*Via electronic service only due to Emergency Order at M-2020-3019262*

**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for a Finding : P-2021-3024328

Of Necessity Pursuant to 53 P.S. § 10619 that the :

Situation of Two Buildings Associated with a Gas :

Reliability Station in Marple Township, Delaware :

County Is Reasonably Necessary for the :

Convenience and Welfare of the Public :

**INTERIM ORDER**

**FURTHER MODIFYING BRIEFING SCHEDULE**

On April 23, 2021, a Prehearing Order was entered in the above-captioned matter. The Prehearing Order adopted a litigation schedule. On June 3, 2021, Marple Township (Township) and Delaware County (County) filed a Joint Motion for Extension of Time for Written Rebuttal Testimony. The undersigned emailed the parties and instructed them to consult with each other to see if they could agree to schedule modifications.

On Friday, June 4, 2021, Counsel for PECO Energy Company emailed the undersigned, advising the parties agreed to certain modifications of the schedule.

On June 7, 2021, an Interim Order was issued adopting the modifications, which called for main briefs to be filed by August 2, 2021 and reply briefs to be filed by August 16, 2021.

Evidentiary hearings were convened on July 15, 16, 20, and 22 of 2021. At the evidentiary hearing on July 20, the parties discussed modifications to the briefing schedule due to the multiple days required for the evidentiary hearing. The parties agreed to modify the schedule such that main briefs would be due August 11, 2021 and reply briefs would be due August 20, 2021.

On July 21, 2021, the undersigned issued an Interim Order directing the parties to file briefs as agreed to on July 20, 2021, and providing instructions and requirements for briefs.

The transcripts for the four days of hearing were ordered for a five-day turn-around. As such, the parties were expecting to receive the full transcript on or about July 25, 2021. Due to the court reporter’s delay in preparing the transcripts, the transcripts for the first and second day of hearing were provided to the parties on Friday, August 6, 2021, and the transcripts for the third and fourth day were provided to the parties on Monday, August 9, 2021.

As a result, counsel for the County and the Township emailed the undersigned on August 9, 2021, requesting that the briefing schedule be extended by two weeks. Counsel for PECO emailed the undersigned advising PECO would consent to a one-week extension and reiterated its position that further delays would jeopardize its plans to begin construction at the proposed site.

After consideration of the parties’ positions, the undersigned advised the parties by email that she was extending the briefing schedule such that main briefs would be due by 10:00 a.m. on August 23, 2021 and reply briefs would be due by 10 a.m. on August 30, 2021. This Order formally modifies the briefing schedule as directed by the undersigned in her email to the parties.

#### THEREFORE,

IT IS ORDERED:

1. That the briefing schedule is hereby modified such that main briefs shall be filed on or before 10:00 a.m. on August 23, 2021 and reply briefs shall be filed on or before 10 a.m. on August 30, 2021.

2. That all filings made pursuant to Ordering Paragraph 1 shall be e-filed with the Commission’s Secretary’s Bureau and shall comply with any applicable provision of 52 Pa.Code § 5.502 that is not inconsistent with this Order.

#### 3. That the parties shall comply with the terms of all the Ordering Paragraphs of the July 21, 2021 Interim Order that are not inconsistent with this Order.

Date: August 10, 2021  /s/

Emily I. DeVoe

Administrative Law Judge

**P-2021-3024328 – PETITION OF PECO ENERGY COMPANY FOR A FINDING OF NECESSITY PURSUANT TO 53 P.S. § 10619 THAT THE SITUATION OF TWO BUILDINGS ASSOCIATED WITH A GAS RELIABILITY STATION IN MARPLE TOWNSHIP, DELAWARE COUNTY IS REASONABLY NECESSARY FOR THE CONVENIENCE AND WELFARE OF THE PUBLIC.**

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*Revised 4/29/21*

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**P-2021-3024328 – PETITION OF PECO ENERGY COMPANY FOR A FINDING OF NECESSITY PURSUANT TO 53 P.S. § 10619 THAT THE SITUATION OF TWO BUILDINGS ASSOCIATED WITH A GAS RELIABILITY STATION IN MARPLE TOWNSHIP, DELAWARE COUNTY IS REASONABLY NECESSARY FOR THE CONVENIENCE AND WELFARE OF THE PUBLIC**

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