

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

THOMAS OLUP

-vs-

PENNSYLVANIA-AMERICAN WATER  
COMPANY

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No. C-2011-2247941

**NOTICE TO PLEAD**

To: Pennsylvania American Water Co.

You are hereby notified to file a written response to the attached Motion for Enlargement of Time within twenty (20) days from the date of service of this Notice. If you do not file a written response denying the enclosed Motion within twenty (20) days of service, the facts set forth by Thomas Olup may be deemed to be true thereby requiring your approval. All pleadings, such as Answers to the Motion must be filed with the Secretary of the Pennsylvania Public Utility Commission: Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, Second Floor, Harrisburg, PA 17120.

You must also serve a copy of your response on the undersigned counsel for Thomas Olup.

Dated: 03/08/12



By

Jeffrey T. Olup, Esq.  
P.O. Box 144  
111 Fallowfield Ave.  
Charleroi, PA 15022  
724-483-5502  
724-483-1629 - fax

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

THOMAS OLUP

-vs-

PENNSYLVANIA-AMERICAN WATER  
COMPANY

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No. C-2011-2247941

**MOTION FOR ENLARGEMENT OF TIME**

AND NOW, comes the Complainant, Thomas V. Olup, and presents the within Motion for Enlargement of Time pursuant to 52 Pa. Code §1.15 and 52 Pa. Code §5.502 requesting an enlargement of time of the briefing schedule of this matter as follows:

1. Pursuant to this Court's Briefing Order of February 14, 2012, the Complainant's Brief is due to be filed on or before March 15<sup>th</sup>; the Respondent's Brief is due on or before April 4, 2012.

2. Following receipt of the Order, the Complainant and counsel arranged for the payment of the transcript copy. A copy of the transcript was delivered to Complainant's counsel on February 28, 2012. A copy of the reporter's February 27, 2012, invoice is attached hereto as Exhibit 1.

3. Complainant's counsel is set to begin defense in a non-jury trial on March 12<sup>th</sup> (through March 13<sup>th</sup>), in the matter of Parrot Construction v. MMIDA, in the Court of Common Pleas of Washington County No. 2008-6150 before the Honorable Paul Pozonsky. A true and correct copy of the Scheduling Order for that case is attached hereto as Exhibit 2.

4. Due to the recent receipt of the transcript, and due to undersigned counsel's required trial appearance, your Complainant respectfully requests an extension of one week so to permit the Complainant to file its main Brief on or before March 22, 2012. The Respondent should also be granted a one-week extension so to file on or before April 11, 2012. Any reply Brief would be then be required to be filed on or before April 23<sup>rd</sup>.

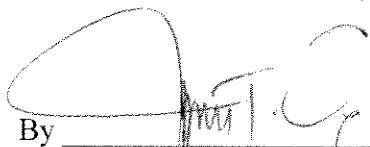
5. Counsel for Pennsylvania American Water Company has no objection to this request.

### **REQUEST FOR RELIEF**

WHEREFORE, your Complainant and his counsel respectfully request the Court enlarge the Briefing Order timeframe by one week, for the foregoing reasons.

Respectfully submitted,

Bassi, McCune & Vreeland, P.C.

By 

Jeffrey T. Olup, Esq.  
Counsel for Complainant, Thomas V. Olup  
Bassi, McCune & Vreeland, P.C.  
P.O. Box 144  
111 Fallowfield Ave.  
Charleroi, PA 15022  
724-483-5502  
724-483-1629 - fax

COMMONWEALTH REPORTING COMPANY, INC.  
700 LISBURN ROAD, CAMP HILL, PENNSYLVANIA 17011  
(717) 761-7150

EMPLOYER ID NO: 25-1289774

JEFFREY T OLUP ESQUIRE  
BASSI MCCUNE & VREELAND PC  
111 FALLOWFIELD AVENUE  
PO BOX 144  
CHARLEROI PA 15022-0144

INVOICE NO: 12-LS-035132 JO  
INVOICE DATE: 02/27/12  
JOB REFERENCE: PUC-LONG

LOCATION: PITTSBURGH PA

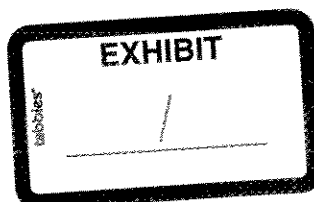
RATE PER PAGE: 2.25

DATE	PAGES	DESCRIPTION	AMOUNT
01/19/12	192	OLUP, THOMAS VS. PENNSYLVANIA AMERICAN WATER COMPANY #C-2011-2247941 (R2)	432.00
		MISCELLANEOUS:	0.00
		DELIVERY:	7.00
		***** TOTAL INVOICE :	439.00

\*\*\*\* INVOICE NUMBER MUST ACCOMPANY PAYMENT TO ENSURE PROPER CREDIT \*\*\*\*

\*\*\*\* NET 20 \*\*\*\*

\*\*\*\* SERVICE CHARGES MAY BE COMPUTED @ 1.5% PER MONTH AFTER 30 DAYS \*\*\*\*



PAID  
02/27/12

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL DIVISION

PARROT CONSTRUCTION CORPORATION,

Plaintiff,

-vs-

MIDDLE MONONGAHELA INDUSTRIAL DEVELOPMENT ASSOCIATION, INC.,

Defendant.

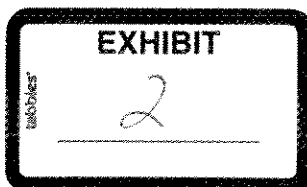
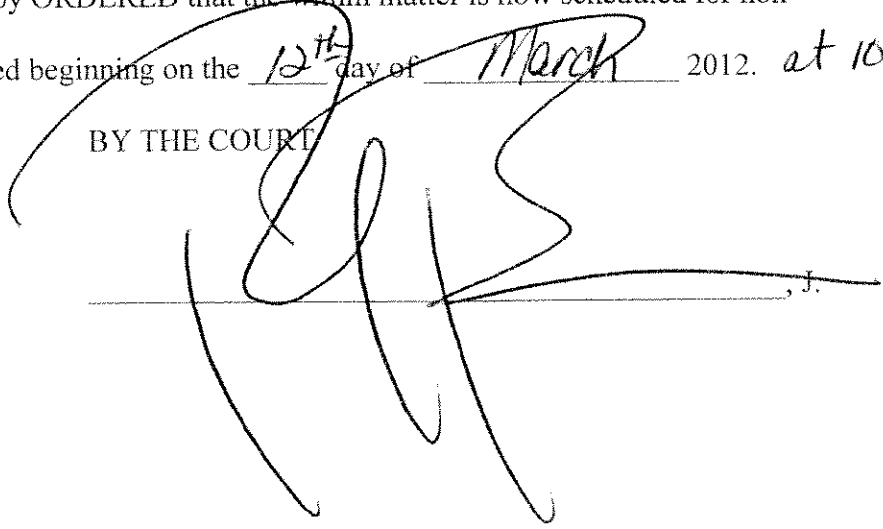
No. 2008-6150

**FILED**  
DEC 08 2011  
PROBATIONARY

**ORDER**

AND NOW, this 7<sup>th</sup> day of November 2011, upon consideration of the within Motion for Continuance it is hereby ORDERED that the within matter is now scheduled for non-jury trial before the undersigned beginning on the 12<sup>th</sup> day of March 2012. at 10:00 a.m.

BY THE COURT

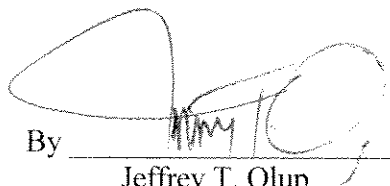


## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Motion for Enlargement of Time was forwarded to the following counsel of record by email and first-class mail, postage prepaid on the 8<sup>th</sup> day of March 2012:

Michael A. Gruin, Esq.  
17 N. Second St.  
16<sup>th</sup> Floor  
Harrisburg, PA 17101  
Fax: 610-988-0852

The Hon. Mary D. Long  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
301 5<sup>th</sup> Ave., Ste. 220  
Piatt Place  
Pittsburgh, PA 15222  
Fax: 412-565-5692

By  \_\_\_\_\_  
Jeffrey T. Olup  
Counsel for Thomas V. Olup