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August 15, 2013

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street – Filing Room (2nd Floor)
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Lidia Shan v. Verizon Pennsylvania LLC.; Docket No. C-2013-2371560;
**MOTION OF VERIZON PENNSYLVANIA LLC TO STRIKE THE
NEW MATTER OF LIDIA SHAN**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is Verizon Pennsylvania LLC's ("Verizon PA") Motion to Strike the New Matter filed by the Complainant in the above-captioned proceeding. A copy of this document has been served upon the Complainant in accordance with the attached Certificate of Service.

If you have any questions with regard to this filing, please direct them to me. Thank you for your attention to this matter.

Sincerely,

Steven K. Haas
Counsel to Verizon Pennsylvania LLC

SKH/san
Enclosures
cc: Per the Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIDIA SHAN,

Complainant

v.

VERIZON PENNSYLVANIA LLC,

Respondent.

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:
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Docket No. C-2013-2371560

NOTICE TO PLEAD

TO: Lidia Shan
301 Byberry Road, Apt. F-14
Philadelphia, PA 19116
smellsense@aol.com

Pursuant to 52 Pa. Code §5.103(b), you are hereby notified that a Motion has been filed in the above-captioned proceeding by Verizon Pennsylvania LLC. A written response to this Motion, if any, must be filed within twenty (20) days from service of this notice. Any response must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Verizon Pennsylvania LLC.



Steven K. Haas
Attorney I.D. #73312
Hawke McKeon & Sniscak LLP
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DATED: August 15, 2013

Counsel for Verizon Pennsylvania LLC

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIDIA SHAN,	:	
	:	
Complainant	:	
	:	
v.	:	Docket No. C-2013-2371560
VERIZON PENNSYLVANIA LLC,	:	
	:	
Respondent.	:	

**MOTION OF VERIZON PENNSYLVANIA LLC
TO STRIKE THE NEW MATTER OF LIDIA SHAN**

Verizon Pennsylvania LLC (“Verizon PA”), by its attorneys in this proceeding, Hawke McKeon & Sniscak LLP, hereby files, pursuant to 52 Pa. Code §5.103, this Motion to Strike the New Matter of Lidia Shan. In support thereof, Verizon PA avers as follows:

On or about July 1, 2013, the Complainant, Lidia Shan, filed a Formal Complaint against Verizon PA. On July 22, 2013, Verizon PA filed an Answer to the complaint. Verizon PA did not file New Matter to the complaint. Verizon PA’s answer is incorporated herein by reference.

Under cover letter dated August 9, 2013, the Complainant filed a document titled “New Matter.” By this Motion, Verizon PA requests that the Complainant’s New Matter be stricken in its entirety.

The Commission’s regulations allow for the filing of an Answer to a Complaint. 52 Pa. Code §5.61. The regulations also allow for the filing of replies to New Matter contained within an Answer. 52 Pa. Code §5.63. The regulations do not, however, allow for the filing of New Matter by a Complainant in response to an Answer. This is further evidenced by the regulation at 52 Pa. Code §5.1 (Pleadings allowed), which does not provide for a response to an Answer.

As indicated above, Verizon PA's Answer to Ms. Shan's formal Complaint does not contain New Matter. Accordingly, no further response by the Complainant is appropriate or permitted under the Commission's regulations. Since the Commission's regulations do not allow for a response to an Answer, the Complainant's New Matter should be stricken in its entirety.

WHEREFORE, for the reasons set forth above, Verizon Pennsylvania LLC respectfully requests that the Complainant's New Matter be stricken in its entirety.

Respectfully submitted,



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DATED: August 15, 2013

Counsel for Verizon Pennsylvania LLC

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

SERVICE VIA FIRST CLASS MAIL:

Lidia Shan
301 Byberry Road, Apt. F-14
Philadelphia, PA 19116

SERVICE VIA ELECTRONIC MAIL

Lidia Shan
smellsense@aol.com



Steven K. Haas

Dated this 15th day of August, 2013