

20 September 2016

To: The Pa Public Utility Commission Secretary
400 North Street
Harrisburg, PA 17120

From: Ross E. Schell
203 Knollwood Drive
Harrisburg, PA 17109-5515
PH# 717-651-0824
Fax# same but call First.

In Reference to Docket Number C-2016-2563040

I am filing an Petition to deconsolidate, all Dockets I currently have against Suez Water, Because I do not think with the 45 minutes permitted to argue a complaint at the hearings, will provide us time to properly address each individual complaint as written and summited by me.

C-2016-2558244 C-2016-2559741

Docket Number C-2016-2551544

C-2016-2563040 C-2016-2563040

Ross Schell
Ross E. Schell

§ 5.103. Motions.

(a) *Scope and content.* A request may be made by motion for relief desired, except as may be otherwise expressly provided in this chapter and Chapters 1 and 3 (relating to rules of administrative practice and procedure; and special provisions). A motion must set forth the ruling or relief sought, and state the grounds therefor and the statutory or other authority upon which it relies.

(b) *Presentation of motions.* A motion may be made in writing at any time, and a motion made during a hearing may be stated orally upon the record, or the presiding officer may require that an oral motion be reduced to writing and filed separately. Written motions must contain a notice which states that a responsive pleading shall be filed within 20 days of the date of service of the motion.

(c) *Response to motions.* A party has 20 days from the date of service within which to answer or object to a motion, unless the period of time is otherwise fixed by the Commission or the presiding officer.

(d) *Rulings on motions.*

(1) The presiding officer is authorized to rule and will rule upon motions:

(i) Not formerly acted upon by the Commission prior to the commencement of the hearing where an immediate ruling is essential in order to proceed with the hearing.

(ii) Filed or made after the commencement of the hearing and prior to the submission of a decision in the proceeding.

(2) A motion made during the course of hearing, which if granted would otherwise dispose of parties' rights, should be acted upon by the presiding officer prior to taking further testimony if, in the opinion of the presiding officer, the action is warranted.

(3) If a motion involves a question of jurisdiction, the establishment of a prima facie case or standing, the presiding officer may render a final determination with regard to a motion prior to the termination of hearings by issuing an initial or recommended decision.

(e) *Supersession.* Subsection (a) is identical to 1 Pa. Code § 35.177 (relating to scope and contents of motions). Subsection (b) is identical to 1 Pa. Code § 35.178 (relating to presentation of motions). Subsection (c) supersedes 1 Pa. Code § 35.179 (relating to objections to motions). Subsection (d) supersedes 1 Pa. Code § 35.180 (relating to action on motions).

THOMAS, NIESEN & THOMAS, LLC

Attorneys and Counsellors at Law

THOMAS T. NIESEN
Direct Dial: 717.255.7641
tniesen@tntlawfirm.com

September 16, 2016

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

In re: Docket No. C-2016-2563040
Ross E. Schell v. Suez Water Pennsylvania Inc.

Dockets Nos. C-2016-2551544, C-2016-2558244 and C-2016-2559741
Ross E. Schell v. Suez Water Pennsylvania Inc.


Dear Secretary Chiavetta:

We are counsel to Suez Water Pennsylvania Inc. in the above referenced matters and are submitting via electronic filing its Motion to Consolidate the proceeding at C-2016-2563040 with the already consolidated proceedings at C-2016-2551544, C-2016-2558244 and C-2016-2559741. Copies of the Motion are being served upon the persons and in the manner set forth on the certificate of service attached to it.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By



Thomas T. Niesen

Enclosure

cc: Certificate of Service (w/encl.)
Judith A. McCoy Jordan (via email, w/encl.)

160915-Chiavetta (Motion to Consolidate).wpd

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROSS E. SCHELL,	:	Docket No. C-2016-2563040
Complainant	:	
	:	Docket No. C-2016-2551544
v.	:	Docket No. C-2016-2558244
	:	Docket No. C-2016-2559741
SUEZ WATER PENNSYLVANIA INC.,	:	
Respondent	:	

NOTICE

PURSUANT TO 52 PA CODE SECTION 5.103(b), NOTICE IS HEREBY GIVEN THAT A RESPONSIVE PLEADING TO THE FOLLOWING MOTION TO CONSOLIDATE SHALL BE FILED WITHIN 20 DAYS OF THE DATE OF SERVICE.

DATE OF SERVICE: SEPTEMBER 16, 2016.

3. By Interim Order Consolidating Complaints and Continuing Hearing, dated August 24, 2016, Administrative Law Judge Jeffrey A. Watson consolidated the Complaints at C-2016-2551544, C-2016-2558244 and C-2016-2559741. An Initial Call in Telephonic Hearing is scheduled for October 4, 2016.

4. Suez believes it would be an efficient use of time and resources to consolidate the proceeding at C-2016-2563040 with the already consolidated proceedings at C-2016-2551544, C-2016-2558244 and C-2016-2559741. Suez is not seeking a change in the October 4 hearing date.

WHEREFORE, Suez Water Pennsylvania Inc. requests that the Pennsylvania Public Utility Commission consolidate the proceeding at C-2016-2563040 with the proceedings at C-2016-2551544, C-2016-2558244 and C-2016-2559741.

Respectfully submitted,

By 
Thomas T. Niesen, Esq. (PA ID # 31379)
THOMAS, NIESEN & THOMAS, LLC
212 Locust Street, Suite 600
Harrisburg, PA 17101
Tel: 717-255-7600

Attorney for Respondent Suez Water Pennsylvania Inc.

DATED: September 16, 2016

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROSS E. SCHELL,	:	Docket No. C-2016-2563040
Complainant	:	
	:	Docket No. C-2016-2551544
v.	:	Docket No. C-2016-2558244
	:	Docket No. C-2016-2559741
SUEZ WATER PENNSYLVANIA INC.,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this 16th day of September 2016, served a true and correct copy of the foregoing Motion to Consolidate, upon the persons and in the manner set forth below:

VIA FIRST CLASS MAIL

Ross E. Schell
203 Knollwood Drive
Harrisburg, PA 17109

The Honorable Jeffrey A. Watson
Piatt Place
Suite 220
301 5th Avenue
Pittsburgh, PA 15222



Thomas T. Niesen (PA ID # 31379)



PENNSYLVANIA
PUBLIC UTILITY COMMISSION

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Your filing has been electronically received. Upon review of the filing for conformance with the Commission's filing requirements, a notice will be issued acknowledging such compliance and assigning a Docket Number. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

Print this page for your records. The date filed on will be the current day if the filing occurs on a business day before or at 4:30 PM Harrisburg, PA time. It will be the next business day if the filing occurs after 4:30 PM Harrisburg, PA time or on weekends or holidays.

*If your filing **exceeds 250 pages**, you are required to submit **one** paper copy of the filing within 3 business days of submitting the electronic filing. This paper copy can be mailed to: Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120 . Please print a copy of this page and attach it to the paper copy of your filing as the first page.*

eFiling Confirmation	
Docket Number:	C-2016-2563040
Description:	and C-2016-2551544, C-2016-2558244, C-2016-2559741 Ross E. Schell v. Suez Water Pennsylvania, Inc.
Transmission Date:	9/16/2016 10:58:08 AM
Filed On:	9/16/2016 10:58:08 AM
eFiling Confirmation Number:	1650326

Uploaded File List

File Name	Document Class	Document Type
Suez Water -- Motion to Consolidate.pdf	Supporting Documentation	Motion

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROSS E. SCHELL,	:	Docket No. C-2016-2563040
Complainant	:	
	:	Docket No. C-2016-2551544
v.	:	Docket No. C-2016-2558244
	:	Docket No. C-2016-2559741
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Ross E. Schell
203 Knollwood Drive
Harrisburg, PA 17109

The Honorable Jeffrey A. Watson
Piatt Place
Suite 220
301 5th Avenue
Pittsburgh, PA 15222


Thomas T. Niesen (PA ID # 31379)

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