**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

James and Lisa Crown :

 :

 v. : C-2022-3031132

 :

PECO Energy Company :

**ORDER**

This Order is issued pursuant to the Commission’s procedural regulation at 52 Pa. Code § 5.483.

 A telephonic evidentiary hearing was scheduled in this case for 10:00 a.m. on August 2, 2022. That hearing was convened as scheduled. One of the Complainants, Ms. Crown, appeared *pro se* at the hearing*.* The Respondent was represented by counsel. Both parties provided sworn testimony and entered documents into the record. At the conclusion of the hearing, the matter was adjourned.

On August 3, 2022, the day after the hearing, the Complainant sent an email to my legal assistant indicating that she had “paperwork” given to her by PECO that she wished to have me review and consider when deciding this case. Ms. Crown did not provide a copy of the “paperwork” with her email, nor did she send a copy of the email to counsel for PECO. A copy of the complete email is attached to this Order as Attachment 1.

While not designated as such, Ms. Crown’s email is essentially a request to propose late exhibits to supplement the existing record in this matter. It is also an *ex parte* communication with my office, which is prohibited by Section 334(c) of the Public Utility Code. 66 Pa.C.S. § 334(c).

The Prehearing Order issued in this matter on May 2, 2022, informed the parties as to hearing procedures, including the presentation of exhibits. Although Ms. Crown was given an opportunity to testify, present exhibits and cross examine the Respondent’s witnesses at the hearing, it appears that she now wishes to supplement the record established at the hearing.

The Commission provides broad leeway to *pro se* litigants and the record in this matter has not yet closed. This Order responds to her request and addresses the ethical and procedural issues it raised.

To ensure that the rights of both parties are respected, this Order instructs Ms. Crown to file a Motion to submit late exhibits with the Secretary of the Commission no later than August 10, 2022. The Motion shall include: (a) a copy of the proposed exhibits presented in accordance with the instructions for exhibits provided in the Prehearing Order issued in this matter; and (b) a clear and concise statement of the rationale for the Motion. The Motion must be filed with the Commission and served on my office and the Respondent in accordance with the instructions provided in the May 2, 2022 Prehearing Order issued in this matter. A copy of the PUC’s current service list of all parties to this proceeding is enclosed with this Order.

The Complainant is reminded that any proposed exhibits will be subject to objection by the Respondent. PECO will have five (5) business days from the date of service of the Motion to respond to it. A ruling on the Motion will be made after I have considered the materials submitted by the parties. If appropriate, a further hearing will be scheduled in this matter.

ORDER

 THEREFORE,

 IT IS ORDERED:

1. That if the Complainants wish to propose additional exhibits for inclusion in the record, they must file a Motion to submit late exhibits with the Secretary of the Commission no later than August 10, 2022.
2. That any Motion to submit late exhibits shall include: (a) a copy of the proposed exhibits presented in accordance with the instructions for exhibits provided in the May 2, 2022 Prehearing Order for this matter; and (b) a clear and concise statement of the rationale for the Motion.
3. That any Motion to submit late exhibits filed by the Complainant be served on the undersigned and on the Respondent in accordance with the instructions provided in the May 2, 2022 Prehearing Order for this matter.
4. That the Respondent will have five (5) business days from the date of service to respond to any Motion to submit late exhibits filed by the Complainant.

Dated: August 5, 2022 /s/

 Arlene Ashton

 Administrative Law Judge

**ATTACHMENT**

**ATTACHMENT 1**

**From:** Jfc2983 <jfc2983@comcast.net>
**Sent:** Wednesday, August 3, 2022 9:59 AM
**To:** McNeal, Pamela <pmcneal@pa.gov>
**Subject:** [External] Crown vs PECO docket #C-2022-3031132

***ATTENTION:*** *This email message is from an external sender. Do not open links or attachments from unknown senders. To report suspicious email, use the* [*Report Phishing button in Outlook.*](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.oa.pa.gov%2FDocuments%2FCofense-Report-Phishing-User-Guide.pdf&data=05%7C01%7Cpmcneal%40pa.gov%7Cae07cb13e3a54a6c521708da755852ba%7C418e284101284dd59b6c47fc5a9a1bde%7C0%7C0%7C637951319465926783%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=DMC77J58f522q5oAbjSOe1KHNScQ9j9s65vA3mhicYg%3D&reserved=0)

Ms McNeal,

       I have paperwork given to me by PECO that I believe contradicts testimony by the PECO engineer in my hearing yesterday.I believe this directly affects my case.Please let me know if this is something I can forward to you ,so it can be reviewed along with all the testimony so the judge can consider this in her ruling.

                                    Thanks,

                                          Lisa Crown

I did not have this as an exhibit because I expected there to not be a discrepancy with engineering questions and answers.

**C-2022-3031132 - JAMES AND LISA CROWN v. PECO ENERGY COMPANY-ELECTRIC**

JAMES AND LISA CROWN

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