



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

IN REPLY PLEASE  
REFER TO OUR FILE

2017 AUG 23 PM 3:01

August 23, 2017 PA PUC  
SECRETARY'S BUREAU  
FRONT DESK

Rosemary Chiavetta  
Pa. Public Utility Commission  
2<sup>nd</sup> Floor, 400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105

Re: Pennsylvania Public Utility Commission Bureau of Investigation and  
Enforcement v. PECO Energy Company; Docket No. C-2015-2511928

Dear Secretary Chiavetta:

The Bureau of Investigation and Enforcement encloses for filing its Answer to PECO's Motion in Limine. Copies have been served on the parties of record in accordance with the Certificate of Service.

If you have any questions on this matter, please call me at 717-214-9594.

Sincerely,

A handwritten signature in cursive script that reads "Heidi L. Wushinske".

Heidi L. Wushinske  
Senior Prosecutor  
PA Attorney ID No. 93792

Enclosures

cc: As per Certificate of Service

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Pennsylvania Public Utility Commission, :  
Bureau of Investigation and Enforcement, :  
Complainant :

PA PUC  
SECRETARY'S BUREAU  
FRONT DESK

v. :

Docket No. C-2015-2511928

PECO Energy Company, :  
Respondent :

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**I&E'S ANSWER TO PECO ENERGY COMPANY'S MOTION IN LIMINE**

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AND NOW comes the Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E") and files this Answer to the Motion in Limine filed by PECO Energy Company ("PECO") in the above-captioned case pursuant to 52 Pa. Code § 5.61, and in support thereof states as follows:

1. In its Prehearing Memorandum, dated March 22, 2017, I&E identified Chris McLaren, Transportation Specialist, State Programs Division, Pipeline and Hazardous Materials Safety Administration ("PHMSA"), as one of its witnesses.
2. On August 4, 2017, PECO filed a Motion in Limine to prevent the testimony of Mr. McLaren, based on 49 C.F.R. Part 9.
3. Attached to this Motion is I&E's modified witness list, which *inter alia* removes Mr. McLaren as a witness for I&E.

4. I&E asserts that given the modifications to I&E's witness list, PECO's Motion in Limine is moot.

**WHEREFORE**, for the foregoing reasons, I&E respectfully asserts that the Motion in Limine filed by PECO should be dismissed as moot.

Respectfully submitted,

  
Heidi L. Wushinske  
Senior Prosecutor  
PA Attorney ID No. 93792

Bureau of Investigation and Enforcement  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
717.214.9594  
[hwushinske@pa.gov](mailto:hwushinske@pa.gov)

Dated: August 23, 2017

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2015-2511928
	:	
PECO Energy Company,	:	
Respondent	:	

**MODIFIED WITNESS LIST OF THE BUREAU OF  
INVESTIGATION AND ENFORCEMENT**

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) modifies its witness list in the above-referenced proceeding as follows:

**Witnesses**

I&E intends to call the following witnesses:

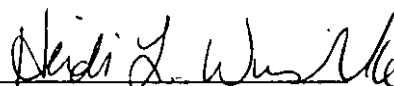
Terri Cooper Smith  
Fixed Utility Valuation Engineer III  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
717-315-1481

Robert D. Horensky  
Fixed Utility Valuation Engineer I  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
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Michael Chilek  
Fixed Utility Valuation Engineer, Supervisor  
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Respectfully submitted,



Heidi L. Wushinske  
Senior Prosecutor  
PA Attorney ID No. 93792

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Pennsylvania Public Utility Commission,  
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Complainant

v.

PECO Energy Company,  
Respondent

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: Docket No. C-2015-2511928  
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**CERTIFICATE OF SERVICE**

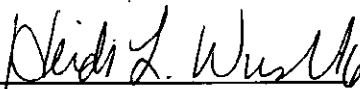
I hereby certify that I am this day serving the foregoing Answer in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a participant).

**Notification by first class mail addressed as follows:**

The Honorable Christopher P. Pell  
Office of Administrative Law Judge  
Pennsylvania Public Utility Commission  
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Dated: August 23, 2017