

HC 89, Box 105, Rt. 940
Pocono Summit, PA 18346
p. 570.839.8050
f. 570.839.6723

Connie J. Merwine
CPA • L.L.M. Taxation
Joseph P. Hanyon
L.L.M. Trial Advocacy
Michael B. Kaspszyk
Joshua B. Goldberg

www.poconolaw.com

March 29, 2010

Administrative Law Judge Wayne L. Weismandel
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2010 APR 26 AM 11:13
PA PUC
SECRETARY'S BUREAU

**Re: Docket No. A-2010-2163154
Appln of PPL Electric Utilities
Relative to Larue High lands**

Dear Judge Weismandel:

Enclosed please find the original Praecipe for Entry of Appearance and the Motion for Continuance for filing in the above referenced matter.

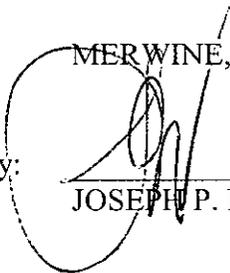
Kindly advise when a new hearing is set or a briefing schedule issued.

Thank you for your attention to this matter.

Very truly yours,

MERWINE, HANYON & KASPSZYK, LLP

By:



JOSEPH P. HANYON, ESQ.

RECEIVED
OFFICE OF C.A.L.J.
10 APR 26 AM 9:44
PA PUC

Enclosure
cc: File Room
JPH/fd

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

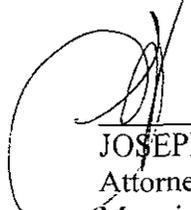
Application of PPL Electric Utilities :
Corporation under 15 Pa.C.S. §1511© for :
A Finding and Determination that the :
Service to be Furnished by the Applicant :
Through its Proposed Exercise of the :
Power of Eminent Domain to Acquire a :
Right-ofWay and Easement Over and : Docket No. A-2010-2163154
Across the Lands of **Larue High** for the :
Proposed Effort Mountain #1 and #2 138 :
kV Taps in Chestnuthill and Polk :
Townships, Monroe County, Pennsylvania: :
Is Necessary or Proper for the Service, :
Accommodation, Convenience or Safety :
Of the Public :

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Larue High in the above captioned matters.

Respectfully submitted,



JOSEPH P. HANYON, ESQ.
Attorney I.D. No. 60337
Merwine, Hanyon & Kaspszyk, LLP
HC 89 Box 105
Pocono Summit, PA 18346
Tel. (570) 839-8050

SECRETARY'S BUREAU
APR 26 2010

2010 APR 26 AM 11:13

RECEIVED

PA PUC

10 APR 26 AM 9:45

RECEIVED
OFFICE OF CALL

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of PPL Electric Utilities	:	
Corporation under 15 Pa.C.S. §1511© for	:	
A Finding and Determination that the	:	
Service to be Furnished by the Applicant	:	
Through its Proposed Exercise of the	:	
Power of Eminent Domain to Acquire a	:	
Right-of-Way and Easement Over and	:	Docket No. A-2010-2163154
Across the Lands of Larue High for the	:	
Proposed Effort Mountain #1 and #2 138	:	
kV Taps in Chestnuthill and Polk	:	
Townships, Monroe County, Pennsylvania	:	
Is Necessary or Proper for the Service,	:	
Accommodation, Convenience or Safety	:	
Of the Public	:	

MOTION FOR CONTINUANCE

AND NOW COMES, Larue High, by and through her counsel, Joseph P. Hanyon, hereby makes a motion for continuance and avers the following”

1. Concurrently with the filing of this motion your undersigned counsel has entered his appearance. Your counsel has a conflict of interest but is making the herein application to the Court to protect the rights of respondent, Larue High. Counsel will be contacting attorneys learned before the PUC for substitution of counsel as soon as this is practical.
2. Ms. High attended counsel late yesterday afternoon, March 22, 2010 seeking counsel in the herein matter. Your respondent is 82 years old, lives alone, does not have any children, has never been married and does not have any brothers and sisters. She has no one to depend upon and seek counsel.

3. Among other volumes of documents that were delivered to Ms. High related to the herein litigation your counsel for respondent was presented with Application of PPL Electric Corporation that was served upon Ms. High by certified mail together with a NOTICE that an initial prehearing conference was to occur today, March 23, 2010.

4. Counsel is not learned in the procedures of service and rules of civil procedure for the Public Utility Commission but noticed some glaring errors in the application and NOTICE that effect Ms. High right to due process rights.

5. The application that was served upon Ms. High is without a docket number and does not have any indicia reflecting that the document came from any court or was duly filed. A copy of the application is attached hereto. This coupled with the fact there was no notice to Ms. High that she was being sued, that she had an obligation to defend, and that she should apply for counsel presents itself to very essence of due process. This is especially so as the litigation affects her right to private property, one of her primary rights as a citizen of this great state and of the United States of America.

6. Subsequent document mailed to Ms. High also fail to show that same were a true and correct copy of what was filed before the PUC and fail to contain the docket number. A copy of the same is also included herewith. These documents are confusing, especially in light of the numerous documents she received prior to the litigation by PPL.

7. Although the NOTICE for today's hearing bears the docket number it is also deficient in a number of ways. The first thing counsel noticed is that the NOTICE does not require Ms. High to appear before this Court today. It does indicate a hearing but does not request that she be present with or without Counsel. The second deficiency in the NOTICE is that not one of the four captions contain her name.

8. The deficiencies in the NOTICE coupled with the issues in the application and subsequent documents are a violation of Ms High's due process rights.

9. Yesterday afternoon, Counsel contacted counsel for PPL and requested a continuance, however counsel withheld his concurrence.

WHEREFORE, your respondent Larue High requests that this Honorable Court continue the herein matter for such time as she may gain learned counsel to defend her.

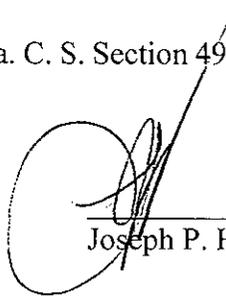
Respectfully submitted,



JOSEPH P. HANYON, ESQ
ATTORNEY ID NO. 60337
MERWINE, HANYON & KASPSZYK, LLP
HC 89 Box 105
Pocono Summit, PA 18346
(570) 839-8050

VERIFICATION

I, Joseph P. Hanyon, Esq., hereby certify that the statements contained in the foregoing motion are true and correct to the best of my knowledge, information and belief, and are made subject to the penalties of 18 Pa. C. S. Section 4904 relating to unsworn falsification to authorities.



Joseph P. Hanyon, Esq.