

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Timothy J. Mardorf

v.

T.W. Phillips Gas and Oil Co.

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:
:

C-20077471

DOCUMENT
FOLDER

PREHEARING ORDER

DOCKETED
MAY 14 2007

An initial telephonic hearing in this case is scheduled for Thursday, June 14, 2007, at 10:00 a.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, limited liability company, 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.

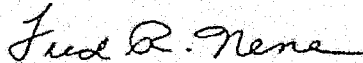
7. The Complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the Respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the Complainant is entitled to the relief requested in the complaint.

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] 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).

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.

Date: May 8, 2007



Fred R. Nene
Administrative Law Judge



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
June 7, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20077471

(SEE LETTER OF 5-1-07)

Timothy J. Mardorf v. T.W. Phillips Gas & Oil Company

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial Telephonic Hearing
Date: Thursday, June 14, 2007
Time: 10:00 a. m.
Presiding: Administrative Law Judge Fred R. Nene

Please mark your records accordingly.

pc: Judge Nene
Ona Lester
Beth Plantz
Docket Section
Calendar File

DOCUMENT
FOLDER

DOCKETED
JUN 11 2007

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: June 7, 2007
SUBJECT: C-20077471
Timothy J. Mardorf v. T.W. Phillips Gas & Oil Company
TO: Wanda Zeiders
Docket Management
FROM: Ona Lester, ALJ Support Staff
Office of Administrative Law Judge

DOCUMENT
FOLDER

On June 7, 2007, a Petition for Leave to Withdraw was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: Judge Nene
Beth Plantz
Case File

DOCKETED
JUN 11 2007

BA

OALJ Hearing Report

Please check Those Blocks Which Apply

Docket No.:	C-20077471		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Timothy J. Mardorf	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	v.	Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	T.W. Phillips Gas & Oil Company	Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Pittsburgh	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
Date:	June 14, 2007			
		RECORD CLOSED:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Fred R. Nene	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Commonwealth Reporting Company	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RECEIVED

JUL 13 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU
PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

REMARKS: *Parties settled. Case withdrawn by Complainant's letter of 6-6-07 Respondent to file confirmation of settlement. No hearing necessary.*

Name and Telephone Number	Address	Who are you representing?						
Timothy J. Mardorf	1487 Martin Road	Self						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8pt;">City</td> <td style="font-size: 8pt;">State</td> <td style="font-size: 8pt;">Zip</td> </tr> <tr> <td style="text-align: center;">Tarentum</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">15084</td> </tr> </table>	City	State	Zip	Tarentum	PA	15084	
City	State	Zip						
Tarentum	PA	15084						
Telephone: 724-224-7330	E-mail Address:	Fax Number:						
Jay W. Dawson, Esq.	T.W. Phillips Gas & Oil Company 205 North Main Street	T.W. Phillips Gas & Oil Co.						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8pt;">City</td> <td style="font-size: 8pt;">State</td> <td style="font-size: 8pt;">Zip</td> </tr> <tr> <td style="text-align: center;">Butler</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">16001</td> </tr> </table>	City	State	Zip	Butler	PA	16001	
City	State	Zip						
Butler	PA	16001						
Telephone 724-287-2751	E-mail Address:	Fax Number:						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8pt;">City</td> <td style="font-size: 8pt;">State</td> <td style="font-size: 8pt;">Zip</td> </tr> <tr> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> </tr> </table>	City	State	Zip				<p style="font-size: 24pt; font-weight: bold; margin: 0;">DOCUMENT FOLDER</p>
City	State	Zip						
Telephone:	E-mail Address:	Fax Number:						

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

Reporter's Signature



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

June 26, 2007

C-20077471

TIMOTHY J. MARDORF
1487 MARTIN ROAD
TARENTUM PA 15084

TIMOTHY J. MARDORF
v.
T.W. PHILLIPS GAS AND OIL COMPANY

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

cc: All parties of Record
OFFICE OF ALJ

ane

DOCKETED
JUN 27 2007

DOCUMENT
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BA