

Richard J. Coppola  
Post Office Box 99  
25 Parkside Drive  
Langhorne Pennsylvania 19047  
Telephone: (Daytime) 215.497.1000, (Cell) 215.990.9900  
Telefax: 215.497.9000  
Email: hut@globalweb.com

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

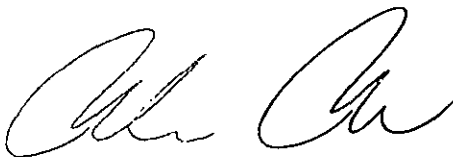
RE: Richard Coppola v. PECO Energy Company  
PUC Docket No.: F-2012-2325791

Dear Ms. Chiavetta,

Enclosed for filing with the Commission are the following documents in the matter referenced above along with their respective Certificates of Service.

1. Complainant's RE-FILING of his Motion to Compel Responses to Interrogatories, Set 1.

Very Truly Yours,



**Richard Coppola, Jr.**  
RJC/lg  
2013/01/22 07:50:44  
Via.: USPS with Delivery Confirmation  
Page 1 of 1 plus attachments  
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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Exhibit A

Richard J. Coppola, Jr.  
P.O Box 99  
Langhorne, PA 19047

Complainant

v.

PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101

Respondent

: No.: F-2012-2325791

: Administrative Law

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**COMPLAINANT'S RE-FILING OF MOTION TO COMPEL  
RESPONSES TO INTERROGATORIES  
DIRECTED TO RESPONDENT, SET 1**

COMES NOW Complainant RICHARD COPPOLA and submits his RE-FILING of his Motion to Compel Responses to Request for Interrogatories, Set 1 directed to Respondent PECO Energy Company pursuant to Pa. Code, Title 52, Chapter 5, ss 5.342(2)(g)(1)(2).

1. Complainant served Respondent with Request for Interrogatories, Set 1 on 10/17/2012 Electronically and by USPS.
2. Respondent failed and/or refused to serve a copy of their "responses" upon Complainant until 11/8/2012. A true and correct copy of Complainant's electronic communication to and between Respondent is attached hereto and marked as Exhibit "A".
3. As a result of Respondent's failure to serve Complainant with their "response" to Complainant's Requests for Interrogatories, Set 1, Complainant expended approx. 2.8 hrs. of work preparing his original Motion to Compel attached hereto and marked as Exhibit "B".

# Exhibit A

4. After review of Respondent's response to Complainant's Interrogatory Requests, Respondent's so-called "responses" behind their abusive objections to virtually each and every request to Complainant's carefully prepared and focused requests which are relevant and that will no doubt lead to evidence required at trial, Respondent's "responses" are non-responsive.

5. Complainant timely filed his Motion to Compel full and complete responses to Complainant's Request for Interrogatory Responses, Set 1 on 11/8/2012 served upon Respondent electronically and submitted to the Commission by USPS confirmed by certification of mailing hereafter referred to as "PUC" for filing on 11/9/12. Complainant's subject Motion to Compel and Certification of mailing are attached hereto and marked as Exhibits "A" and "B" respectively.

6. Complainant submitted an informal request to the Presiding Officer and Respondent for a hearing continuance on 1/7/13. Surprisingly, the Presiding Officer stated in his 1/14/13 Order "moreover, there was no indication from the fax that Ms. Lee was copied on the correspondence" when service to Ms. Lee by fax was CLEARLY shown on the very fax the Presiding Officer referenced. The referenced excerpt from the Presiding Officer's Order, Complainant's subject fax, and a close-up view of the subject fax demonstrating service of same is attached hereto and marked collectively as Exhibit "C".

7. Furthermore and even more surprisingly, within the same Order dated 1/14/13 the Presiding Officer states "moreover, upon review of the Commission's file on this matter, there is no outstanding Motion to Compel". This statement by the Presiding Officer to which he relied upon as the basis, purpose, scope, and extent of the rescheduled 1/23/13 hearing to 3/22/13 is quite astonishing considering the multiple service methods used between the Respondent and the Commission and all the previous electronic and mailed correspondence referencing Complainant's subject Motion. The referenced excerpt from the Presiding Officer's Order, Complainant's follow-up letter dated 1/21/13 and hearing cancellation is attached hereto and marked collectively as Exhibit "D".

WHEREFORE Complainant respectfully requests that the Presiding Officer COMPEL Respondent to provide Complainant with full and complete responses to his Interrogatories, Set 1 according to the proposed ORDER attached herewith.

Dated: 1/22/13



---

Richard J. Coppola, Jr.  
Complainant  
(215) 497-1000  
(business - daytime phone)

(Mailing Address)  
25 Parkside Drive  
Langhorne, PA 19047

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Exhibit A

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P.O Box 99  
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PECO Energy Company  
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Respondent

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ORDER

AND NOW This \_\_\_\_\_ day of \_\_\_\_\_ 2013, Upon consideration of Complainant's RE-Filed Motion to Compel Discovery Responses it is hereby ORDERED and DECREED that Complainant's Motion is GRANTED. Respondent shall serve upon Complainant full and complete responses to Complainant's Request for interrogatories, Set 1 within twenty (20) days from the date of this ORDER or suffer such sanctions as the COMMISSION may impose. It is further ORDERED that Respondent serve Complainant with all Pleadings both by United States Postal Service and electronically.

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Presiding Officer

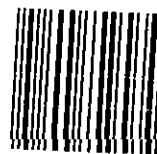
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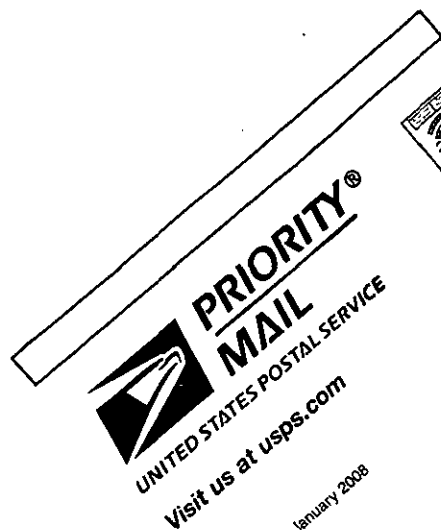
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