

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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May 29, 2015

Honorable Elizabeth Barnes
Honorable Joel Cheskis
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RE: Commonwealth of Pennsylvania, by Attorney General
KATHLEEN G. KANE, Through the Bureau of Consumer
Protection,

And

TANYA J. McCLOSKEY, Acting Consumer Advocate,
Complainants

v.

Blue Pilot Energy, LLC

Respondent

Docket No. C-2014-2427655

Dear Administrative Law Judges Barnes and Cheskis:

Please accept this letter as the request of Joint Complainants Commonwealth of Pennsylvania Bureau of Consumer Protection and the Office of Consumer Advocate (Joint Complainants) to place the schedule for serving testimony in the Blue Pilot Energy, LLC (Blue Pilot or Company) Joint Complaint proceeding on hold. The Company filed a Motion to Dismiss Joint Complaint on May 14, 2015, the Answer to which is due on June 5, 2015. Further, the Company has informed Joint Complainants that it will not answer Joint Complainants' Set VIII as directed in the ALJs' Order of May 1, 2015. Additionally, as stated in Blue Pilot's Motion to Dismiss Joint Complaint, by letter dated May 4, 2015 in Docket No. A-2011-2223888, the Company requested permission from the Commission to cancel its EGS license. Joint Complainants and the Commission's Bureau of Investigation and Enforcement (I&E) have intervened in the action at Docket No. A-2011-2223888. Based on the foregoing, Joint Complainants submit that the schedule for serving testimony in the Blue Pilot Joint Complaint proceeding should be placed on hold at least until such time as the Company's Motion to Dismiss Joint Complaint and any forthcoming motion(s) or actions from the Joint Complainants in light of these circumstances are resolved.

Joint Complainants have conveyed their proposed request to place the schedule for serving testimony on hold to Blue Pilot, I&E and the Office of Small Business Advocate (OSBA). Blue Pilot concurs in the request, and I&E does not oppose the request. Counsel for OSBA is out of the office until later next week, and as such, Joint Complainants do not expect to obtain OSBA's position on this request until that time. Joint Complainants submit, however, that in its Prehearing Memorandum dated August 19, 2014 in this proceeding, the OSBA has indicated that it does not intend to present witnesses, and therefore, OSBA would not be prejudiced by placing the schedule for serving testimony on hold.

Copies of this letter have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,



Candis A. Tunilo
Assistant Consumer Advocate
PA Attorney I.D. #89891

Enclosure

cc: Rosemary Chiavetta, Secretary
Certificate of Service

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CERTIFICATE OF SERVICE

Commonwealth of Pennsylvania, by	:	
Attorney General KATHLEEN G. KANE,	:	
Through the Bureau of Consumer Protection,	:	
	:	
And	:	
	:	
TANYA J. McCLOSKEY, Acting Consumer	:	
Advocate,	:	
Complainants	:	
	:	Docket No. C-2014-2427655
v.	:	
	:	
BLUE PILOT ENERGY, LLC	:	
Respondent	:	

I hereby certify that I have this day served a true copy of the foregoing document, the Joint Complainants Commonwealth of Pennsylvania and the Office of Consumer Advocate's Letter, in the manner and upon the persons listed below:

Dated this 29th day of May 2015.

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