

**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SYON BHANOT and SUSANNE SCHWARZ, :  
Complainant, :  
v. : Docket No. C-2023-3037809  
PECO ENERGY COMPANY, :  
Respondent. :

**COMPLAINANTS' RESPONSE TO NEW MATTER AND MOTION FOR  
WITHDRAWAL OF MOTION FOR CONSOLIDATION**

Complainants, Syon Bhanot and Susanne Schwarz, hereby respond to the New Matter of Respondent, PECO Energy Company, as follows:

11. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

12. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

13. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

14. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

15. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

16. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof. It is also worth noting here that PECO promised at public meetings on December 5, 2022 and December 6, 2022, to provide Swarthmore residents and the Borough with a detailed map of the tree removal work that PECO has slated for the Project. However, in a blatant disregard of the commitments that it made publicly, on January 26, 2023, at another public forum, PECO said that it will not supply such a detailed map or a list of the trees slated to be removed. PECO further stated at the same January 26, 2023 meeting that it will not even apply for tree removal permits as required by the Borough of Swarthmore's tree removal ordinance.

17. Denied in part and admitted in part. Complainants admit that they dispute the removal of trees for the Project, and otherwise lack sufficient information to respond to PECO's allegations. Complainants demand sufficient discovery into the allegation and strict proof thereof. Furthermore as noted above, PECO promised at public meetings on December 5, 2022

and December 6, 2022, to provide Swarthmore residents and the Borough with a detailed map of the tree removal work that PECO has slated for the Project. However, in a blatant disregard of the commitments that it made publicly, on January 26, 2023, at another public forum, PECO said that it will not supply such a detailed map or a list of the trees slated to be removed. So the claims here of reduced tree impact, etc, are not ones PECO has provided information about.

18. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

19. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

20. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

21. Denied. Complainants lack sufficient information to respond to PECO's allegation, and demand sufficient discovery into the allegation and strict proof thereof.

Complainant further responds to the Affirmative Defenses as follows:

22. No response is required.

23. Denied, and no response is required to PECO's legal characterization of the Complaint.

24. No response is required.

25. Denied, and no response is required to PECO's legal characterization of the Complaint.

26. No response is required.

27. Denied, and no response is required to PECO's legal characterization of the Complaint.

28. No response is required.

29. Denied, and no response is required to PECO's legal characterization of the Complaint.

30. No response is required.

31. Denied, and no response is required to PECO's legal characterization of the Complaint.

**COMPLAINANTS' RESPONSE TO MOTION FOR  
WITHDRAWAL OF MOTION FOR CONSOLIDATION**

Complainant opposes PECO's motion to withdraw its motion for consolidation of the Formal Complaints filed by the Borough of Swarthmore and Swarthmore residents, and further supports that discovery is required from PECO before any adjudication of the Complaints.

Dated: February 26, 2023

/s/ Syon Bhanot

Syon Bhanot

/s/ Susanne Schwarz

Susanne Schwarz

## CERTIFICATE OF SERVICE

We, Syon Bhanot and Susanne Schwarz, hereby certify that on February 26, 2023, I caused a true and correct copy of the foregoing to be served via email upon counsel for Respondent, as follows:

Christopher A. Lewis  
BlankRome  
One Logan Square  
230 North 18<sup>th</sup> Street  
Philadelphia, PA 19103  
Email: [chris.lewis@blankrome.com](mailto:chris.lewis@blankrome.com)

*/s/ Syon Bhanot* \_\_\_\_\_

Syon Bhanot

*/s/ Susanne Schwarz* \_\_\_\_\_

Susanne Schwarz