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October 6, 2011

VIA FEDEX NEXT DAYRosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120**Re: Michael T. Salanick v. West Penn Power Company
Complaint Docket No. C-2011-2247926
and
L. Richard Adamovich v. West Penn Power Company
Complaint Docket No. C-2011-2256848**

Dear Secretary Chiavetta:

Enclosed is the original of the **Motion of West Penn Power Company for Consolidation of Complaints** in the above-captioned proceedings with certificate of service attached. This filing is also made electronically. This Answer is filed by UPS Next Day and electronically and is deemed filed today. A copy has been served on the Office of Administrative Law Judge and the Presiding Administrative Law Judge.

Very truly yours,


John L. Munsch
Attorney

JLM:dml

Enclosures

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MICHAEL T. SALANICK	:	
Complainant,	:	
	:	
v.	:	Complaint Docket No. C-2011-2247926
	:	
WEST PENN POWER COMPANY,	:	
Respondent.	:	
L. RICHARD ADAMOVICH	:	
Complainant,	:	
	:	
v.	:	Complaint Docket No. C-2011-2256848
	:	
WEST PENN POWER COMPANY,	:	
Respondent.	:	

MOTION OF WEST PENN POWER COMPANY
FOR CONSOLIDATION OF COMPLAINTS

NOW comes West Penn Power Company ("West Penn Power" or "Company") and, pursuant to Section 5.81 of the Rules and Regulations of the Pennsylvania Public Utility Commission ("Commission"), 52 Pa. Code §5.81, requests that the Commission's Office of Administrative Law Judge consolidate the above-captioned proceedings. The two Complaints involve the same electrical outage on a West Penn Power distribution circuit on May 26, 2011. Consolidation of the Complaints is warranted and in the public interest because the Complaints involve the same questions of fact and law and consolidation will avoid unnecessary expense and delay. In support of its Motion, the Company respectfully submits:

1. Complainant L. Richard Adamovich filed a formal complaint on or about August 8, 2011. He alleged that on May 26, 2011, a tree or limb fell and damaged a utility circuit in Uniontown, Pennsylvania, causing an electrical surge that damaged his appliances. West Penn Power filed an Answer on August 31, 2011, denying that its service or facilities were inadequate and stating further that the Commission does not have authority to award damages. The Adamovich Complaint is scheduled for a hearing Wednesday, October 26, 2011, at 10 a.m. at 301 Fifth Avenue, Pittsburgh, before Administrative Law Judge Mary A. Long.

2. Complainant Michael T. Salanick filed a formal complaint on or about June 7, 2011. He alleged that on May 26, 2011 an electrical surge occurred that damaged his appliances at his home in Uniontown, Pennsylvania. West Penn Power filed an Answer on July 11, 2011, denying that its electrical facilities were inadequate and stating further that the Commission does not have authority to award monetary damages. The case was referred to Commission Mediator Cynthia Lehman. West Penn Power held a settlement conference with Complainant Salanick on August 23, 2011, in accordance with the Interim Order of the Office of Administrative Law Judge. The settlement conference was not productive, and West Penn Power has so informed Mediator Lehman. A hearing has not been scheduled.

3. After investigating the Complaints, it is clear to West Penn Power that both the Adamovich Complaint and the Salanick Complaint entail the same electrical outage on the morning of May 26, 2011, and, assuming the Complainants' description of events to be correct, resulted in appliance damage in the Complainants' homes.

4. Consolidation of the Complaints involving the same facts and law will reduce unnecessary expense and delay and is consistent with the policy of Section 5.81 of the Commission's rules and regulations.


WHEREFORE, West Penn Power Company respectfully requests that the Public Utility Commission or Office of Administrative Law Judge:

- a. postpone the hearing scheduled for October 26, 2011, at 10 a.m. in the matter of L. Richard Adamovich, Docket No. C-2011-2256848;
- b. consolidate the Complaints of Richard Adamovich, Docket No. C-2011-2256848, and of Michael T. Salanick, Docket No. C-2011-2247926, and
- c. schedule a combined hearing at a time and place as appropriate.

Respectfully submitted,

Date: October 6, 2011

By:


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Pennsylvania Public Utility Commission;

**Re: Michael T. Salanick v. West Penn Power Company; Docket No. C-2011-22479261
and
L. Richard Adamovich v. West Penn Power Company; Docket No. C-2011-2256848**

CERTIFICATE OF SERVICE

I hereby certify that I have this day served by first-class mail, postage prepaid, the foregoing **Motion of West Penn Power Company for Consolidation of Complaints** addressed as follows:

Chief Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120


Administrative Law Judge Mary D. Long
301 Fifth Avenue
Suite 220, Piatt Place
Pittsburgh, PA 15222

Mediator Cynthia Lehman
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

L. Richard Adamovich
138 Brushwood Road
Uniontown, PA 15401

Michael T. Salanick
100 Spartan Court
Uniontown, PA 15401

Date: October 6, 2011


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