**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Pike County Light :

And Power Company, Buyer Corning Natural :

Gas Holding Corporation and Seller Orange : A-2015-2517036

And Rockland Utilities, Inc. for a Certificate : A-2015-2517111

Of Public Convenience Approving the Transfer : G-2015-2517113

By Sale of 100% of the Stock of Pike County : G-2015-2517114

Light And Power Company from Seller Orange : S-2015-2517115

And Rockland Utilities, Inc. to Buyer Corning : S-2015-2517116

Natural Gas Holding Corporation :

**SCHEDULING ORDER**

On December 4, 2015, Pike County Light and Power Company (PCLP) and Orange and Rockland Utilities, Inc. (O&R), (collectively Joint Applicants) filed a Joint Application seeking approval to transfer control and ownership interests to Corning natural Gas holding Corporation (CNGHC). The Application asks for all necessary authority, approvals and certificates of public convenience pursuant to Sections 1102(a)(3), 2102(b) and 1901(a) and (c) of the Public Utility Code, 66 Pa.C.S. §§ 11102(a)(3), 2102(b) and 1901(a) and (c) regarding the transfer of all of O&R's ownership interests in PCLP to CNGHC, the affiliated interest agreements, and the securities transactions involving Pike.

Notice of the filings was published in the *Pennsylvania Bulletin* on December 19, 2015, 45 Pa.B. 7272, and January 4, 2016 was set as the deadline for the filing of formal protests and petitions to intervene.

On December 23, 2015, the Office of Consumer Advocate (OCA) filed its Protest and Public Statement. Also on December 23, 2015, the Office of Small Business Advocate filed its notice of appearance. On January 12, 2016, a notice of prehearing conference was issued, scheduling the prehearing conference for Monday, February 1, 2016.

The Joint Applicants, OCA and OSBA filed prehearing memos. The prehearing conference was held as scheduled, with the following counsel attending: on behalf of PCLP, John J. Gallagher, Esq.; on behalf of O&R, John Carley, Esq.; on behalf of CNGHC, Thomas J. Sniscak, Esq., and William Lehman, Esq.; on behalf of OCA, Aron J. Beatty, Esq., and Brandon Pierce, Esq.; and on behalf of OSBA, Daniel Asmus, Esq.

The parties worked to establish a mutually acceptable litigation schedule, which is adopted here, as well as modifications to the Commission's discovery regulations. A motion for protective order will be forthcoming and will be dealt with separately.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the following litigation schedule is adopted:

*Due Date*

Applicants' direct testimony February 19, 2016

Public advocates direct April 1, 2016

Rebuttal April 15, 2016

Surrebuttal April 25, 2016

Oral rejoinder May 4, 2016

Hearings May 5-6, 2016

Main briefs May 20, 2016

Reply briefs June 1, 2016

2. The Commission's discovery regulations are modified as follows:

A. Answers to interrogatories shall be served in-hand within best efforts for seven (7) calendar days and no later than ten (10) calendar days unless otherwise agreed to by the parties. Discovery requests served after 12:00 p.m. on a Friday or the day before a Commission holiday shall be deemed served on the next business day.

B. Objections to interrogatories to be communicated orally within three (3) calendar days of service; unresolved objections shall be served to the ALJ in writing within five (5) calendar days of service of interrogatories.

C. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of written objections.

D. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of such motions.

E. Rulings over such motions shall be issued, if possible within seven (7) calendar days of the filing of the motion.

F. Responses to requests for document production, entry for inspection, or other purposes to be served within best efforts in-hand within ten (10) calendar days.

G. Requests for admission to be deemed admitted or denied unless answered within seven (7) calendar days or objected to within five (five) calendar days of service.

H. Any Motion, Answer to Motions or Objection subject above to a three (3) day calendar filing or response period that commences to run due to service on a Friday shall be due the following Tuesday.

3. Due dates for all documents in this proceeding are in-hand the day they are due. Service of documents by email by 4:30 p.m on the due date will be considered in-hand if a hard copy is sent the same or next day by First Class US Mail unless a party waives service by hard copy for all or selected documents. A pleading or discovery request served after noon on a Friday or the day before a Commission holiday shall be considered served the next business day.

4. A copy of any document 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, P.O. Box 3265, Harrisburg PA 17105-3265; [scolwell@pa.gov](mailto:scolwell@pa.gov).

5. Testimony shall be premarked with numerical, sequential statement numbers. All statements must list on the cover sheet the issues addressed in the statement.

6. Testimony shall be served but not filed.

7. One week prior to the start of the evidentiary hearings, the Applicants shall provide a completed daily witness listing and cross-examination grid to the presiding officer. Parties shall complete the daily witness listing and cross-examination grid as developed by the Company in a cooperative and timely fashion.

8. All parties are directed to comply with the provisions of 52 Pa. Code

§ 5.243(e) which prohibits the introduction of evidence during rebuttal or surrebuttal which should have been included in the case-in-chief or which substantially varies from the case-in-chief, unless the evidence is introduced in support of a proposed settlement.

9. Briefs must comply with 52 Pa. Code §§ 5.501 and 5.502.

Dated: March 9, 2016

Susan D. Colwell

Administrative Law Judge

**A-2015-2517111 Joint Application of Pike County Light and Power Company, buyer Corning Natural Gas Holding Corporation and Seller Orange and Rockland Utilities, Inc**

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