**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

James Lundy :

:

v. : F-2015-2466629

:

PECO Energy Company :

**PREHEARING ORDER**

An initial telephonic hearing is scheduled for **Tuesday, June 16, 2015 at**

**10:00 a.m.** You must be available at this time or you may lose your case. If you will be at a different telephone number than the number provided on your Complaint or Answer, then you MUST provide that telephone number at least three days prior to the hearing.The parties are directed to comply with the following requirements:

1. If you intend to present any documents for my consideration, you must mail one copy to the other party, and mail three copies to me prior to the date of the hearing. Note that attachments to your Complaint are not admitted into the record unless submitted separately in accordance with this paragraph.

2. If you are an individual, you may either represent yourself or have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent you. **However, if you are a partnership, corporation, trust, association, joint venture, other business organization, trust, trustee, legal representative, receiver, agency, governmental entity, municipality or other political subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania represent you in this proceeding.**  Unless you are an attorney, you may not represent someone else. Attorneys shall comply with the Commission’s appearance requirements. 52 Pa.Code § 1.24(b). References to the Pa.Code may be accessed at www.pacode.com.

3. A request for a change of the scheduled hearing must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa.Code § 1.15(b). The requesting party must contact the other party to determine whether there is agreement to the change prior to contacting the presiding officer. Requests for changes of initial hearings must be sent to me with copies to all parties of record. *Changes are granted only in rare situations where sufficient cause exists.*

4. A copy of anything filed with the Secretary or submitted shall be sent directly to the presiding officer. The correct address is: Administrative Law Judge Susan D. Colwell, Office of Administrative Law Judge, PO Box 3265, Harrisburg PA 17105-3265

5. **YOU MAY LOSE THIS CASE IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.**

6. This hearing is a formal proceeding and will be conducted in accordance with the Commission’s rules of practice and procedure. 52 Pa.Code Chapters 1, 3 and 5.

7. **Commission policy is to encourage settlements. 52 Pa.Code**

**§ 5.231(a). Utility is required to contact Complainant to discuss informally the possible settlement of this case as soon as possible but no later than at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.**

8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code § 5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days’ notice to answer or object, and so you will have enough time to receive the subpoena and serve it.

9. Complainant bears the burden of proving the case and should be prepared to prove claims with testimony and documentary evidence. The hearing will be heard on the sole is sole issue remaining in this case, which is whether PECO should have taken the service at 5245 Burton Street, 2nd Floor, out of Complainant's name during his incarceration. The Complainant is cautioned that no evidence regarding his request for a payment arrangement will be entertained at the evidentiary hearing as that issue has already been adjudicated in the Order issued April 24, 2015 at this docket.

10. Utility is warned that a finding of a violation of a Commission Order, regulation or statute may result in the imposition of a civil penalty consistent with 66 Pa.C.S.

§ 3301 or other provision of the Public Utility Code.

Dated: April 29, 2015 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Susan D. Colwell

Administrative Law Judge

**F-2015-2466629: JAMES LUNDY v. PECO ENERGY COMPANY**

JAMES LUNDY

542 WESY WYOMING AVE

PHILADELPHIA PA 19140

215.381.7494

SHAWANE L LEE ESQUIRE

PECO ENERGY COMPANY

2301 MARKET STREET S23-1

PHILADELPHIA PA 19103

215.841.6841

***-ACCEPTS ELECTRONIC SERVICE-***