**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 : (On Remand)

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 ON**

**PREHEARING EVIDENTIARY MOTIONS**

A further prehearing conference was held on November 9, 2023. Counsel for PECO, Christopher Lewis, Esquire, and Marple Township, Adam Matlawski, Esquire and Kaitlyn Searls, Esquire appeared. Self-represented intervenors Julia Baker and Ted Uhlman also appeared. The purpose of the conference was to consider evidentiary motions made by the parties in advance of the hearings which will begin on Tuesday, November 14, 2023. The purpose of this order is to memorialize rulings and direction made at the prehearing conference.

THEREFORE,

IT IS ORDERED:

1. That the Parties agreed to resolve Marple Township’s Motion in Limine to Strike Portions of PECO’s Rebuttal Testimony.

a. That Marple Township shall serve written surrebuttal testimony of Dr. Timothy R. McCauley on or before **Friday, November 24, 2023**.

b. That a further hearing will be held on **Tuesday, November 28, 2023 at 10:00 a.m.** on the subject of air modelling in the testimony of Dr. McCauley and Jeffrey

Harrington. Mr. Harrington’s testimony on other subjects will be offered at the evidentiary hearings scheduled to begin November 14, 2023.

2. The PECO’s motion to strike the served testimony of Bill Beck is granted.

3. That written responses or stipulations to PECO Energy Company’s Evidentiary Challenge filed on November 8, 2023, regarding the written testimony of Dr. Winters, Dr. Schmid, Dr. Keyter, and Mr. Capuzzi shall be filed by **noon on Monday, November 13, 2023**.

4. The written responses or stipulations regarding PECO’s motion to strike expert reports attached to the written testimony shall be filed by **noon on** **Monday, November 13, 2023.**

5. That written responses to Marple Township’s Evidentiary Challenge to the Written Direct Testimony of PECO Witness, Doug Oliver shall be filed **noon on** **Monday, November 13, 2023.**

6. That all parties shall provide me a list of telephone numbers by email that each party and each witness intends to use to dial into the hearings that begin on Tuesday November 14 hearing by **noon on** **Monday, November 13, 2023.**  All numbers not identified in advance will be placed on “mute.”

7. That any party who intends to ask questions regarding PECO Confidential Exhibits included with the written testimony of Jim Moylan or Keith Kowalski shall notify me by email on noon on Monday.

Date: November 9, 2023 /s/

Mary D. Long

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. (ON REMAND)**

CHRISTOPHER A. LEWIS ESQUIRE

FRANK L. TAMULONIS ESQUIRE

STEPHEN C. ZUMBRUN ESQUIRE  
MEGANN GIBSON ESQUIREBLANK ROME, LLPONE LOGAN SQUARE130 NORTH 18TH STREETPHILADELPHIA PA 19103**215-569-5793**[lewis@blankrome.com](mailto:lewis@blankrome.com)

[ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com)  
[szumbrun@blankrome.com](mailto:szumbrun@blankrome.com)

Accepts eService

*Representing PECO Energy Company*

JACK R. GARFINKLE ESQUIRE

ANTHONY GAY ESQUIRE  
PECO ENERGY COMPANY

2301 MARKET STREET

PO BOX 8699

PHILADELPHIA PA 19101-8699

215.841.6863  
[jack.garfinkle@exeloncorp](mailto:jack.garfinkle@exeloncorp)  
Accepts eService

KAITLYN T. SEARLS ESQUIRE

J. ADAM MATLAWSKI ESQUIRE  
MCNICHOL, BYRBE & MATLAWSKI, P.C.

1223 N PROVIDENCE ROAD

MEDIA PA 19063

[ksearls@mbmlawoffice.com](mailto:ksearls@mbmlawoffice.com)

[amatlawski@mbmlawoffice.com](mailto:amatlawski@mbmlawoffice.com)

Accepts eService

*Representing Marple Township*

ROBERT W. SCOTT ESQUIRECARL EWALD ESQUIRE

ROBERT W. SCOTT P.C.205 NORTH MONROE STREETMEDIA PA 19063**610.891.0108**

[rscott@robertwscottpc.com](mailto:rscott@robertwscottpc.com)

[carlewald@gmail.com](mailto:carlewald@gmail.com)

Accepts eService

*Representing County of Delaware*

THEODORE R. UHLMAN2152 SPROUL RDBROOMALL PA 19008**484.904.5377**[uhlmantr@yahoo.com](mailto:uhlmantr@yahoo.com)

Accepts eService

JULIA M. BAKER2150 SPROUL RDBROOMALL PA 19008**610.745.8491**

[jbakeroca@gmail.com](mailto:jbakeroca@gmail.com)

Accepts eService