

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALDERWOODS (PENNSYLVANIA), INC., a
wholly owned subsidiary of SERVICE
CORPORATION INTERNATIONAL, t/a
BURTON L. HIRSCH FUNERAL HOME

Docket No. C-2016-2522634

v.

DUQUESNE LIGHT COMPANY

SECOND CONSENT MOTION TO CONTINUE PREHEARING CONFERENCE

Pursuant to 52 Pa. Code § 1.15(b), Complainant, Alderwoods (Pennsylvania), Inc., a wholly owned subsidiary of Service Corporation International, t/a Burton L. Hirsch Funeral Home (“Complainant” or “Hirsch”), by and through its attorneys White and Williams LLP, files this Second Consent Motion to Continue Prehearing Conference, stating as follows:

1. On April 12, 2016, the Administrative Law Judge (the Honorable Conrad A. Johnson, A.L.J.) issued a Second Interim Order Concerning Prehearing Conference (“Second Interim Order”) that scheduled a prehearing conference for Tuesday, May 17, 2016, at 10:00 a.m.

2. The Second Interim Order required that “an authorized representative of each Party and their respective attorneys [] appear *in person* before the undersigned presiding Administrative Law Judge for the conference” (emphasis in original).

3. On or about May 3, 2016, the parties to this action filed their initial Consent Motion to Continue Prehearing Conference requesting an adjournment of the May 17 date until sometime during the first two weeks of June, for two reasons: (a) Respondent’s counsel had a scheduling conflict on May 17, 2016, that precluded their attendance, and (b) May 17 was prior to the thirty-day period set by 52 Pa. Code § 5.303 for a response by the Commission to

Complainant's Petition for Interlocutory Review, in docket no. P-2016-2541570, challenging the PUC's jurisdiction as to the instant dispute.

4. On the following day, May 4, 2016, in the related matter pertaining to the Petition for Interlocutory Review, the Secretary issued a letter advising that the Commission had waived the thirty-day requirement of 52 Pa. Code § 5.303 "to afford us adequate time to address the questions raised."

5. The Secretary's May 4 letter did not advise of any new date by which a response to the petition was anticipated.

6. On or about May 11, 2016, Judge Johnson issued a Third Interim Order Granting The Parties' Consent Motion To Continue Prehearing Conference.

7. On or about May 16, 2016, the Office of Administrative Law Judge issued a Hearing Cancellation/Reschedule Notice rescheduling the Initial Prehearing Conference to take place on Monday, June 13, 2016, at 10:00 A.M. before Judge Johnson.

8. On June 3, 2016, under docket no. P-2016-2541570, Complainant filed a Motion to Stay Proceedings Before the Administrative Law Judge.

9. The Office of Special Assistants ("OSA") has advised Complainant's counsel that the Commission will not decide Complainant's Petition for Interlocutory Review, in docket no. P-2016-2541570, during the Commission's meetings this month. Complainant's counsel has communicated OSA's position to counsel for Respondent.

10. The parties submit that in the interest of minimizing time, effort and expense, the Initial Preconference Hearing now scheduled for June 13, 2016 be deferred until the Petition for Interlocutory Review, and the question of jurisdiction, are resolved.

11. Respondent's counsel has been consulted about and has consented to the continuance requested in this Motion.

WHEREFORE, Complainant, Alderwoods (Pennsylvania), Inc., with Respondent's consent, respectfully requests that the Initial Prehearing Conference currently scheduled for June 13, 2016 be deferred until the resolution of Complainant's Petition for Interlocutory Review under docket no. P-2016-2541570.

Respectfully submitted,

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Date: 6/7/16

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Attorneys for Respondent,
Duquesne Light Company

Date: 6-7-2016

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ORDER

AND NOW, this _____ day of _____, 2016, in consideration of Complainant's Second Consent Motion to Continue Prehearing Conference, the Motion is GRANTED. The prehearing conference is hereby deferred, pending resolution of the Petition for Interlocutory Review under docket no. P-2016-2541570.

BY THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

_____, A.L.J.