

April 30, 2014

Via Electronic Filing

Rosemary Chiavetta, Esquire
Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2013-2369043
Arnetta Archer Minto v. Aqua Pennsylvania, Inc.
Objections of Aqua PA, Inc. to Motion for Continuance**

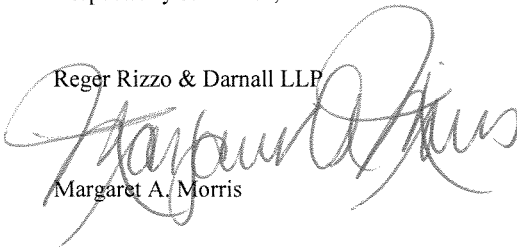
Dear Secretary Chiavetta:

Please accept for filing this letter¹, which sets forth the position of Aqua Pennsylvania, Inc. (Aqua PA) to the Motion for Continuance of Arnetta Archer Minto (Complainant), filed on April 30, 2014, in the above-referenced proceeding. The Complainant requests the continuance stating "additional time to complete and analyze responses to discovery requests is needed in order prepare [sic] for a full and complete presentation of the facts and outstanding issues." Aqua PA objects to the request for the following reasons and respectfully requests that the Motion be denied.

1. The Motion is procedurally defective: Motion does not conform to the requirements set forth in 52 Pa. Code § 5.103(b).²
2. The request for continuance is untimely; the Prehearing Order required that any request for continuance be presented **in writing no later than 5 business days prior to the hearing**;³ the Motion was filed 5 calendar days before the scheduled hearing on May 5, 2014.
3. The Complaint was filed on June 10, 2013; the matter has been pending for almost eleven months. The Complainant has had ample time to prepare for the scheduled hearing.
4. Aqua PA timely propounded Set I of its Discovery on October 24, 2013; the Interim Order and Notice of Hearing were issued in March 2014 which permitted the timely exchange of discovery; Aqua PA timely propounded Set II of its Discovery on April 11, 2013; the Complainant propounded discovery to Aqua PA today: The Complainant's failure to timely propound discovery does not warrant a continuance of the hearing.

Respectfully submitted,

Reger Rizzo & Darnall LLP


Margaret A. Morris

MAM/jmm

cc: The Honorable Christopher P. Pell, OALJ, PA PUC, [via email, cpell@pa.gov](mailto:cpell@pa.gov)
Gerard K. Schrom, Esquire, Schrom Shaffer & Botel, PC
Mary McFall Hopper, Esquire, Aqua Pennsylvania, Inc.

¹ Due to the untimeliness of the Motion and the fact that the hearing is May 5, 2014, Aqua PA submits this letter in lieu of an Answer required by 52 Pa. Code 5.103(c).

² Counsel for Complainant has continued his pattern of total disregard of the Commission's Regulations governing the Rules of Practice and Procedure.

³ See, Paragraph 2 of Prehearing Order dated June 30, 2013.

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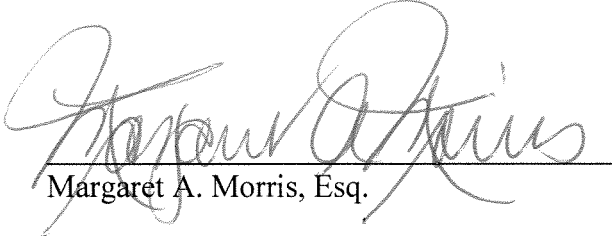
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person on the attached service list, in accordance with the requirements of §1.54 (relating to service by a participant).

Via Electronic

Gerard K. Schrom, Esquire
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Media, PA 19063
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Dated: April 30, 2014


Margaret A. Morris, Esq.