

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement

v.

Metropolitan Edison Company and
North Heidelberg Sewer Company

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P-2017-2594688

PREHEARING ORDER

An initial hearing is scheduled in the above-captioned matter on Monday, April 3, 2017, in Hearing Room No. 4 of the Commonwealth Keystone Building in Harrisburg, in compliance with Chairman Gladys M. Brown's Ex Parte Emergency Order entered on March 22, 2017.

On March 21, 2017, the Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement (I&E or Petitioner) filed a Petition for Issuance of an Ex Parte Emergency Order against Metropolitan Edison Company (Met-Ed) and North Heidelberg Sewer Company (NHSC). Petitioner averred that Met-Ed had begun termination procedures against NHSC due to non-payment of a \$157,000 arrearage for electric services rendered. Petitioner requested the Commission enjoin Met-Ed from terminating electric service to NHSC without prior Commission approval. Petitioner further requests that the Commission direct NHSC to cease withholding electric service payments to Met-Ed. Finally, Petitioner requests the Commission direct NHSC to notify its customers that they will continue to receive wastewater services.

On March 22, 2017, Chairman Gladys M. Brown signed an Ex Parte Emergency Order (Order), which was entered the same date. The Order granted the Petition as modified to ensure continued wastewater service from NHSC to its customers,

subject to ratification by the full Commission at the next Public Meeting on April 6, 2017. The Order enjoined Met-Ed from terminating electric service to NHSC without prior Commission authorization. The Order directed NHSC to pay its current monthly electric service bills to Met-Ed in a timely fashion. The Order also directed NHSC to provide written notice to its customers informing them they were under no threat of losing wastewater service as a result of electric service termination. The Order joined as Met-Ed as an indispensable party to the action although Met-Ed was a named Respondent to the original Petition. Finally, the Order directed the Office of Administrative Law Judge (OALJ) to schedule an on-the-record hearing within 10 days of the date of the Ex Parte Order to prepare a recommended decision for consideration of the full Commission. On March 24, 2017, a Hearing Notice was issued which scheduled the hearing on the Emergency Order for Monday, April 3, 2017 and assigned the matter to me.

Generally, a person against whom an emergency order is issued may file a petition for an expedited hearing to determine whether the order will remain in effect. 52 Pa. Code § 3.2(a). In the instant case, there is no petition for expedited hearing; however, in accordance with the directive of the Ex Parte Emergency Order, a hearing is scheduled on April 3, 2017. The issues to be heard at said hearing include the following: (1) whether the petitioner's right to relief is clear; (2) the need for relief is immediate; (3) the injury would be irreparable if relief is not granted; and (4) the relief requested is not injurious to the public interest. 52 Pa. Code § 3.2. After the anticipated hearing and receipt of transcript, a recommended decision will be issued expeditiously recommending continuation, modification, or rescission of the Ex Parte Emergency Order issued on March 22, 2017.

THEREFORE,

IT IS ORDERED:

1. An initial in-person hearing is scheduled for Monday, April 3, 2017, at 10:00 a.m. in Hearing Room No. 4 of the Commonwealth Keystone Building,

400 North Street, Harrisburg, PA 17120. You must be present at this time or you may lose your case. The parties are directed to comply with the following requirements.

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).

3. A request for a change of the scheduled hearing date must be submitted in writing no later than three (3) 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 Elizabeth H. Barnes, Office of Administrative Law Judge, P.O. Box 3265, Harrisburg PA 17105-3265

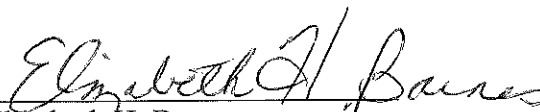
5. This hearing is a formal proceeding and will be conducted in accordance with the Commission's rules of practice and procedure. 52 Pa. Code Chapters 1, 3 and 5.

6. If you wish to offer into evidence at the hearing material in the form of documents, you should bring with you the required number of copies (an original and two copies for the Commission, one copy for every party in the case, and a copy for

yourself). 52 Pa.Code § 5.409. Documents should be properly pre-marked for identification.

7. That the transcript turnaround for the hearing shall be one day.

Dated: March 24, 2017


Elizabeth H. Barnes
Administrative Law Judge

**P-2017-2594688 PETITION FOR THE ISSUANCE OF AN EX PARTE EMERGENCY ORDER
REGARDING METROPOLITAN EDISON COMPANY AND NORTH HEIDELBERG SEWER COMPANY**

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