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September 22, 2017

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

**RE: Rama Construction, Inc. t/a Ramada Inn International Airport v.
PECO Energy Company
Docket No. C-2008-2058320**

Dear Ms. Chiavetta:

A copy of *PECO's Praecepte to Establish a Hearing Schedule* is enclosed for filing.

Very truly yours,



Ward Smith
Counsel for PECO Energy Company

WS/ab
Enclosure

cc: Honorable Marta Guhl, ALJ
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Rama Construction, Inc. t/a Ramada Inn	:	
International Airport	:	
	:	C-2008-2058320
v.	:	
	:	
PECO Energy Company	:	

CERTIFICATE OF SERVICE

I, Ward L. Smith, hereby certify that I have this day served a copy of *PECO's Praceipe to Establish a Hearing Schedule* via email to:

Paul A. Bucco, Esquire
William Oleckna, Esquire
Paul.Bucco@Davisbucco.com
William.Oleckna@Davisbucco.com
Counsel for Rama Construction

Dated at Philadelphia, Pennsylvania, September 22, 2017



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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Rama Construction, Inc. t/a Ramada Inn	:	
International Airport	:	C-2008-2058320
v.	:	
PECO Energy Company	:	

PECO Energy Company's Praecepto to Establish a Hearing Schedule

This proceeding has become quite convoluted, and PECO believes that steps must be taken to simplify this case and drive it to an evidentiary hearing. PECO therefore files this Praecepto to Establish a Hearing Schedule, and states as follows:

1. PECO has pending its Preliminary Objections to the Fifth Amended Complaint. PECO hereby requests that Your Honor suspend ruling on PECO's Preliminary Objections.
2. PECO has pending an Updated Motion to Dismiss, with Prejudice, and for Other Sanctions for Failure to Comply with Order #4. PECO requests that Your Honor suspend ruling on PECO's Motion to Dismiss.
3. PECO has pending a Motion to Strike certain paragraphs in the Fifth Amended Complaint, filed a few days ago. PECO requests that Your Honor suspend ruling on PECO's Motion to Strike.
4. To the extent that any of the arguments contained in those three filings are still material at the time of briefing, PECO will raise those arguments in its briefs.
5. Unfortunately, because PECO has not received a single answer to discovery, it must continue to request a ruling on its Motion to Compel answers to discovery.

6. With the procedural matters thus simplified and largely placed in suspense, the path is clear to set this matter for hearing. In the very similar *Crescent Hotel* proceeding, both parties and Your Honor agreed to a procedural schedule. PECO proposes a virtually identical schedule, using the same periodicity between events, be adopted in this proceeding, as follows:

- * End of discovery – 90 days (December 14, 2017);
- * Dispositive motions – Two weeks thereafter (December 28, 2017);
- * Rama written direct testimony – Thirty-one days after close of discovery (January 15, 2018);
- * PECO written direct testimony – Thirty days thereafter (February 14, 2018);
- * Evidentiary hearing – Two days to be scheduled approximately 30 days after PECO’s written testimony is submitted; that is, about the week of March 19, 2018.¹

Respectfully submitted,



Ward L. Smith
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Counsel for PECO Energy Company and Exelon Corporation
September 22, 2017

¹ PECO is appearing before ALJ Heep on March 12-15.