

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Dean Marsh

v.

Duquesne Light Company

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:  
:  
:  
:

C-20066280

REC'D  
2006 JUL 20 AM 10:34  
SECRET

DOCUMENT  
FOLDER

PREHEARING ORDER

**DOCKETED**  
AUG 14 2006

An initial telephonic hearing in this case is scheduled for Wednesday, August 16, 2006, at 1:30 p.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. If you intend to present any documents or exhibits for my consideration, you must send one (1) copy to the other party and three (3) copies to me one week before the hearing. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of filing. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

2. If you or any proposed witness will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one (1) week before the hearing.

3. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days before the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, with copies to all parties of record. The correct address is: Pennsylvania Public Utility Commission, Office of Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty Avenue,

Pittsburgh, PA 15222-1210. Only the undersigned Administrative Law Judge or Office of Administrative Law Judge Scheduling Unit may grant a request for a change of an initial hearing. Such changes are granted only in rare situations where sufficient cause exists. Should any party have any questions regarding this procedure, you may contact me at 412-565-3550.

4. **YOU MAY LOSE THIS CASE, IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.**

5. **ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS STILL A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.**

6. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

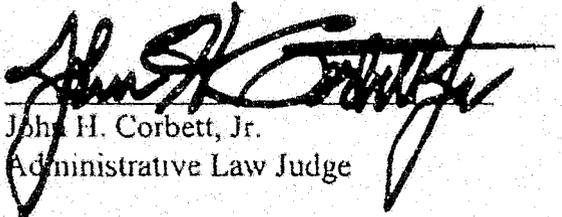
7. The Complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the Respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the Complainant is entitled to the relief requested in the complaint.

8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so the other parties will have the required ten (10) days' notice to answer or object, and so you will have enough time to receive the subpoena and serve it.

9. Any party may conduct discovery to learn the factual basis of another party's position in this case. However, 52 Pa. Code §5.331(b) provides, in relevant part, that "[a] participant shall endeavor to initiate discovery as early in the proceedings as reasonably possible." Additionally, 52 Pa. Code §5.322 provides, in relevant part, that "participants are encouraged to exchange information on an informal basis." All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa. Code §5.361) and sanctions for abuse of the discovery process (52 Pa. Code §§5.371 & 5.372).

10. It is the Commission's policy to encourage settlements. 52 Pa. Code §5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.

Dated: July 17, 2006

  
John H. Corbett, Jr.  
Administrative Law Judge

# OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No :	C-20066280		YES	NO
Case Name:	Dean Marsh v. Duquesne Light Company	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Pittsburgh	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date:	August 16, 2006	Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	John H. Corbett, Jr.	Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">RECEIVED</div> <div style="font-size: 1.2em; margin-bottom: 10px;">AUG 22 2006</div> <div style="font-size: 0.8em;">PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU</div>		Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
		RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		DATE:	8-16-06	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	Complainant failed to appear for hearing.	

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Dean Marsh Telephone: 412-583-7773	101 Holiday Park Drive City: Pittsburgh State: PA Zip: 15239	Complainant pro se
Regina M. Sestak, Esq. Telephone: 412-393-1546	411 7 <sup>th</sup> Avenue, 8-2 City: Pittsburgh State: PA Zip: 15219	Respondent

Check this box if additional parties or attendees appear on back of form.

*ilp*

*Anne Thompson*  
Reporter's Signature

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*