



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

December 12, 2023

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
PECO Energy Company
Docket No. C-2023-3041102 (Heather Road)
(Motion for Continuance)

Dear Secretary Chiavetta:

Enclosed for electronic filing in the above docket is the Motion for Continuance of the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission in the above-captioned matter.

Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

A handwritten signature in blue ink that reads 'mswindler'.

Michael L. Swindler
Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 43319
(717) 783-6369
mwindler@pa.gov

MLS/ac
Enclosures

cc: Deputy Chief Administrative Law Judge Christopher Pell (*via email*)
As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. C-2023-3041102
	:	
PECO Energy Company	:	

MOTION FOR CONTINUANCE¹

AND NOW comes the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission” or “PUC”), Complainant in the above-captioned matter, by its prosecuting attorney, and files this Motion for Continuance of the litigation schedule, including the Initial Call-In Telephonic Hearing (“Initial Hearing”) set for January 9, 2024, in accordance with Section 1.15(b) of the Commission’s regulations, 52 Pa. Code § 1.15(b). In support thereof, I&E states as follows:

1. On June 5, 2023, I&E filed a Formal Complaint against PECO Energy Company (“PECO” or “Respondent”), for electric safety violations regarding an incident that took place on June 6, 2020 at 287 Heather Road, King of Prussia, Pennsylvania.
2. On June 26, 2023, PECO filed an Answer to I&E’s Complaint.
3. By Hearing Notice dated October 19, 2023, the above-captioned case was scheduled for a telephonic Initial Hearing before Deputy Chief Administrative Law Judge Christopher Pell (“ALJ”) on January 9, 2024.
4. Due to the departure of the assigned I&E Prosecutor in this matter, the undersigned filed an Entry of Appearance on December 11, 2023.
5. The undersigned is working diligently to become familiar with this file.

¹ A similar Motion for Continuance in the separate matter of *I&E v. PECO Energy Company* at Docket No. C-2023-3041107 is being concurrently filed given that the undersigned I&E counsel has also recently entered his appearance in that matter and ongoing settlement discussions between I&E and PECO are intended to resolve both matters.

6. Moreover, the Parties to this matter continue to work toward an amicable resolution of this matter which may result in a settlement without the need for a hearing.

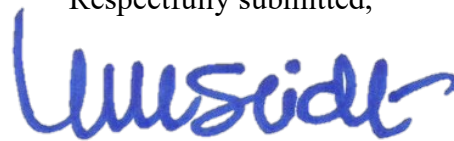
7. I&E is authorized to indicate that Respondent concurs in this request for a continuance of the litigation schedule.

8. I&E and PECO agree to provide a Joint Status Report to the Presiding Officer within sixty (60) days of the date of the Order granting this Motion for Continuance to advise the Presiding Officer of the status of settlement discussion if no Joint Petition for Approval of Settlement has yet been filed.

9. Accordingly, I&E respectfully requests a continuance of the Initial Hearing for the above-captioned matter due to the recent entry of appearance of I&E counsel and the Parties' continued efforts to reach an amicable resolution of this matter.

WHEREFORE, for the foregoing reasons, I&E respectfully requests that the litigation schedule, including the Initial Hearing scheduled for January 9, 2024, in the above-captioned matter, be continued and the Parties be directed to file a status report to the Presiding Officer within sixty (60) days of the date of the Order granting this Motion for Continuance.

Respectfully submitted,



Michael L. Swindler
Deputy Chief Prosecutor
PA Attorney ID No. 43319

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
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mwindler@pa.gov
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Date: December 12, 2023

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. C-2023-3041102
	:	
PECO Energy Company	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Electronic Mail:

Adesola K. Adegbesan
Assistant General Counsel
PECO Energy Company, Legal Department
2301 Market Street, S23-1
Philadelphia, PA 19103
Adesola.Adegbesan@exeloncorp.com



Michael L. Swindler
Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 43319
(717) 783-6369
mwindler@pa.gov

Date: December 12, 2023