

October 4, 2017

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
2nd Floor, Room-N201
Harrisburg, PA 17120

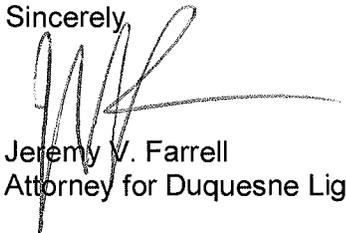
RE: Michele Hriadil and Francis Hriadil v. Duquesne Light Company
Docket No. C-2016-2571726

Dear Secretary Chiavetta:

Enclosed please find Duquesne Light Company's Consent to Continuance and Motion Requesting a Litigation Schedule. A copy of this document has been served upon Complainant in accordance with Commission regulations.

Please feel free to contact me if you have any questions.

Sincerely,



Jeremy V. Farrell
Attorney for Duquesne Light Company

Paul Shane Miller
Attorney for Duquesne Light Company

Enclosure

cc: Michele Hriadil and Francis Hriadil (with enclosure)
ALJ Jeffrey Watson (with enclosure)

LIT:629312-1 014657-158498

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MICHELE HRIADIL and	:	
FRANCIS HRIADIL,	:	
	:	
Complainant,	:	
	:	
vs.	:	No: C-2016-2571726
	:	
DUQUESNE LIGHT COMPANY,	:	
	:	
Respondent.	:	

**CONSENT TO CONTINUANCE AND
MOTION FOR A LITIGATION SCHEDULE**

Respondent Duquesne Light Company (“Duquesne Light”) submits this Consent to Continuance and Motion Requesting a Litigation Schedule:

1. Complainants filed this action on October 1, 2016 in an effort to opt out of Duquesne Light’s smart meter implementation plan.
2. Duquesne Light’s Preliminary Objections were dismissed on August 16, 2017; subsequently, this matter was scheduled for an in-person hearing to take place on January 3 and 4, 2018.
3. Complainants requested a continuance of the hearing until the winter months passed. By Interim Order Granting Complainants’ Request for Extending Deadline to Serve Discovery Responses dated October 3, 2017, Judge Watson stated that Duquesne Light could file a response to Complainant’s request for a continuance of the hearing.
4. Duquesne Light consents to Complainants’ request that the hearing be continued by approximately two months.

5. Additionally, Duquesne Light believes it is in the best interests of the Parties and the Commission to set a litigation schedule establishing various deadlines in this action moving forward.

6. Without knowing whether Complainants' request for a continuance of the hearing will be granted, and, if so, the new hearing date, Duquesne Light is not able to offer a proposed litigation schedule with specific dates; however, Duquesne Light believes the following general schedule would be appropriate:

- a. A discovery deadline three months prior to the date of the hearing.
- b. A dispositive motion deadline two months prior to the date of the hearing.
Duquesne Light believes that this deadline would comply with the direction in 52 Pa. Code § 5.102(a) that the motion be made "within a time so that the hearing is not delayed," while still providing the party opposing the motion sufficient time to respond to the motion under 52 Pa. Code § 5.102(b) and the presiding Administrative Law Judge with sufficient time to rule on the motion prior to the hearing.
- c. Duquesne Light also requests that oral argument be scheduled and held on any dispositive motion and proposes that the argument take place approximately one month prior to the hearing date.

WHEREFORE, Respondent Duquesne Light Company respectfully consents to the continuance requested by Complainant and requests that the Commission issue a litigation schedule in this action in conformity with the deadlines described in paragraph 6 of this Motion.

Respectfully submitted,

TUCKER ARENSBERG, P.C.

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Counsel for Respondent, Duquesne Light
Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MICHELE HRIADIL and
FRANCIS HRIADIL,

Complainant,

vs.

No: C-2016-2571726

DUQUESNE LIGHT COMPANY,

Respondent.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant):

Michele Hriadil and Francis Hriadil
331 Shady Ridge Drive
Monroeville, PA 15146

Administrative Law Judge Jeffrey Watson
Piatt Place - 301 Fifth Avenue, Suite 220
Pittsburgh, PA 15222
Via Fax - (412) 565-5692 and
Email - jeffwatson@pa.gov

Dated this 4th day of October, 2017



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