

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Delaware Valley School District	:	C-20065922
County of Pike	:	C-20065942
Joseph Fretta	:	C-20066194
Samall Properties	:	C-20066260
Three Lane Utilities/Richard Snyder	:	C-20066261
Three Lane Utility Corporation	:	C-20066262
Richard Snyder	:	C-20066263
Samall Properties, Inc.	:	C-20066264
Altec Lansing	:	C-20066336
John Dalton	:	C-20066481
Peter B. Kenny	:	C-20066546
Joan Stohr	:	C-20066668
Hotel Fauchere	:	C-20066722
Community Building Projects/Sean Strub	:	C-20066725
Dana Gobin	:	C-20066753

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FOLDER

And

Office of the Consumer Advocate
Party Intervenor

And

Office of the Small Business Advocate
Party Intervenor

v.

Pike County Light & Power

DOCKETED
FEB 09 2007

REVISED BRIEFING SCHEDULE ORDER

1. At the January 29, 2007, telephone conference requested by several of the parties, a revised briefing schedule was established. The following is a revision to the Scheduling and Briefing Order issued November 30, 2006:

February 12, 2007

Initial/Main Briefs due

February 26, 2007

Reply Briefs due

2. The briefs must follow the content and form for briefs as set forth at 52 Pa. Code § 5.501¹, with the exception that Main Briefs may be 100 pages or less, Reply Briefs may be 60 pages or less. Do not exceed these page limits.

§ 5.501. Content and form of briefs.

(a) Briefs must contain the following:

- (1) A concise statement or counter-statement of the case.*
- (2) Reference to the pages of the record or exhibits where the evidence relied upon by the filing party appears.*
- (3) An argument preceded by a summary. The party with the burden of proof shall, in its main or initial brief, completely address, to the extent possible, every issue raised by the relief sought and the evidence adduced at hearing.*
- (4) A conclusion with requested relief.*

(b) Briefs must also contain the following, if and as directed by the presiding officer:

- (1) A statement of the questions involved.*
- (2) Proposed findings of fact with references to transcript pages or exhibits where evidence appears, together with proposed conclusions of law.*
- (3) Proposed ordering paragraphs specifically identifying the relief sought.*

(c) Exhibits should not be reproduced in the brief, but may, if desired, be reproduced in an appendix to the brief.

(d) Briefs of more than 20 pages must contain on their front leaves a table of contents with page references and a table of citations, which may be prepared without pagination.

(e) Briefs must be as concise as possible and, except for briefs in rate cases, be limited to 60 pages in length, unless some other limitation is imposed or allowed by the presiding officer. The length of briefs in rate cases will be controlled by the presiding officer.

(f) Subsections (a)—(e) supersede 1 Pa. Code § 35.192 (relating to content and form of briefs).

¹ www.pacode.com

3. Briefs must be filed and served consistent with 52 Pa. Code § 5.502 and § 1.59.

§ 5.502. Filing and service of briefs.

(a) Number of copies. An original and nine copies of a brief shall be filed with the Commission under § 1.4 (relating to filing generally). Copies shall be served on the parties in accordance with § 1.59(b)(1) (relating to number of copies to be served).

(b) Filing of briefs in nonrate proceedings.

(1) Initial brief. An initial brief shall be filed by the party with the burden of proof except as provided by agreement or by direction of the presiding officer.

(2) Response brief. A party may file a response brief to the initial brief.

§ 1.59. Number of copies to be served.

(a) One copy of a document shall be served on the presiding officer if one has been designated.

(b) The following number of copies of documents shall be served on other parties in a proceeding:

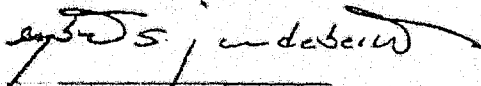
(1) Briefs.

(i) Service of hard copies—two copies.

(ii) Service by telefacsimile or electronic mail, when permitted—one copy.

4. Service to the administrative law judge may be electronic followed with a hard copy via U.S. Mail (First-class). The date of service is the day the brief is deposited in the U.S. Mail, deposited with an overnight express package delivery, or delivered in person. 52 Pa. Code § 1.56 (a) (1-3).

Date: January 30, 2007


Ember S. Jandebaur
Administrative Law Judge