

Certificate Of Service

I do Herby Certify That I have This Day 15 November 2016 I Have Served a true And correct copy of the Petition interlocutory Commission review to a material question 15 November 2016 upon The person's and manner Set Forth Below.

Via Fax Petition interlocutory Commission review to a material question

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The Honorable Jeffery A. Watson

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Ross E. Schell

15 November 2016

To: The Pa Public Utility Commission Secretary  
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C-2016-2565235

I am writing this as a requesting a Petition interlocutory Commission review to a material question

How come I have to conform to the following laws yet no one else

Has too? This prejudices the Commission against me filing any documents

Ross E. Schell

## **ANSWERS**

### **§ 5.61. Answers to complaints, petitions, motions and preliminary objections.**

(a) *Time for filing.* Unless a different time is prescribed by statute, the Commission, or the presiding officer, answers to complaints and petitions shall be filed with the Commission within 20 days after the date of service.

(1) Answers to motions shall be filed within the 20 days provided by §§ 5.102 and 5.103 (relating to motions for summary judgment and judgment on the pleadings; and motions).

(2) Answers to preliminary objections shall be filed within the 10 days provided by § 5.101 (relating to preliminary objections).

(b) *Form of answers to complaints.* The answer must be in writing and: (1) Set forth in paragraphs numbered to correspond with the complaint. (2) Advise the parties and the Commission as to the nature of the defense. (3) Admit or deny specifically all material allegations of the complaint. (4) State concisely the facts and matters of law relied upon. (5) **Include a copy of a document, or the material part of a document when relied upon in the answer. If the writing or a copy is not available, the answer must set forth that the document is not available and the reason, and set forth the substance of the document.**

**(c) Failure to file an answer to a complaint. A respondent failing to file an answer within the applicable period may be deemed in default, and relevant facts stated in the pleadings may be deemed admitted.**

(d) *Answers to complaints in rate proceedings.* For complaints which are docketed with Commission-instituted rate proceedings, an answer may be filed within 10 days of date of service. However, an answer is not required, except as may be directed by the Commission or the presiding officer.

(e) *Form of answers to petitions.* The answer must be in writing and: (1) Advise the parties and the Commission of the parties' position on the issues raised in the petition.

**52 § 5.54 PUBLIC UTILITY COMMISSION Pt. I**

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## Ch. 5 FORMAL PROCEEDINGS **52 § 5.62**

(2) State the parties' standing to participate in any Commission proceeding resulting from the petition.

(3) State concisely the facts and matters of law relied upon.

**(4) Include a copy of a document, or the material part of a document when relied upon in the answer. If the writing or a copy is not available, the answer must set forth that the document is not available and the reason, and set forth the substance of the document.**

(f) *Supersession.* Subsections (b)—(e) supersede 1 Pa. Code § 35.35 (relating to answers to complaints and petitions).

### **§ 1.54. Service by a party.**

(a) Pleadings, submittals, briefs and other documents, filed in proceedings pending before the Commission shall be served upon parties in the proceeding and upon the presiding officer, if one has been assigned.

(b) Service may be made by one of the following methods:

(1) *First class mail.* Service may be made by mailing the requisite number of copies to each party as provided in § 1.59 (relating to number of copies to be served), properly addressed with postage prepaid.

(2) *Personal*. Service may be made personally.

(3) *Electronic*.

**(i) Documents not filed with the Commission. Service may be made electronically to those parties who have agreed to accept service in that manner.**

**(ii) Documents filed with the Commission. Service may be made electronically to filing users who have agreed to receive electronic service. Filing users who have agreed to receive electronic service shall be served with an electronic mail notice stating that a document was filed on the electronic filing system. The notice constitutes service.**

**(A) The electronic mail notice must contain the following provisions:**

**(I) The name of the filing user and the party on whose behalf the**

**document was filed.**

**(II) The type of document.**

**(III) A brief description of the document.**

**(IV) A link to the document on the electronic filing system.**

**(V) The docket number when available.**

**(VI) An indication that the party is seeking expedited relief, if applicable.**

**(B) When a filing user becomes aware that the electronic mail notice was not transmitted successfully, the filing user shall resend the electronic mail notice or serve the document by another method authorized by this subpart.**

**(C) Documents of 250 pages or less, including attachments, need not be followed by service of a hard copy to filing users who have agreed to receive electronic service. Filing users shall serve each other with a hard copy of documents that exceed 250 pages, including attachments, unless the parties otherwise agree.**

(4) *Telefacsimile*. Service may be made by telefacsimile to those parties who have agreed to accept service in that manner.

Documents served electronically need not be followed by service

of a hard copy if the parties have so agreed. (c) In a proceeding in which only some of the parties participate, the parties, with the authorization of the presiding officer, may limit the service of documents