

From The Desk of:

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*Transmittal*

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

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MAR 21 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

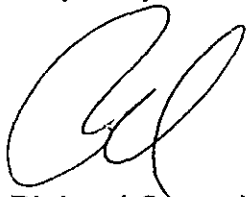
RE: Richard Coppola v. PECO Energy Company  
PUC Docket No.: F-2012-2325791

**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 NOTICE OF WITHDRAW OF COMPLAINT WITHOUT PREJUDICE

Very Truly Yours,



**Richard Coppola, Jr.**

RJC/lg

2013/03/21 12:48:48

Via.: USPS with Delivery Confirmation

Page 1 of 1 plus attachments

Copy: File

**DISCLOSURE NOTICE**

ALL INFORMATION CONTAINED WITHIN THIS DOCUMENT IS INTENDED SOLELY FOR THE INDIVIDUAL AND/OR ENTITY NAMED ABOVE FOR THE EXPRESSED PURPOSE FOR WHICH IT WAS SUBMITTED. IT CONTAINS INFORMATION THAT IS CONFIDENTIAL, LEGALLY PRIVILEGED, PROPRIETARY AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. YOU ARE HEREBY NOTIFIED THAT ANY FURTHER DISSEMINATION, DISTRIBUTION OR REPRODUCTION OF ANY KIND OF INFORMATION CONTAINED IN THIS DOCUMENT AND/OR ANY ATTACHED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT OR IF YOU RECEIVED THIS INFORMATION IN ERROR, YOU ARE ADVISED TO IMMEDIATELY NOTIFY THE ABOVE SIGNED BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL & ALL REPRODUCTIONS IF MADE TO THE ABOVE ADDRESS VIA UNITED STATES POSTAL SERVICE BY CERTIFIED OR REGISTERED MAILING, FEE COLLECT. THANK YOU.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Complainant

: No.: F-2012-2325791

v.

PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101

: Administrative Law

Respondent

**COMPLAINANT'S NOTICE OF WITHDRAW OF COMPLAINT  
WITHOUT PREJUDICE**

COMES NOW Complainant in his notice to Withdraw Complaint Without Prejudice.

1. The record clearly reflects that Complainant has prosecuted his case and attempted to conduct and to complete discovery fairly and in good faith required to prosecute Complainant's case however Complainant was prevented from completing discovery by and through the Commission's interim Order dated 3/22/2013. It is worth noting that no discovery schedule was established by the Commission or requested by the respondent so the process of discovery scheduling was left entirely upon Complainant. Submitted however undocketed pleadings by the Commission, discovery delays by respondent actions, etc. contributed to the timeline and sequence for Complainant's establishment of his discovery schedule. Complainant's due process and administrative law rights have been infringed upon and upon commencement of the 3/22/2013 hearing Complainant's rights within the administrative law procedures and rules will in-fact be extinguished by a rush-to-trial effort on behalf of both the respondent and the Commission.

2. It has been assumed that the administrative law avenue is "sufficient" to resolve certain disputes regarding public utility complaints however Complainant's

experience with this matter has clearly demonstrated otherwise throughout this matter filed before the Commission as the record clearly demonstrates including violation of Complainant's due process rights and being precluded from completing discovery which are basic rights of the Complainant.

3. It has become apparent today considering the interim order by the Commission dated 3/21/2013 received within the hour that the Commission leaves Complainant with no other option than to withdraw Complainant's Complaint.

4. Complainant's Complaint is hereby withdrawn and will be filed within the Court of Common Pleas where Complainant's due process and discovery rights will not be infringed.

Dated: 3/21/13



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

(Mailing Address)  
25 Parkside Drive  
Langhorne, PA 19047

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**VERIFICATION**

I, Richard J. Coppola, Jr., Complainant verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. Plaintiff understands that false statements herein are subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Dated: 3/21/13



Richard J. Coppola, Jr.  
Complainant  
(215) 497-1000  
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CERTIFICATION OF SERVICE

I, Richard J. Coppola, Jr., do hereby certify that a true and correct copy of

**COMPLAINANT'S NOTICE OF WITHDRAW OF COMPLAINT WITHOUT PREJUDICE**

was served upon the Defendant by United States Postal Service and electronically in PDF file format, in accordance with the requirements of ss 1.54 on or about the below written date:

Dated: 3/21/13



Richard J. Coppola, Jr.

Complainant

(215) 497-1000

(business - daytime phone)

(Mailing Address)

25 Parkside Drive

Langhorne, PA 19047

PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101

Respondent

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