

Legal Department
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July 25, 2019

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

**RE: James Lobb v. PECO Energy Company
PUC Docket No. C-2019-3011011**

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 Eranda Vero, ALJ
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JAMES LOBB

v.

PECO ENERGY COMPANY

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DOCKET NO. C-2019-3011011

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 Wednesday, August 28, at 10:00 a.m.

2. The Complainant alleges in his complaint that PECO has an underground transformer located in a manhole in his driveway that attracts mosquitos. The Complainant requests that PECO fix the issue.

3. PECO Energy's counsel, Shawane L. Lee, is scheduled for vacation the week of the hearing. Accordingly, Ms. Lee is unable to cover the hearing.

4. The facts in the case involve an alleged safety and quality of PECO's system; 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 reached out to the Complainant, James Lobb and he has no objection to PECO's continuance request. However, the Complainant requests a new hearing date in September. PECO is available September 2, September 3, September 5, September 6, September 11, September 12, September 13, September 17, September 18, September 19, September 20, September 23, September 24, September 25, September 26, September 27 and September 30.

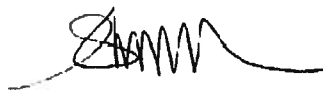
8. The Prehearing Order in this matter states that requests for a continuance are only granted "in rare situations where good cause exists." (Prehearing Order, citing 52 Pa. Code § 1.15).

9. 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.

10. 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.

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

Respectfully Submitted,



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
Direct Dial: 215.841.6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
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PECO ENERGY COMPANY

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 Motion 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: July 25, 2019

**BEFORE THE
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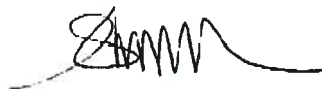
PECO ENERGY COMPANY

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 Eranda Vero
Administrative Law Judge
801 Market Street, Suite 4063
Philadelphia, PA 19107
Via E-mail

James Lobb
616 Addison Street
Philadelphia, PA 19147
Via E-mail – 616jamesaddison@gmail.com



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Shawane.Lee@exeloncorp.com

Dated at Philadelphia, Pennsylvania, July 25, 2019.