



September 14, 2015

Via electronic mail

Hon. Jeffrey A. Watson
Administrative Law Judge
PA Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222

RECEIVED
2015 SEP 21 AM 10:47
PA P.U.C.
SECRETARY'S BUREAU

RE: OCA v. Hidden Valley Utility Services, L.P.
Docket Nos. C-2014-2447138 & C-2014-2447169

Your Honor:

Respondent Hidden Valley Utility Service, L.P. ("HVUS") is in receipt of your Third Interim Order Granting the Petition to Intervene of Robert J. Kollar and Kellie A. Kuhleman, issued September 9, 2015 ("Order"). In addition to granting the Petition to Intervene of Mr. Kollar and Ms. Kuhleman, your Order provides HVUS with an opportunity to request a modification of the litigation schedule in this matter. Order at 7.

Pursuant to the Order, Respondent respectfully requests that Your Honor modify the litigation schedule to provide HVUS with an opportunity to respond properly to the testimony of Mr. Kollar. Respondent hereby requests that HVUS be given thirty (30) days from the date of your Order approving the request to modify the schedule to file rebuttal testimony in response to Mr. Kollar's direct testimony. Respondent is cognizant that granting this 30-day period of time to file rebuttal testimony interferes with the current hearing and briefing schedule, and thus, hearing and briefing dates would have to be adjusted as well. The Company's proposal contemplates that the hearing would be continued to a later date that does not conflict with Your Honor's schedule, and that the dates for briefs would be adjusted accordingly.

The basis for HVUS' request is the fact that Mr. Kollar's Petition to Intervene was not filed in a timely manner and failed to meet the Commission's regulatory requirements regarding such a petition. Order at 6. HVUS should be given ample opportunity to respond to this unforeseen 11th hour testimony from Mr. Kollar. In addition, Mr. Kollar's testimony contains a number of detailed accounting and financial averments and exhibits that may require HVUS to retain an expert witness to examine and respond. HVUS respectfully submits that a denial of its request

for additional time would be prejudicial to its ability to present its case before Your Honor. In this regard, it should be noted that Mr. James Ketter, the President of HVUS, operates the Company on his own with the help of two (2) employees, so any demands of this litigation are a significant burden and a drain on his limited time and resources. The other parties in the case would not be affected negatively by a modification of the litigation schedule because an extension of time would afford all participants involved more time to prepare their respective cases.

A copy of this letter is being served electronically upon all the parties as evidenced by the attached Certificate of Service.

If you have any questions or concerns, do not hesitate to contact me.

Very truly yours,



Edward G. Lanza, Esq.
THE LANZA FIRM, LLC

cc: Certificate of Service (via email)

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CERTIFICATE OF SERVICE

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

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Counsel for Hidden Valley Utility Services

Dated: September 14, 2015

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Commonwealth of Pennsylvania
Office of Administrative Law Judge
301 Fifth Ave., Suite 220, Piatt Place
Pittsburgh, PA 15222

Return Service Requested



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