

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Protest to an Application

In accordance with 52 Pa. Code Section 5.51 – a person objecting to the approval of an Application may file a Protest.

Filing this form makes you a Party to the case. All Protests are public information and cannot be treated as confidential. The form you file will be placed on the public record of the docket of the Application and appear on the PUC's website.

Once you are a Party to this Application case, you are expected to follow the Commission's Rules of Practice and Procedure under 52 Pa. Code Chapters 1 and 5. Parties are expected to offer and answer interrogatories, produce witnesses, testimony and briefs, follow all instructions and orders issued by the presiding Administrative Law Judge, and serve all other Parties by first class mail with any filings you make during the course of the litigation of this Application.

Public Input Hearings are sometimes held in Application cases. If you decide not to participate as a Party, and a public input hearing is held, you may appear at a public input hearing and present testimony before an administrative law judge. Testimony made upon oath or affirmation at a public input hearing will be considered by the administrative law judge when rendering a decision in the case. In the alternative, you may file comments regarding the Application with the Secretary of the Commission which will be placed in the public comment folder of the case and reviewed by the Commission. Written comments are not evidence in the case and will not be considered by the administrative law judge in rendering a decision in the case.

If a Public Input Hearing Is Held

If a public input hearing is scheduled, it may be held in your area to give the public an opportunity to present testimony in person before an administrative law judge regarding the Application.

Notice of a public input hearing will be published in a newspaper of general circulation in your area, publicized through Commission press releases, and noted on the Commission's website: www.puc.pa.gov.

What must accompany your Protest? Two items:

A Verification. By your original signature, you swear that the facts you are presenting in this Protest are true and correct in accordance with 52 Pa. Code Section 1.36(b).

A Certificate of Service. Must be filed with your Protest telling the Secretary of the Commission that you mailed a copy of your Protest to the Applicant or Counsel to the Applicant in accordance with 52 Pa. Code Section 1.58(a). (Address of the Applicant or Applicant's Counsel can be found on the publication notice of the Application appearing in the Pennsylvania Bulletin or as advertised in newspapers of local circulation in the geographic regions affected by the Application).

To complete this form, please type or print legibly in ink.

Application Docket Number: A-_____

Protestant Information

Provide your name, mailing address, county, and telephone numbers.

Name _____

Street/P.O. Box _____ Apt # _____

City _____ State _____ Zip _____

County _____

Telephone Number(s) Where We Can Contact You During the Day:

(____) _____ (home) (____) _____ (mobile)

E-mail Address (optional):

52 Pa. Code Section 5.52 (a)(1)(2)(3)(c) sets forth the content that must be included in the Protest.

(a)(1) What is your alleged right or interest in filing this Protest?

(a)(2) State your grounds for filing this Protest.

(a)(3) Set forth facts that you – as the Protestant – have standing to file a Protest. (This means that you must state facts showing that you are affected by this Application).

(c) You must file your Protest by the deadline stated in the publication of the Application; file your Protest timely with the Secretary of the Commission; serve (mail by first class) a copy of your Protest (at the time you file it) to the Applicant or Counsel for the Applicant.

Legal Representation (52 Pa. Code Section 1.21)

If you are filing a protest to an Application as an individual, you are not required to have a lawyer. You may represent yourself during the proceedings. However, all others are required to be represented by a lawyer during the proceedings.

If you are represented by a lawyer in this matter, provide your lawyer’s name, address, telephone number, and email address, if known.

Lawyer’s Name _____

Street/P.O. Box _____

City _____ **State** _____ **Zip** _____

Area Code/Phone Number _____

Email Address (if known) _____

Verification: (52 Pa. Code Section 1.36(b))

I swear that the facts I am presenting in this Protest are true and correct to the best of my knowledge, information, and belief. I understand that the statements I am making in this Protest are made subject to the penalties of 18 Pa.C.S. Section 4904 (relating to unsworn falsification to authorities).

(Original Signature)

(Date)

Certificate of Service: (52 Pa. Code Section 1.58)

I certify that I have this day served a true copy of my Protest on the following: (list names and addresses of those served by first class mail)

Date: This day _____ of _____, 20__

(Original Signature of Protestant)

HOW TO FILE

To file your Protest with the PUC, mail the completed form (along with any attachments) to the addresses listed below:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building
Harrisburg, Pennsylvania 17120

We recommend using overnight delivery service to ensure timely filing.

You may also eFile your Protest by going to the Commission's website at www.puc.pa.gov and visiting our eFiling page. You must open an eFiling account (free of charge) and follow instructions.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of this filing for your records.