

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PETER HART	:	
	:	
v.	:	Docket No. C-2016-2523640
	:	
UGI UTILITIES, INC. – GAS DIVISION	:	

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**NOTICE TO PLEAD**


Pursuant to 52 Pa. Code § 5.421, the Complaint, Peter Hart, by and through his undersigned counsel, has filed an Application for Subpoena in the above-referenced matter. You are hereby notified that you may file a written response or objection within ten (10) days of service pursuant to 52 Pa. Code § 5.421(b)(3). An original copy of your response must be sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

A copy must also be served on the presiding Administrative Law Judge and the undersigned counsel.

**SMITH LAW GROUP, LLC**

Dated: 4/8/16

By:   
David W. Crossett, Esquire  
Attorney ID 313031  
14133 Kutztown Road  
PO Box 626  
Fleetwood, PA 19522  
610-944-8406  
[dcrossett@smithlawgrp.com](mailto:dcrossett@smithlawgrp.com)  
*Counsel for Peter Hart*

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**APPLICATION FOR SUBPOENA**

AND NOW comes Complainant Peter Hart by and through his counsel, Smith Law Group, LLC and files this Application for Subpoena, pursuant to 52 Pa. Code § 5.421 to direct Christopher R. Brown to appear and testify at the Initial Call In Telephonic Hearing scheduled in the above-captioned case for April 28, 2016, at 10:00 a.m. In support thereof, avers as follows:

**I. INTRODUCTION**

Hart filed a Formal Complaint against UGI Utilities, Inc. – Gas Division (“UGI”) on January 8, 2016. The parties are in the process of conducting informal discovery pursuant to 52, Pa. Code § 5.322. By Order dated March 7, 2016 this scheduled a Court Telephonic Hearing in the above-captioned case for April 28, 2016, at 10:00 a.m.

**II. GROUNDS FOR THE SUBPOENA**

The issue in this case is whether under 52 Pa. Code § 59.18d(1)(ii)(B) UGI properly gave “consideration” to Mr. Hart’s request for inside meter placement.

Mr. Brown is UGI’s Director of Operations for the Southern Region. He will testify regarding actions showing that UGI failed to give any consideration to inside meter placement.

**III. CONCLUSION**

WHEREFORE, for all the foregoing reasons, Complainant Peter Hart respectfully requests that the presiding Administrative Law Judge issue a Subpoena requiring Christopher R. Brown to attend the Telephonic Hearing.

**SMITH LAW GROUP, LLC**

Dated: 4/8/16

By: 

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Docket No. C-2016-2523640

**CERTIFICATE OF SERVICE**

I, David W. Crossett, Esq., certify that on the 8<sup>th</sup> day of April, 2016, I served a true and correct copy of the within Petition for Subpoena addressed as follows in the following manner:

Mary D. Long  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
*Via email: malong@pa.gov*

Mark C. Morrow, Esq.  
Danielle Jouenne, Esq.  
460 North Gulph Road  
King of Prussia, PA 19406  
*Via e-service and mail*

David B. MacGregor, Esq.  
Devin T. Ryan, Esq.  
Post & Schell, P.C.  
Four Penn Center  
1600 John F. Kennedy Blvd.  
Philadelphia, PA 19103  
*Via e-service and mail*

**SMITH LAW GROUP, LLC**

Dated: 4/8/16

By: 

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*Counsel for Peter Hart*