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December 28, 2017

VIA ELECTRONIC FILING

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

Re: Catherine Lamagna v. Pennsylvania Electric Company
Docket No. C-2017-2608014

Dear Secretary Chiavetta:

Enclosed please find the Motion for Continuance of Pennsylvania Electric Company with regard to the above-captioned matter. This document has been served on the Complainant as shown in the Certificate of Service.

Please contact me if you have any questions regarding this matter.

Very truly yours,



Tori L. Giesler

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Enclosures

c: As Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CATHERINE LAMAGNA	:	
	:	
v.	:	Docket No. C-2017-2608014
	:	
PENNSYLVANIA ELECTRIC COMPANY	:	
	:	

**MOTION OF PENNSYLVANIA ELECTRIC COMPANY TO CONTINUANCE
RESPONSES TO INTERROGATORIES AND REQUESTS FOR PRODUCTION OF
DOCUMENTS**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pennsylvania Electric Company (“Penelec” or the “Company”) by and through its attorneys, Lauren M. Lepkoski and Tori L. Giesler, and pursuant to 52 Pa. Code § 1.15(b), hereby files this Motion for Continuance of the hearing currently scheduled for January 8, 2018. In support thereof, the Company avers as follows:

I. BACKGROUND

1. On or about June 6, 2017, Catherine Lamagna (“Complainant”) filed a Formal Complaint with the Pennsylvania Public Utility Commission (“Commission”) regarding 616 Main Street, Thompson, Pennsylvania 18465 (“Service Location”) under Account No.100075075448 (“Account”).

2. On June 26, 2017, the Company filed its Answer denying the material allegations.

3. On October 17, 2017, Administrative Law Judge Jeffrey A. Watson (“ALJ Watson”) issued an Interim Order Setting Conference Between the Parties requiring that the parties hold a conference to discuss the Formal Complaint filed by the Complainant to determine whether a resolution of the Formal Complaint may be reached.

4. Company representatives as well as counsel for the Company have contacted the Complainant on multiple occasions. After the Interim Order was issued, the Company contacted the Complainant to schedule a mediation conference. The Complainant ultimately declined to participate in a further mediation conference, and notified the mediator that she would like to proceed to hearing.

5. The hearing in this proceeding is scheduled for January 8, 2018.

6. On October 26, 2017, in accordance with 52 Pa. Code §§ 5.341 and 5.349, *et seq.*, the Company forwarded to the Complainant interrogatories and document requests via overnight United Parcel Service delivery. Objections to Penelec's Discovery Requests were due on or before November 6, 2017 and Answers to the Discovery Requests were due on or before November 16, 2017. Neither were submitted by the Complainant.

7. On November 22, 2017, the Company filed a motion to compel followed by an errata to that motion on November 27, 2017, as the contents of the discovery issued are critical to our development of Penelec's case for the hearing currently scheduled for January 8, 2018.

8. No response to those objections was submitted or filed by the Complainant, the due date for which would have been December 4, 2017 per the Commission's regulations at 52 Pa. Code § 5.342. The motion to compel is still pending decision.

9. Recently, the undersigned counsel has spoken with the Complainant, who claims that she will attempt to answer the questions, but indicates that she will need a substantial amount of time to do so. The Company agreed to give her until January 30, 2018 to do so if she were in turn willing to agree to a continuance of the hearing date given the importance of this information to Penelec's hearing preparation.

10. The Complainant expressed her concurrence with the request for continuance and extension to respond to the discovery. The Complainant further indicated her consent to the Company sharing her agreement with ALJ Watson.

11. As such, the Company respectfully request that the hearing scheduled for January 8, 2018 in this matter be continued to a later date, accommodating time for the production of discovery.

II. MOTION FOR CONTINUANCE

12. The Commission's regulations permit a request for continuance of a hearing upon good cause shown. 52 Pa. Code § 1.15(b).

13. In this case, the Company is unable to properly prepare for the hearing currently scheduled for January 8, 2018 as the Complainant has not provided responses to timely propounded discovery.

14. The Complainant has expressed a willingness to respond to the discovery propounded and the Company has agreed to provide the Complainant additional time to respond to the discovery should the hearing be continued.

15. Further, the parties have both agreed that a continuance of the hearing currently scheduled for January 8, 2018 is in the best interests of judicial economy for the Commission as well as both parties.

WHEREFORE, Pennsylvania Electric Company respectfully requests that the Commission issue an Order granting the Motion for Continuance.

Respectfully submitted,

Dated: December 28, 2017



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Counsel for Pennsylvania Electric Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CATHERINE LAMAGNA

v.

PENNSYLVANIA ELECTRIC COMPANY

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Docket No. C-2017-2608014

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Motion to Continuance of Pennsylvania Electric Company upon the individual listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by Overnight United Parcel Service, postage prepaid, as follows:

Catherine Lamagna
616 Main Street
Thompson, PA 18465

Administrative Law Judge Jeffrey Watson
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
301 5th Avenue, Suite 220
Pittsburgh, PA 15222

Dated: December 28, 2017



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