**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, *et al.* **:** R-2016-2554150, *et al*.

**:**

v. **:**

**:**

City of DuBois Bureau of Water **:**

**PREHEARING CONFERENCE ORDER**

An initial telephonic prehearing conference in this case is scheduled for Friday, September 9, 2016, at 9:00 a.m. To participate in the conference, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the conference. If you have any witnesses you want to have present during the conference, you must provide them with the telephone number and PIN number.

Toll-free Bridge Number: 1-855-750-1027

PIN Number: 091262

**You must call into the conference on the scheduled day and time. You will not be called by the Administrative Law Judge.**

1. Please review the regulations pertaining to prehearing conferences, 52 Pa. Code §5.221- §5.224, and in particular, §5.222(d) which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

(1) The preparation must include submission of a prehearing memorandum and list:

(i) The presently identified issues.

(ii) The names and addresses of the witnesses.

(iii) The proposed area of testimony of each witness.

(2) The preparation may include:

(i) Development of a proposed procedural schedule.

(ii) Advance study of all relevant materials.

(iii) Advance informal communication between the parties, including requests for additional data and information, to the extent it appears feasible and desirable.

(Emphasis added.)

2. Each party must prepare and distribute a prehearing memorandum which sets forth the history of the proceeding, the issues you intend to present, and a listing of your proposed witnesses and the subject of their testimony.

3. Please review the regulations relating to discovery, specifically 52 Pa. Code §5.331(b), which provides, inter alia, that “a party shall initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code §5.322, which encourages participants to exchange information on an informal basis. I urge all parties to cooperate in discovery. Such cooperation is preferable to numerous or protracted discovery disagreements, which require the presiding officer’s participation for resolution. Please be aware that there are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371‑5.372.

4. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

5. You must serve the undersigned Administrative Law Judge directly with a copy of any document that you file in this proceeding. If you send me any correspondence or

document, you must send a copy to all other parties. For your convenience, a copy of the Commission’s current service list of the parties to this proceeding is enclosed with this Order.

Date: August 30, 2016 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mark A. Hoyer Deputy Chief Administrative Law Judge

**R-2016-2554150 - CITY OF DUBOIS BUREAU OF WATER – 1308(d)**

JAMES P DOUGHERTY ESQUIRE

ADEOLU A BAKARE ESQUIRE

ALESSANDRA L HYLANDER ESQUIRE

MCNEES WALLACE & NURICK LLC

100 PINE STREET

PO BOX 1166

HARRISBURG PA 17108-1166

**717-237-5290**

***Accepts e-Service***

\*CHRISTINE MALONI HOOVER ESQUIRE

HARRISON W BREITMAN ESQUIRE

OFFICE OF CONSUMER ADVOCATE

555 WALNUT STREET

5TH FLOOR FORUM PLACE

HARRISBURG PA 17101-1923

***\*Accepts e-Service***

STEVEN C GRAY ESQUIRE

OFFICE OF SMALL BUSINESS ADVOCATE

300 NORTH SECOND STREET SUITE 202

HARRISBURG PA 17101

PHILLIP C KIRCHNER ESQUIRE

PA PUC BUREAU OF INVESTIGATION & ENFORCEMENT

PO BOX 3265

HARRISBURG PA 17105-3265

***Accepts e-Service***

THOMAS T NIESEN ESQUIRE

THOMAS NIESEN & THOMAS LLC

212 LOCUST STREET SUITE 600

HARRISBURG PA 17108-9500

***Accepts e-Service***