cc: Honorable Marta Guhl, ALJ  
Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ANDREA MCMURTRIE

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2016-2577882

**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. An in person hearing for this matter is currently scheduled to take place on Friday, April 28, 2017, at 10:00 a.m.
2. The Complainant alleges in her complaint that an A/C saver device, installed on her HVAC unit by PECO's contractor Comverge, caught fire and caused her property damage.
3. PECO Energy's counsel, Shawane L. Lee, is scheduled for the Urban League professional leadership course the day of the hearing and will be presenting to a group of 30 middle school students. Accordingly, Ms. Lee is unable to cover the hearing.
4. The facts in the case involve an alleged fire; therefore, due to the nature of the allegations, PECO's in house counsel is required to cover this matter.
5. 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.
6. Consistent with 52 Pa.Code § 1.15(b), PECO respectfully requests a change of the scheduled hearing date due to counsel's unavailability.

7. PECO has reached out to the Complainant, Andrea McMurtrie, and she has objected to PECO's continuance request. Ms. McMurtrie stated that she travels a lot for her job and the scheduled hearing day is one day she is not working or traveling.
8. PECO is available for a rescheduled hearing on the following days: May 3, May 5, May 8, May 11, May 12, May 15, May 16, May 17, May 24, May 29, May 30, May 31.
9. 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).
10. 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.
11. PECO will be prejudiced if this matter proceeds without the company's in house counsel who has the experience and knowledge of the company's processes, facts and evidence.
12. PECO Energy therefore respectfully requests that the hearing be continued to a further date.

Respectfully Submitted,



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Shawane L. Lee  
Counsel for PECO Energy Company  
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Philadelphia, PA 19103  
Direct Dial: 215.841.6841  
Fax: 215.568.3389  
Shawane.Lee@exeloncorp.com

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ANDREA MCMURTRIE

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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.



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Shawane L. Lee

Date: April 7, 2017

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ANDREA MCMURTRIE

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2016-2577882

**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 Marta Guhl  
Administrative Law Judge  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
Via E-mail

Andrea McMurtrie  
11 Firethorn Drive  
Collegeville, PA 19426  
Via E-mail - [andreaiguevara@comcast.net](mailto:andreaiguevara@comcast.net)



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[Shawane.Lee@exeloncorp.com](mailto:Shawane.Lee@exeloncorp.com)

Dated at Philadelphia, Pennsylvania, April 7, 2017.