

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|----------------------------------|---|-----------------------|
| 1305 WALNUT STREET CORP. | : | |
| d/b/a HOLIDAY INN EXPRESS | : | |
| Complainant | : | |
| | : | |
| v. | : | C-2012-2337290 |
| | : | |
| PHILADELPHIA GAS WORKS | : | |
| Respondent | : | |

**MOTION FOR CONTINUANCE OF HEARING
& FOR EXPEDITED CONSIDERATION**

Pursuant to 52 Pa. Code § 1.15(b), 1305 Walnut Street Corp. d/b/a Holiday Inn Express (hereinafter “Complainant”), through counsel, hereby moves for a continuance of the Initial Hearing in this matter scheduled for May 22, 2013, and in support states as follows:

1. On or about November 26, 2012, Complainant filed a Formal Complaint against the Philadelphia Gas Works (hereinafter, “Respondent”).
2. An Initial Hearing was scheduled for Wednesday, May 22, 2013 at 10:00 am.
3. On or about May 8, 2013, Complainant filed a Motion to Compel Discovery & For Sanctions, due to Respondent’s continued failure to respond to Complainant’s appropriate Discovery requests. Respondent filed an Answer on or about May 13, 2013.
4. Although Respondent provided some additional discovery responses since Complainant filed its Motion to Compel, Respondent has still not complied with material aspects of Complainant’s discovery requests. Respondent’s continuing failure to respond prevents Complainant from having all information needed to most effectively present its case at the Initial Hearing.

5. It is apparent that the Hearing Officer's ruling on the Motion to Compel Discovery & For Sanctions is needed to clarify Respondent's discovery obligations.

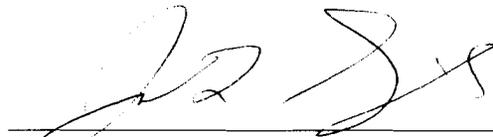
6. Complainant respectfully suggests that the Initial Hearing be continued until such time as the Hearing Officer has determined the Motion to Compel Discovery & For Sanctions, and for a reasonable time thereafter to enable Complainant to complete discovery.

7. On May 13, 2013, the undersigned counsel contacted Respondent's counsel to advise him of the need for a continuance. Respondent's counsel did not respond with Respondent's position on this request.

8. Due to the short time before the May 22, 2013 Initial Hearing, Complainant requests expedited consideration of this motion.

WHEREFORE, Complainant moves that the May 22, 2013 Initial Hearing be continued to another date mutually agreeable to the Commission and the parties.

Respectfully Submitted,



Joshua L. Grimes, Esquire
Counsel for Complainant
Grimes Law Offices, LLC
123 South Broad Street, 28th Floor
Philadelphia, PA 19109
215-772-5070

Dated: May 14, 2013

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Motion for Continuance of Hearing & For Expedited Consideration upon the participants listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

By First Class U.S. Mail, postage prepaid, and/or facsimile and e-mail as indicated:

By Fax:

Administrative Law Judge Cynthia W. Fordham
801 Market Street
Philadelphia, PA 19107
Fax: 215-560-3133

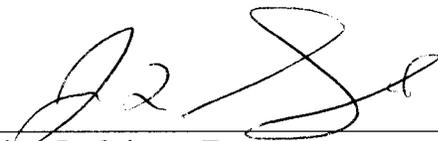
By U.S. Mail:

Mr. William B. McNamara
Holiday Inn Express - Midtown
1305 Walnut Street
Philadelphia, PA 19107

By E-mail:

Laureto Farinas, Esquire
Counsel for Philadelphia Gas Works
4th Floor
800 West Montgomery Avenue
Philadelphia, PA 19122
E-mail: Laureto.Farinas@pgworks.com

Dated: May 14, 2013



Joshua L. Grimes, Esq.
Grimes Law Offices, LLC
123 South Broad Street, 28th Floor
Philadelphia, PA 19109