

THE PENNSYLVANIA UTILITY LAW PROJECT

**118 LOCUST STREET
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August 17, 2012

Via E-Filing
Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Renetta Yancey v. Duquesne Light Company
Docket No. C-2012-2310534**

Dear Secretary Chiavetta:

Enclosed please find Complainant Renetta Yancey's Motion for a Continuance of the September 12, 2012 Initial Hearing. Should you have any questions or concerns about this filing please do not hesitate to contact the undersigned.

Respectfully submitted,



Patrick M. Cicero

CC: Per the Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RENETTA YANCEY,)	Docket No. C-2012-2310534
)	
Complainant,)	
)	
vs.)	
)	
DUQUESNE LIGHT COMPANY,)	
)	
Respondent.)	

Motion for Continuance of September 12, 2012 Hearing

And now, Complainant, through her attorneys at the Pennsylvania Utility Law Project and Neighborhood Legal Services Association, pursuant to 52 Pa. Code §§ 1.15 and 5.103, hereby requests a continuance of the September 12, 2012 Initial Hearing in captioned matter, and in support hereof states the following:

1. On June 20, 2012, though her attorney Daniel G. Vitek at Neighborhood Legal Services Association, Complainant Renetta Yancey filed a Formal Complaint which challenged, among other things, Respondent’s decision to deny an exemption from the maximum CAP credit CAP control feature found in the CAP Policy Statement at 52 Pa. Code § 69.265(3)(vi).
2. On July 11, 2012, Duquesne Light, through its in-house attorney Jennifer Allison, Esquire, filed its Answer to Ms. Yancey’s complaint.
3. On August 3, 2012, the Office of Administrative Law Judge issued a Hearing Notice scheduling an Initial Hearing for Wednesday, September 12, 2012 in Room 220, Piatt Place, 301 Fifth Avenue, Pittsburgh, PA 15222.
4. On August 6, 2012, the Honorable Conrad A. Johnson, Administrative Law Judge, issued a Prehearing Order setting out the particulars to be addressed at the scheduled hearing.

5. On August 13, 2012, attorney Patrick M. Cicero, of the Pennsylvania Utility Law Project, a specialty project of the Pennsylvania Legal Aid Network, entered his appearance in this proceeding on behalf of Complainant, and served Interrogatories and Requests for Production of Documents to Respondent Duquesne Light.
6. Both of Ms. Yancey's attorneys have conflicts with the September 12, 2012 hearing date which would make it difficult or impossible to attend the scheduled hearing.
7. The Pennsylvania Legal Aid Network 2012 Conference is scheduled for September 11-12, 2012 in Harrisburg. This conference is the major training event for legal aid attorneys throughout Pennsylvania and is held only once every 18 months.
8. Attorney Vitek is scheduled to give a presentation at the Pennsylvania Legal Aid Network Conference in Harrisburg on Tuesday, September 11th and scheduled to attend this statewide conference on Wednesday, September 12, 2012.
9. Attorney Cicero is scheduled to give a presentation at the Pennsylvania Legal Aid Network Conference in Harrisburg on the morning of September 12, 2012.
10. Additionally, Attorney Cicero is counsel of record to an intervener in the PPL Electric Utilities Default Service Proceedings at Docket No. P-2012-2302074, which case is scheduled for hearing before ALJ Colwell in Harrisburg on September 7 and 10-11, 2012.
11. Attorney Cicero is also counsel of record to an intervener in the Duquesne Light Company Default Service Proceeding at Docket No. P-2012-2301664, which case is scheduled for hearings before ALJ Dunderdale in Pittsburgh on September 13-14, 2012.
12. All of these conflicts make it extremely difficult for counsel to be present and prepared for a hearing in the captioned matter on September 12, 2012 at 10:00 am.

13. Counsel for Complainant has discussed these scheduling difficulties with counsel for Duquesne Light, and Attorney Allison has advised that she does not object to a continuance of the scheduled hearing date.

14. A continuance of the hearing date will also allow counsel for Complainant to more thoroughly analyze Duquesne Light's responses to Complainant's discovery requests which are not due until September 4th, and will give the parties an opportunity to continue to discuss an amicable resolution of this proceeding.

15. Given other scheduling difficulties with the remainder of September and early October, Complaint requests a continuance of the September 12, 2012 Initial Hearing until sometime on or after October 9, 2012.

Wherefore, Complainant believes that good cause exists for a continuance of the September 12, 2012 Initial Hearing and requests that this matter be rescheduled for an Initial Hearing sometime on or after October 9, 2012.

Respectfully submitted:



PENNSYLVANIA UTILITY LAW PROJECT

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Date: August 17, 2012

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CERTIFICATE OF SERVICE

I hereby certify that I have served the forgoing document upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

BY E-MAIL & U.S. MAIL

Hon. Conrad A. Johnson
Administrative Law Judge
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Date: August 17, 2012

By: 
Patrick M. Cicero