

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

ALISON L. MANAKER, :
Complainant, :
v. : Docket No. C-2022-3037057
PECO ENERGY COMPANY, :
Respondent. :

**COMPLAINANT’S RESPONSE TO NEW MATTER
AND TO MOTION FOR WITHDRAWAL OF MOTION FOR CONSOLIDATION**

Complainant, Alison L. Manaker, hereby responds to the New Matter of Respondent, PECO Energy Company, as follows:

11. Denied. Complainant lacks sufficient information to respond to PECO’s allegation, and demands sufficient discovery into the allegation and strict proof thereof.

12. Denied. Complainant lacks sufficient information to respond to PECO’s allegation, and demands sufficient discovery into the allegation and strict proof thereof.

13. Denied. Complainant lacks sufficient information to respond to PECO’s allegation, and demands sufficient discovery into the allegation and strict proof thereof.

14. Denied. Complainant lacks sufficient information to respond to PECO’s allegation, and demands sufficient discovery into the allegation and strict proof thereof.

15. Denied. Complainant lacks sufficient information to respond to PECO’s allegation, and demands sufficient discovery into the allegation and strict proof thereof.

16. Denied. Complainant lacks sufficient information to respond to PECO’s allegation, and demands sufficient discovery into the allegation and strict proof thereof. By way of further answer, 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. Complainant admits that she disputes the removal of trees for the Project, and otherwise lacks sufficient information to respond to PECO's allegations, and demands sufficient discovery into the allegation and strict proof thereof. By way of further answer, 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.

18. Denied. Complainant lacks sufficient information to respond to PECO's allegation, and demands sufficient discovery into the allegation and strict proof thereof.

19. Denied. Complainant lacks sufficient information to respond to PECO's allegation, and demands sufficient discovery into the allegation and strict proof thereof.

20. Denied. Complainant lacks sufficient information to respond to PECO's allegation, and demands sufficient discovery into the allegation and strict proof thereof.

21. Denied. Complainant lacks sufficient information to respond to PECO's allegation, and demands 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.

**COMPLAINANT'S RESPONSE TO PECO'S 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 27, 2023

/s/ Alison L. Manaker
Alison L. Manaker

CERTIFICATE OF SERVICE

I, Alison L. Manaker, hereby certify that on February 27, 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 18th Street
Philadelphia, PA 19103
Email: chris.lewis@blankrome.com

/s/ Alison L. Manaker
Alison L. Manaker