

1. <u>REPORT DATE:</u>	February 28, 1986	2. <u>BUREAU AGENDA NO.:</u>	MAR-85-OSA-26*
3. <u>BUREAU:</u>	Office of Special Assistants		
4. <u>SECTION(S):</u>		5. <u>PUBLIC MEETING DATE:</u>	March 6, 1986
6. <u>APPROVED BY:</u>	Director: Cheryl Walker Davis Supervisor:	<div style="border: 2px solid black; padding: 5px; display: inline-block;"> DOCKETED MAR 17 1986 </div> <div style="border: 2px solid black; padding: 5px; display: inline-block; margin-left: 20px;"> DOCUMENT FOLDER </div>	
7. <u>MONITOR:</u>			
8. <u>PERSON IN CHARGE:</u>	J. Noel		
9. <u>DOCKET NO.:</u>	R-850152, et al.		

10. (a) CAPTION (abbreviate if more than 4 lines)
(b) Short summary of history & facts, documents & briefs
(c) Recommendation

(a) Pennsylvania Public Utility Commission v. Philadelphia Electric Company ("PECO") - MOTION FOR CERTIFICATION OF INTERLOCUTORY ORDER

(b) On September 27, 1985, PECO filed a tariff supplement containing rates designed to produce an increase in annual operating revenues of \$949 million. The Commission by Opinion and Order entered on January 21, 1986, affirmed the grant by ALJ Matuschak of Trial Staff's Motion in Limine which thereby excluded certain PECO testimony regarding delays, in 1976 and 1978, of construction of the Limerick Unit No. 1 generating plant.

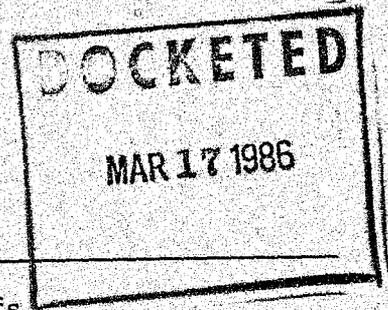
On January 31, 1986, PECO filed a Motion for Certification of Interlocutory Order, pursuant to 52 Pa. Code §5.633, requesting that the Commission amend its January 21, 1986 Opinion and Order so as to facilitate PECO's filing of an appeal in Commonwealth Court. Trial Staff filed an Answer opposing the Motion.

(c) The Office of Special Assistants recommends that the Commission deny the Motion for Certification, waive the thirty day limitation provision at 52 Pa. Code §5.633, and adopt the draft Opinion and Order.

11. MOTION BY: Commissioner Chm. Commissioner Fischl - Yes
Taliaferro Commissioner
SECONDED: Commissioner Shane Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

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| 1. <u>REPORT DATE:</u> | : | 2. <u>BUREAU AGENDA NO.</u> |
| March 5, 1986 | : | |
| 3. <u>BUREAU:</u> | : | |
| Office of Special Assistants | : | MAR-86-OSA-31* |
| 4. <u>SECTION(S):</u> | : | 5. <u>PUBLIC MEETING DATE:</u> |
| | : | March 6, 1986 |
| 6. <u>APPROVED BY:</u> | : | |
| Director: C.W. Davis (7-7466) | : | |
| Supervisor: | : | |
| 7. <u>MONITOR:</u> | : | |
| | : | |
| 8. <u>PERSON IN CHARGE:</u> | : | |
| J. M. Noel | : | |
| 9. <u>DOCKET NO:</u> | : | |
| R-850152 | : | |
| 10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines) | : | |
| (b) Short summary of history & facts, documents & briefs | : | |
| (c) Recommendation | : | |



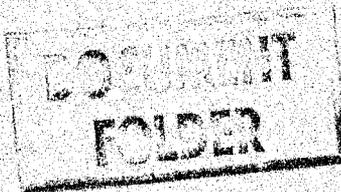
(a) Pennsylvania Public Utility Commission v. Philadelphia Electric Company ("PECO") Petition for Interlocutory Review and Answer of Material Question ("Petition")

(b) During the current PECO rate proceeding, the Consumers Education and Protective Association, et al. ("CEPA") requested a subpoena which would require Mr. Joseph Farrell, Director of the Bureau of Consumer Services to testify concerning information allegedly contained in the Bureau's files. ALJ Matuschak denied the subpoena.

On February 7, 1986, CEPA filed the Petition seeking review and answer of the question as to whether Mr. Farrell should be required to testify.

(c) The Office of Special Assistants recommends that the Commission answer the material question in the negative, thus upholding the ruling of the ALJ, and adopt the draft Opinion and Order.

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| 11. MOTION BY: | Commissioner Chm. | Commissioner Shane - Yes |
| | Taliaferro | Commissioner |
| SECONDED: | Commissioner Fischl | Commissioner |

CONTENT OF MOTION: Staff recommendation adopted.