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March 21, 2013

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

RE: Richard J. 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.

—	Answer
—	Answer & New Matter
<u>X</u>	Motion
—	Motion for Judgment on the Pleadings
—	Motion for Continuance
—	Preliminary Objection
—	Exceptions
—	Reply Exceptions
—	Main Brief
—	Reply Petition

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

Shawane Lee
Counsel for PECO Energy Company
SL/lo

cc: Christopher Pell, ALJ (via email only)
Richard Coppola (via email & regular mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RICHARD J. COPPOLA

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2012-2325791

**MOTION OF PECO ENERGY COMPANY IN RESPONSE TO COMPLAINANT,
RICHARD COPPOLA'S REQUEST FOR A TELEPHONIC HEARING FOR THE
MARCH 22, 2013 HEARING**

PECO Energy Company ("PECO Energy"), hereby objects to a telephonic hearing for the March 22, 2013, hearing and states the following:

1. An In-Person hearing is scheduled to take place tomorrow, Friday, March 22, 2013, before Administrative Law Judge Christopher Pell.
2. On March 21, 2012, PECO Energy received correspondence directed to Judge Pell from the Complainant, advising that he "would not be prepared for the hearing tomorrow". See Correspondence, attached hereto as Exhibit "1".
3. In his correspondence, the Complainant also requested that in the event the hearing proceeds as scheduled, the hearing be conducted telephonically.
4. The Complainant's basis for the request is that he anticipates the hearing will be very brief as he intends to simply note "the record by way of hearing transcript accordingly and to advise the Commission of Complainant's intention to obviously appeal tomorrow's decision."
5. PECO Energy objects to the hearing being conducted telephonically as the company's defense of the claims raised in the Complainant's formal complaint will not be brief.
6. The hearing will involve multiple exhibits and witnesses.
7. Specifically, PECO Energy intends to call at least two company witnesses to testify.

8. One of the witnesses will be testifying to high bill field visits that took place at the Complainant's residence.

9. Because of the technical nature of the testimony to be presented, PECO Energy requires the testimony to be presented in person.

10. Additionally, there are voluminous billing records and statements that PECO Energy intends to offer as evidence.

11. The ability of the company to adequately present its case using these records will be an issue if the hearing is conducted telephonically.

12. Moreover, the Complainant has not asserted any verifiable reason for the hearing to be telephonic other than he believes the hearing will be brief.

13. For example, the Complainant has not alleged that he is handicapped and that traveling to the hearing will cause him hardship. He has not offered any reasonable grounds to have a telephonic hearing.

14. Finally, the Complainant's request for a telephonic hearing one day before the hearing is unreasonable under the circumstances.

15. In order for there to be a telephonic hearing, the exhibits to be presented by both parties would need to be in the possession of the Administrative Law Judge, the Complainant and PECO Energy before tomorrow morning.

16. Accordingly, PECO Energy objects to any telephonic hearing of this matter.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Shawane L. Lee', with a long horizontal flourish extending to the right.

Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Direct Dial: 215.841.6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RICHARD J. COPPOLA

v.

PECO ENERGY COMPANY

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DOCKET NO. F-2012-2325791

VERIFICATION

I, Shawane L. Lee, hereby declare that I am counsel for PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.



Shawane L. Lee

Date: March 21, 2013

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RICHARD J. COPPOLA

v.

PECO ENERGY COMPANY

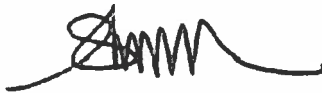
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DOCKET NO. F-2012-2325791

CERTIFICATE OF SERVICE

I, Shawane L. Lee, hereby certify that I have this day served a copy of PECO Energy Company's Motion in the above matter upon all interested parties by mailing and emailing a copy, properly addressed and postage prepaid to:

Richard J. Coppola
Post Office Box 99
25 Parkside Drive
Langhorne, PA 19047



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
Direct Dial: 215.841.6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

Dated at Philadelphia, Pennsylvania, March 21, 2013.

EXHIBIT “1”

PECO ENERGY
EXHIBIT 1

From The Desk of:

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

Transmittal

To: PUC
Attention: Judge Christopher P. Bell
RE: PUC Docket No.: F-2012-2325791

Dear Judge Bell,

This is to notify you of the Response and Answer to respondent's motion for protective order that was faxed to your office yesterday 3/20/13 after receipt of respondent's motion that very same day which is currently being mailed to the Commission for filing. There is also a pending Motion for Stay of tomorrow's evidentiary hearing from Complainant as well as Notice of Depositions from Complainant. Complainant has advised the Commission and respondent on numerous occasions by and through correspondence and pleadings that discovery is ongoing and not closed and that Complainant would not be prepared for the hearing tomorrow. In the event the Commission still wishes to conduct this hearing tomorrow I suggest it be done telephonically as it is anticipated that it will be very brief. Complainant will simply be noting the record by way of hearing transcript accordingly and to advise the Commission of Complainant's intention to obviously appeal tomorrow's decision. This telephonic request is also made to minimize inconvenience to all parties due to the rush-to-trial circumstances imposed upon Complainant by the Commission.

Kindly advise me by phone or fax today as to any change in the status of tomorrow's hearing to avoid an unnecessary trip to Philadelphia as this Complainant does not have access to the electronic filing system.

Very Truly Yours,



Richard Coppola, Jr.
RJC/g
2013/03/21 07:33:23
Via Fax: 215.560.3133
and by USPS
Page 1 of 1 plus attachments
Copy: PECO Shawane Lee 215.568.3389, File

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PECO ENERGY
EXHIBIT