

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Versa Alliance, Inc.

v.

The Peoples Natural Gas Company
d/b/a Dominion Peoples

DOCKETED
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C-20066927

PREHEARING ORDER

**DOCUMENT
FOLDER**

An initial hearing in this case is scheduled for Thursday, December 14, 2006 at 10:00 a.m., in an 11th Floor Hearing Room, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. Accordingly, the parties are hereby directed to comply with the following requirements:

1. You must serve me directly with a copy of any document that you file in this proceeding at the time of filing. All copies must be received at least five days before the hearing. 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. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. Only the undersigned Administrative Law Judge or OALJ Scheduling Staff may grant a request for a change of an initial hearing. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent hearings, if any, should also be served directly on me.

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

4. THIS HEARING IS A FORMAL PROCEEDING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

5. 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.

6. 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.

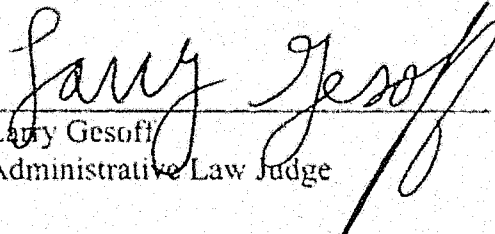
7. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so the other parties will have the required ten (10) days' notice to answer or object,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

8. 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] party shall initiate discovery as early in the proceedings as reasonably possible." Additionally, 52 Pa. Code §5.322 provides, in relevant part, that "parties 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).

9. Commission policy is 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.

Date: November 13, 2006


Larry Gesoff
Administrative Law Judge

LEECH TISHMAN
FUSCALDO & LAMPL
ATTORNEYS AT LAW

ORIGINAL

LEECH TISHMAN
FUSCALDO & LAMPL, LLC
CITIZENS BANK BUILDING
30th FLOOR
525 WILLIAM PENN. PLACE
PITTSBURGH, PA 15219
412-251-1000
412-251-2551 FAX
www.leechtishman.com

December 7, 2006

Douglas C. Hart
dhart@leechtishman.com

VIA FEDERAL EXPRESS OVERNIGHT MAIL

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Versa Alliance, Inc. v. Peoples Natural Gas Company
Docket No. C-20066927

Dear Mr. McNulty:

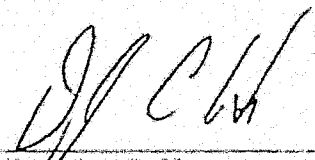
Enclosed for filing is an original and three (3) copies of the Motion for Continuance of the Scheduled Hearing Date being submitted by the Complainant, Versa Alliance, Inc., in the above-captioned matter.

Should you have any questions, please feel free to contact me. Thank you for your prompt attention to this matter.

Very truly yours,

DOCUMENT
FOLDER

LEECH TISHMAN FUSCALDO & LAMPL, LLC

BY: 
Douglas C. Hart

Enclosures

cc: Horace P. Payne, Jr., Esq. (via Hand Delivery)
Robert G. Lawther, Versa Alliance, Inc.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

VERSA ALLIANCE, INC.,)
)
 v.)
)
THE PEOPLES NATURAL GAS COMPANY,)
d/b/a DOMINIONS PEOPLES)
)

COMPLAINT NO.: C-20066927

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MOTION FOR CONTINUANCE OF THE
SCHEDULED HEARING DATE

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

AND NOW, comes the Complainant, Versa Alliance, Inc., by its counsel, Lecch, Tishman, Fuscaldo & Lampl, LLC, and files the following Motion for Continuance of the Scheduled Hearing Date, respectfully averring as follows:

1. This Motion for Continuance of the Scheduled Hearing Date is brought by Complainant, Versa Alliance, Inc. (hereafter "Versa Alliance").

2. These proceedings arise out of a payment dispute between Versa Alliance and the Peoples Natural Gas Company ("Peoples Gas"). More specifically, Versa Alliance has alleged that it had previously submitted a security deposit in the amount of \$2,860.00 to Peoples Gas, and that Peoples Gas has incorrectly seized and/or allocated a portion of a regular monthly invoice payment made by Versa Alliance as an increase to the underlying security deposit being held by Peoples Gas, rather than applying said payment toward the applicable Versa Alliance's invoices.

3. Moreover, and in conjunction with the misapplication of the aforementioned payment, Peoples Gas has also issued a termination notice to Versa Alliance.

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4. In its Complaint, Versa Alliance is seeking to have its regular invoice payment credited towards its account as initially intended, and to enjoin Peoples Gas from terminating its gas service.

5. Following Peoples Gas' filing of its Answer to Versa Alliance's Complaint on or about October 30, 2006, this Honorable Court has issued a Prehearing Order to all parties to the instant action on or about November 13, 2006.

6. In accordance with the Prehearing Order, an initial hearing in the instant action was scheduled for Thursday, December 14, 2006.

7. Shortly after the issuance of the Prehearing Order, Versa Alliance retained the law firm of Leech, Fishman, Fuscaldo & Lampl, LLC, to provide representation at the hearing scheduled for December 14, 2006.

8. After reviewing the pleadings, underlying facts and circumstances involved in the instant action, Counsel for Versa Alliance anticipates the need to conduct limited discovery in the instant matter, and, as such, believes that a continuation of the hearing date is necessary for such discovery to be conducted.

9. Both Versa Alliance and its Counsel also believe that an amicable resolution of the instant action may be attained with a continuation of the initial hearing date, which would allow resolution of the instant action without the costs and expenses associated with preparing for and participating in the initial hearing.

10. Moreover, and in the event that an amicable resolution of the instant matter cannot be reached, neither party will suffer any prejudice as the result of continuing the initial hearing of the instant action for a minimum of sixty (60) days.

11. Conversely, Versa Alliance will be unduly prejudiced in the event that this Motion and/or Request is denied, as Versa Alliance will not be able to engage in the limited discovery that it deems necessary, and Versa Alliance's Counsel will not have sufficient time, and will not be equipped with the necessary information, to adequately prepare for the initial hearing.

WHEREFORE, Complainant, Versa Alliance, Inc., respectfully requests that this Honorable Court grant Complainant's Motion for Continuance of the Scheduled Hearing Date, and continue the initial hearing of the instant action for a minimum of sixty (60) days.

Respectfully submitted,

LEECH TISHMAN FUSCALDO & LAMPL, LLC

By 

Manning J. O'Connor II

Pa. ID No. 38983

Douglas C. Hart

Pa. ID No. 91663

Citizens Bank Building, 30th Floor

525 William Penn Place

Pittsburgh, PA 15219

(412) 261-1600

December 7, 2006

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VERSA ALLIANCE, INC.,)

v.)

THE PEOPLES NATURAL GAS COMPANY,)
d/b/a DOMINIONS PEOPLES)

) COMPLAINT NO.: C-20066927
)
)
)
)

ORDER

AND NOW, this ____ day of December, 2006, upon consideration of the foregoing Motion for Continuance of the Scheduled Hearing Date, it is hereby ORDERED, ADJUDGED and DECREED that Complainant's Motion for Continuance is GRANTED, and the initial hearing is continued for a minimum of sixty (60) days until _____.

BY THE COURT:

Larry Gesoff
Administrative Law Judge

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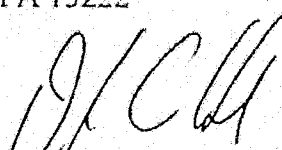
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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Continuation of the Scheduled Hearing Date was served this 7th day of December, 2006 via HAND DELIVERY to the following counsel of record:

Horace P. Payne, Jr., Esq.
Dominion Resources Services, Inc.
625 Liberty Avenue
Pittsburgh, PA 15222



Douglas C. Hart
Pa. ID No. 91663
525 William Penn Place, 30th Floor
Pittsburgh, PA 15219
Counsel for Complainant, Versa Alliance, Inc.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
December 11, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20066927

(SEE LETTER DATED 11/8/06)

Versa Alliance, Inc.
v.
The Peoples Natural Gas Company d/b/a Dominion Peoples

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial Hearing
Date: December 14, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge Larry Gesoff

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FOLDER

Please mark your records accordingly.

pc: Judge Gesoff
Dawn Reitenbach
Beth Plantz
Docket Section
Calendar File

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