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ELECTRONICALLY FILED

April 21, 2017

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Vertis Dillon v. UGI Penn Natural Gas, Inc.
Complaint Docket No. C-2017-2583960

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is a Motion to Dismiss. A copy of the document has been served on the Complainant and the Administrative Law Judge.

Sincerely,


Larry R. Crayne

cc: Vertis Dillon
516 N. Irving Ave, Fl. 1
Scranton, PA 18510

Vertis Dillon
c/o Lackawanna Prison
1371 N. Washington Ave.
Scranton, PA 18509

Hon. Katrina L. Dunderdale
301 Fifth Avenue
Suite 220, Piatt Place
Pittsburgh, PA 15222

Commonwealth of Pennsylvania

Before the Pennsylvania Public Utility Commission

In the Matter of:

Vertis Dillon,
Complainant,

Complaint Docket
No. C-2017-2583960

VS.

UGI Penn Natural Gas, Inc.,
Respondent.

Motion to Dismiss

AND NOW comes Respondent, UGI Penn Natural Gas, Inc., (PNG), pursuant to 52 *Pa. Code*, Sections 5.103, and files the following Motion to Dismiss:

1. On or about January 9, 2017, Vertis Dillon (“Complainant” filed a formal Complaint with the Public Utility Commission at Docket No. C-2017-2583960. PNG filed an answer to the Complaint on January 31, 2017
2. Thereafter, the Commission by letter dated March 21, 2017 issued a Call-In Telephone Hearing Notice providing for a telephonic hearing to be held on April 21, 2017.
3. On April 21, 2017, Complainant failed to appear for the scheduled telephonic hearing of his complaint.
4. At the time of the scheduled Telephonic Hearing, counsel for PNG was present along with a witness and prepared to proceed with the scheduled hearing.
5. Prior to the scheduled telephonic hearing, PNG attempted to contact Complainant by telephone on April 10, 2017 and received a recorded message that Complainant’s telephone would not accept incoming calls. On April 18, 2017, PNG was advised that Complainant was incarcerated and was for an unknown period of time prohibited from receiving or initiating telephonic communications.

Wherefore, PNG moves that this Complaint be summarily dismissed, with prejudice, by reason of Complainant’s failure to appear for the scheduled telephonic hearing.

Notice to Plead

To: Vertis Dillon:

You are hereby notified to file a written response to the above Motion to Dismiss within twenty (20) days from service hereof or a judgment may be entered against you. The response must be mailed to the Secretary of the Public Utility Commission and the Presiding Administrative Law Judge:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Hon. Katrina L. Dunderdale
301 Fifth Avenue
Suite 220, Piatt Place
Pittsburgh, PA 15222

A copy of your response must also be mailed to the undersigned.

Larry R. Crayne, PC
Attorney at Law
238 Johnston Road
Pittsburgh, PA 15241

Respectfully submitted,

By: 
Larry R. Crayne

Certificate of Service

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the participant, listed below, in accordance with the requirements of Sec. 1.54 (b) (1) (relating to service by a participant).

Vertis Dillon
516 N. Irving Ave, Fl. 1
Scranton, PA 18510

Vertis Dillon
c/o Lackawanna Prison
1371 N. Washington Ave.
Scranton, PA 18509

Dated this 21st day of APR, 2017


Larry R. Crayne
238 Johnston Road
Pittsburgh, PA 15241

Counsel for
UGI Penn Natural Gas, Inc.