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January 30, 2018

VIA E-FILING

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

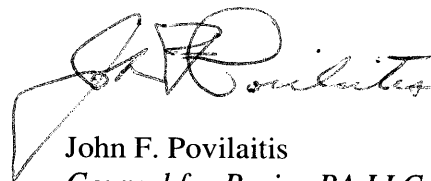
Re: Carla Guzman v. Rasier-PA LLC
Docket No. C-2017-2621783

Dear Secretary Chiavetta:

On behalf of Rasier-PA LLC, I have enclosed for electronic filing a Motion for Sanctions in the above-referenced proceeding.

Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



John F. Povilaitis
Counsel for Rasier-PA LLC

JFP/tlg
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Administrative Law Judge
Dennis J. Buckley

CARLA GUZMAN

v.

RASIER-PA LLC

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:
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Docket No. C-2017-2621783

NOTICE TO PLEAD

TO: Carla Guzman
1302 Edge Hill Road
Abington, PA 19001

Pursuant to 52 Pa. Code § 5.371, you are hereby notified that, if you do not file a written response to the enclosed Motion for Sanctions of Rasier-PA, LLC (“Motion”), within **five (5) days** from service of this Notice, the Motion may be granted. All pleadings must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Rasier-PA, LLC and the Administrative Law Judge presiding over the case.

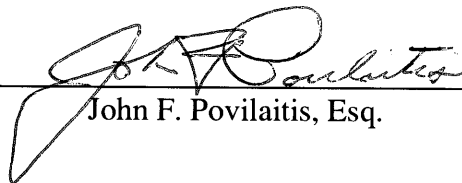
File with:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

With a copy to:

John F. Povilaitis
Brian C. Wauhopp
Buchanan Ingersoll & Rooney, PC
409 North Second Street, Suite 500
Harrisburg, PA 17101

Dated: January 30, 2018


John F. Povilaitis, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783

MOTION FOR SANCTIONS

TO THE HONORABLE DENNIS J. BUCKLEY:

Rasier-PA, LLC t/a Uber (“Raiser-PA,” “Uber” or the “Company”) hereby files this Motion for Sanctions (“Motion”) in the above-captioned proceeding. In support of this Motion, Rasier-PA represents as follows:

I. INTRODUCTION

1. On August 28, 2017, Carla Guzman (“Complainant”) filed a formal Complaint (“Complaint”) against Rasier-PA at Docket No. C-2017-2621783. Uber filed an Answer and New Matter to the Complaint. The Complainant did not file an Answer to Uber’s New Matter. A Preliminary Objection with respect to the Complainant’s request for monetary damages was filed on October 10, 2017. The Complainant did not file an Answer to the Preliminary Objection. Uber’s Preliminary Objection was granted by the Administrative Law Judge (“ALJ”) by Order of December 1, 2017.

2. Uber served interrogatories and requests for production of documents upon the Complainant on December 7, 2017. Attachment 1. No responses to these requests were served and, on January 4, 2018, Uber filed a Motion to Compel. Attachment 2. Today, more than 20 days after the Motion to Compel was filed, Complainant has neither filed responses to the

discovery requests nor a response to the Motion to Compel. However, on January 4, 2018, the Complainant served a narrative statement and hearing exhibits on Uber, which was after the date set for service of hearing exhibits for the January 8, 2018 hearing pursuant to paragraph 7 of the ALJ's Prehearing Order entered December 20, 2017.

3. An evidentiary hearing in this matter was originally scheduled for January 8, 2018. On the morning of the hearing, the ALJ was advised by attorney Matthew A. Luber via email that he intended to make an appearance at the hearing on behalf of the Complainant. Upon receipt of this message, the ALJ indicated to Attorney Luber that he was required by the procedural rules of the Pennsylvania Public Utility Commission ("PaPUC" or "Commission") to file an appearance with the Commission before appearing at the hearing. No appearance was filed and the ALJ converted the hearing to a pre-hearing conference. The pre-hearing conference was attended by counsel and representatives for Rasier-PA and the Complainant, Ms. Guzman. At the pre-hearing conference, the ALJ provided the parties twenty (20) days to discuss this matter further in an effort to resolve the outstanding issues. The period set by the ALJ for settlement discussions has expired. No settlement of the Complaint was reached.

4. Counsel for Rasier-PA received an email indicating that on January 10, 2018, Attorney Luber attempted to enter an appearance on behalf of the Complainant. The docket does not indicate that the Commission ever accepted this filing. On January 17, 2018, a Secretarial Letter was issued to Attorney Luber indicating that the Commission Secretary does not accept electronically signed documents unless the document is e-filed. Attachment 3. As indicated in Attachment 3, Attorney Luber was advised by the Secretary that a Response was required to be filed within ten (10) days. To date, neither Attorney Luber's letter with an original signature or

an appearance in this matter has been entered on the docket in this case. Nevertheless, Rasier-PA is serving Attorney Luber with this Motion.

5. Uber moves for sanctions against the Complainant pursuant to Sections 5.371 and 5.372 of the Commission's regulations. 52 Pa. Code §§ 5.371-5.372. When a Party fails to respond to discovery requests, upon motion, the presiding ALJ may issue an appropriate order imposing sanctions. 52 Pa. Code § 5.371(a)(1). A motion for sanctions is required to be answered within five (5) days of service and the ALJ is required to rule on the motion as soon as practicable. 52 Pa. Code § 5.371(b), (c).

6. When discovery requests are ignored, the presiding ALJ is specifically authorized by Commission regulations to impose the sanction of "prohibiting in evidence designated documents, things or testimony." 52 Pa. Code § 5.372(a)(2). Uber's interrogatories sought to produce from the Complainant any and all evidence the Complainant may potentially present at hearing. The Complainant has neither produced any responses to Uber's discovery nor answered Uber's Motion to Compel. The Complainant has only served on Uber and the ALJ her narrative statement in support of her Complaint and the Exhibits she intends to present at hearing.

II. RELIEF REQUESTED

7. Uber seeks as an appropriate sanction in this case, an Order limiting the Complainant's direct case to the narrative statement and exhibits the Complainant served on January 4, 2018. This limitation is appropriate given that Uber's discovery sought all information that could potentially be produced by the Complainant at hearing and has received no responses. The Complainant has neither responded to discovery nor timely sought any extensions of time to do so. Given the Complainant's non-responsive conduct in this proceeding,

it would be unfair to allow her to expand her direct case beyond the materials already served on Uber and the ALJ.

8. Uber also requests that the ALJ further set a hearing for this matter at which the Complainant may offer her previously served narrative statement and exhibits into evidence, subject to any appropriate objections and motions to strike. Uber should be permitted to cross examine Complainant on her narrative statement and present Uber's previously served exhibits and testimony in response to Complainant's direct case.

9. The sanctions and relief requested by Uber are more than reasonable, given that the Commission has authorized more stringent sanctions in the past for failure to respond to discovery requests, such as dismissing an entire proceeding. *Application of Choice Cab*, Docket No. A-00120055 (Final Order entered July 27, 2004). ALJ's have also dismissed complainants prior to hearing where the complainant did not answer or file objections to discovery, did not file a response to a motion to compel and a motion for sanctions was submitted. *Tanya Clarke v. Green Mountain Energy Company and Metropolitan Edison Company*, Docket No. F-2016-2538263 ("The Commission has, on numerous occasions, dismissed cases filed by *pro se* parties for failure to answer interrogatories in accordance with the Commission's regulations and as required by Order of the Presiding Officer. See e.g. *Francisco Valez v. Verizon Select Service, Inc.*, Docket No. C-2008-2060020 (Final Order entered November 20, 2009)").

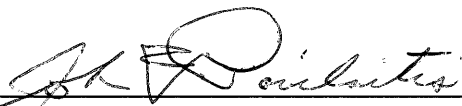
III. CONCLUSION

Wherefore, Uber respectfully requests that the ALJ grant this Motion for Sanctions and enter an Order directing and granting that: (i) a further hearing be set for this matter at which the Complainant may offer her previously submitted narrative statement and exhibits into evidence and nothing further, subject to any appropriate objections and motions to strike; (ii) Uber may

cross examine Complainant on her narrative statement and proceed to present its previously served exhibits and testimony in response to Complainant's direct case; and (iii) such further relief as is just and reasonable under the circumstances.

Respectfully submitted,

Dated: January 30, 2018



John F. Povilaitis (ID# 28944)
Brian C. Wauhop (ID# 306695)
BUCHANAN INGERSOLL & ROONEY PC
409 N. Second Street, Suite 500
Harrisburg, PA 17101
Phone: 717-237-4800
Fax: 717-233-0852
E-mail: john.povilaitis@bipc.com
E-mail: brian.wauhop@bipc.com

Counsel to Rasier-PA, LLC t/a Uber

Attachment 1

Brian C. Wauhop
717 237 4975
brian.wauhop@bjpc.com

409 North Second Street
Suite 500
Harrisburg, PA 17101-1357
T 717 237 4800
F 717 233 0852
www.buchananingersoll.com

December 7, 2017

VIA UPS OVERNIGHT DELIVERY

Carla Guzman
1302 Edge Hill Road
Abington, PA 19001

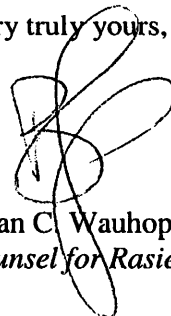
Re: *Carla Guzman v. Rasier-PA LLC*
Docket No. C-2017-2621783

Dear Ms. Guzman:

Enclosed please find Rasier-PA LLC's Interrogatories and Requests for Production of Documents (Set I) to Carla Guzman in the above-captioned proceeding.

Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



Brian C. Wauhop
Counsel for Rasier-PA LLC

BCW/lws
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA, LLC t/a UBER

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Docket No. C-2017-2621783

**RAISER-PA LLC'S INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS (SET I) TO CARLA GUZMAN**

Raiser-PA LLC ("Raiser" or the "Company"), by and through its counsel, John F. Povilaitis, Brian C. Wauhop, and Buchanan Ingersoll & Rooney PC, hereby propound the following Interrogatories and Requests for Production of Documents (Set I) (hereinafter referred to as "Discovery Requests") to Carla Guzman ("Complainant"), to be answered separately and fully in writing and under oath within twenty (20) days of the service date shown on the Certificate of Service attached hereto, pursuant to 52 Pa. Code §§ 5.341, 5.342, and 5.349.

Definitions and instructions for answering these interrogatories and document requests are located at the end of this document. If you have questions regarding this material or the interrogatories and document requests, please feel free to contact any of the attorneys listed in the preceding paragraph.

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Identify and describe any and all issues you intend to raise in the hearing of your Formal Complaint.

2. Identify and describe all persons including yourself, other than expert witnesses that you may call or expect to call as a witness at the hearing of your Formal Complaint, including, but not limited to:

(a) their name,

(b) business address,

(c) personal or business affiliation,

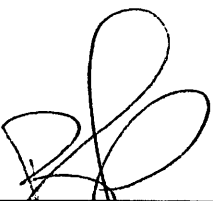
(d) the subject matter of their expected testimony, and

(e) a summary of their proposed testimony.

3. Identify and describe the name, address, telephone number, employer and job title of each person you expect to call as an expert witness at the hearing of your Formal Complaint.

5. Identify and describe all documents or other objects you expect to introduce as exhibits at the hearing of your Formal Complaint. Please provide copies of all identified documents.

Dated: December 7, 2017



John F. Povallaitis
Brian C. Wathop
BUCHANAN INGERSOLL & ROONEY PC
409 North Second Street, Suite 500
Harrisburg, PA 17101-1357
(717) 237-4975

Attorneys for Raiser-PA LLC

I. DEFINITIONS

A. As used herein, "document" refers to any written, printed, recorded, taped, electronic, or graphic matter, including but not limited to, writings, agreements, licenses, contracts, books, pamphlets, periodicals, memoranda, correspondence, notes, diaries, calendars, appointment books, estimates, reports, intraoffice communications, work papers, canceled or uncanceled checks, records, filings, cost sheets, estimating sheets, studies, analyses, evaluations, purchase orders, bills, invoices, confirmations, bills of lading, receipts, ledgers, accounts, charts, graphs, indices, computer printouts, data sheets, data processing cards, tapes or discs, and any other data compilation from which information can be obtained or translated, if necessary, through detection devices into reasonably usable form, recordings, transcriptions thereof, minutes of meetings, and all other materials relating to any conversations, meetings and/or conferences, by telephone or otherwise, and any other writing or recording, however produced or reproduced, of any kind or description, including originals, non-identical copies (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts, regardless of origin, whether sent or received or made and/or used internally, in whatever form, and both sides thereof, that (a) are now or formerly in your possession, custody, or control or (b) are known or believed to be responsive to these interrogatories, regardless of who now has or formerly had possession, custody or control.

B. As used herein, the term "oral communication" means any words heard or spoken, including without limitation, words spoken during any meeting, discussion, speech, or conversation including any telephone conversation.

C. As used herein, "representatives" shall include directors, officers, employees, agents, attorneys or other persons acting on behalf of any of the Defendants.

D. As used herein, “identify” shall mean describe with particularity and provide the following information:

(a) When used with reference to a natural person, state his or her full name, address and present or last known business, his or her last known or present business affiliation, and his or her position and business affiliation (including a description of his or her duties and responsibilities) at the time of the transaction, occurrence, event, happening or matter in question;

(b) When used with reference to any entity other than a natural person (e.g., a corporation, partnership, joint venture, or unincorporated association), state: (1) its full name and organization form; (2) the address of its principal place of business; and (3) its purpose, primary business, or activities.

(c) When used with reference to a document (as that term is defined in paragraph A, above), annex a legible copy thereof including all attachments thereto, or state:

- (1) The nature of the document (e.g., letter, contract, chart, memorandum);
- (2) Its date and the date of its preparation;
- (3) Each author (and, if different, each signer) thereof, each addressee, and each other person to whom the document was distributed;
- (4) Its subject matter and substance;
- (5) Its present or last known location and custodian;
- (6) The disposition if such document was but is no longer in your possession or subject to your control; and
- (7) Any other information necessary to enable the custodian to locate the particular document and necessary for use in a request for

production of documents under Pennsylvania Rule of Civil Procedure 4009.11.

- (d) When used with reference to a meeting, state:
 - (1) The date, time, and location of the meeting;
 - (2) The identity of all persons involved in each and every meeting; and
 - (3) The substance of the meeting.

- (e) When used with reference to a legal proceeding, state:
 - (1) The court, administrative agency, or other governmental body involved;
 - (2) The caption of the proceeding;
 - (3) All parties to the proceeding; and
 - (4) The docket number of the proceeding.

E. As used herein, “person” or “persons” include natural persons as well as firms, partnerships, associations, institutions, joint ventures, corporations, governmental entities, administrative agencies, professional associations, and every other organization of whatever sort.

F. As used herein, the term “date” means the exact day, month and year, if ascertainable, or, if not, your best approximation thereof. If an approximation is given, the responses should so indicate.

II. INSTRUCTIONS FOR INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

A. Each interrogatory shall be accorded a separate answer, and each subpart of an interrogatory shall be accorded a separate answer. Interrogatories or subparts thereof should not be combined for the purpose of supplying a common answer. In accordance with 52 Pa. Code § 5.342, your response must be answered fully, in writing, under oath, and signed by the person answering.

B. In answering these interrogatories, furnish all information, including documentation that is available to you, including information in the possession of any of your agents, employees, or attorneys or otherwise subject to your custody and control. Under 52 Pa. Code § 5.332, you must supplement your responses to these discovery requests as additional or more accurate information becomes available and must also amend any response when it is discovered to no longer be true.

C. If you know of any document, communication, or information but cannot give the specific information or the full information called for by a particular interrogatory, provide all the information you have on the subject, and identify every person you believe to have the required document, communication or information.

D. No answer is to be left blank. If the answer to an interrogatory or subpart of an interrogatory is “none” or “unknown”, such statement shall be written in the answer. If the answer is omitted because of a claim of privilege, the basis of the privilege is to be stated.

E. The conjunctions “and” and “or” shall each be individually interpreted in every instance as meaning “and/or” and shall not be interpreted disjunctively to exclude any information otherwise within the scope of any specification in any interrogatory.

F. The term “including” shall be interpreted to mean “including without limitation.”

G. Unless otherwise specified, each answer shall cover the period through the date on which the answers are served.

H. As used herein, whenever an interrogatory calls for information with respect to “each” one of a particular type or class of matters, events, persons, or entities of which

there is more than one, separately list, set forth, and identify for each thereof all of the information called for.

I. If, in an answer, reference is made to an oral communication, with respect to each such oral communication:

- (1) State by whom and to whom such communication was made;
- (2) State the date and time such communication was made;
- (3) State the manner in which such communication was made (e.g., face-to-face conversation, telephone call);
- (4) State the subject matter and the substance of such communication;
and
- (5) Identify all documents memorializing, referring, or relating to such communication.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783


CERTIFICATE OF SERVICE

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

Via UPS Overnight Delivery:

Carla Guzman
1302 Edge Hill Road
Abington, PA 19001
sostutores@hotmail.com

Dated this 7th day of December, 2017.



Brian C. Wauhop

Attachment 2

Buchanan Ingersoll & Rooney PC

John F. Povilaitis
717 237 4825
john.povilaitis@bipc.com

409 North Second Street
Suite 500
Harrisburg, PA 17101-1357
T 717 237 4800
F 717 233 0852
www.buchananingersoll.com

January 4, 2018

VIA E-FILING

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

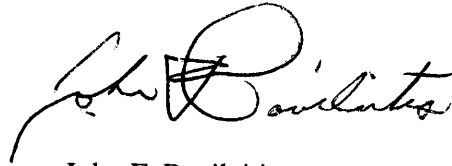
Re: Carla Guzman v. Rasier-PA LLC
Docket No. C-2017-2621783

Dear Secretary Chiavetta:

On behalf of Rasier-PA LLC, I have enclosed for electronic filing a Motion to Compel in the above-referenced proceeding.

Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



John F. Povilaitis
Counsel for Rasier-PA LLC

JFP/tlg
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Administrative Law Judge
Dennis J. Buckley

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783

NOTICE TO PLEAD

TO: Carla Guzman
1302 Edge Hill Road
Abington, PA 19001

Pursuant to 52 Pa. Code § 5.103, you are hereby notified that, if you do not file a written response to the enclosed Motion to Compel of Rasier-PA, LLC ("Motion"), within **twenty (20) days** from service of this Notice, the Motion may be granted. All pleadings must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Rasier-PA, LLC, and where applicable, the Administrative Law Judge presiding over the case.

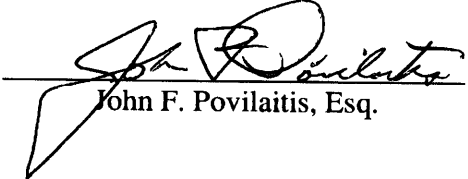
File with:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

With a copy to:

John F. Povilaitis
Brian C. Wauhop
Buchanan Ingersoll & Rooney, PC
409 North Second Street, Suite 500
Harrisburg, PA 17101

Dated: January 4, 2018


John F. Povilaitis, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783

**MOTION TO COMPEL OF
RASIER-PA LLC**

TO THE HONORABLE DENNIS J. BUCKLEY:

Pursuant to Section 5.103 of the Pennsylvania Public Utility Commission's ("PAPUC" or "Commission") regulations, 52 Pa. Code § 5.103, Rasier-PA, LLC t/a Uber ("Raiser-PA," "Uber" or the "Company") hereby files this Motion to Compel ("Motion") in the above-captioned proceeding. In support of this Motion, Rasier-PA represents as follows:

I. BACKGROUND

1. On August 29, 2017, Carla Guzman ("Complainant") filed with the Commission a Formal Complaint ("Complaint"). 66 Pa. C. S. §§ 101, *et seq.* Rasier-PA served Interrogatories and Requests for Production of Documents-Set I ("Set I"), attached as Exhibit A, directed to the Complainant on December 7, 2017. No responses to Set I have been received.

II. ARGUMENT

2. The Set I interrogatories and requests for production propounded by Rasier-PA all sought information in the form of issues, potential testimony, documents, exhibits and opinions that the Complainant intended to present at hearing. *See* Exhibit A. Set I advised the Complainant that Answers to Set I were due within twenty days of the date indicated in the Certificate of Service. *See* Exhibit A. Had the Complainant timely

responded to the Set I discovery, Rasier-PA would have had the opportunity to prepare its response to Complainant's case in the form of testimony and exhibits.

3. The Complainant has not provided responses to Rasier-PA's Interrogatories and Requests for Documents. Therefore Complainant should be barred from presenting evidence in support of this complaint at the hearing scheduled for January 8, 2018. In the alternative, Rasier-PA should be granted such relief as is appropriate.

III. CONCLUSION

WHEREFORE, Rasier-PA respectfully requests that Your Honor should grant this Motion to Compel and bar the Complainant from presenting evidence in support of the Complaint at the hearing of January 8, 2018 or in the alternative grant this Motion to Compel and provide such other relief as may be just and reasonable under the circumstances.

Respectfully submitted,

Dated: January 4, 2018



John F. Povilaitis (ID# 28944)
Brian C. Wauhop (ID# 306695)
Buchanan Ingersoll & Rooney PC
409 N. Second Street, Suite 500
Harrisburg, PA 17101
Phone: 717-237-4800
Fax: 717-233-0852
E-mail: john.povilaitis@bipc.com
E-mail: brian.wauhop@bipc.com

Counsel to Rasier-PA, LLC t/a Uber

Exhibit A

Buchanan Ingersoll & Rooney PC

Brian C. Wauhop
717 237 4975
brian.wauhop@bipc.com

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December 7, 2017

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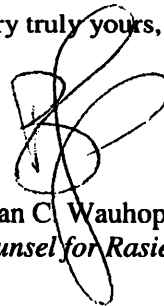
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Dear Ms. Guzman:

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Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



Brian C. Wauhop
Counsel for Rasier-PA LLC

BCW/lws
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA, LLC t/a UBER

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Docket No. C-2017-2621783

**RAISER-PA LLC'S INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS (SET I) TO CARLA GUZMAN**

Raiser-PA LLC ("Raiser" or the "Company"), by and through its counsel, John F. Povilaitis, Brian C. Wauhop, and Buchanan Ingersoll & Rooney PC, hereby propound the following Interrogatories and Requests for Production of Documents (Set I) (hereinafter referred to as "Discovery Requests") to Carla Guzman ("Complainant"), to be answered separately and fully in writing and under oath within twenty (20) days of the service date shown on the Certificate of Service attached hereto, pursuant to 52 Pa. Code §§ 5.341, 5.342, and 5.349.

Definitions and instructions for answering these interrogatories and document requests are located at the end of this document. If you have questions regarding this material or the interrogatories and document requests, please feel free to contact any of the attorneys listed in the preceding paragraph.

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Identify and describe any and all issues you intend to raise in the hearing of your Formal Complaint.

2. Identify and describe all persons including yourself, other than expert witnesses that you may call or expect to call as a witness at the hearing of your Formal Complaint, including, but not limited to:

(a) their name,

(b) business address,

(c) personal or business affiliation,

(d) the subject matter of their expected testimony, and

(e) a summary of their proposed testimony.

3. Identify and describe the name, address, telephone number, employer and job title of each person you expect to call as an expert witness at the hearing of your Formal Complaint.

4. For each expert identified in the preceding interrogatory, please identify, describe and provide the following:

- (a) the qualifications of the expert, including, but not limited to, the schools attended, dates of attendance, degrees received, work experience, articles published and areas of expertise;

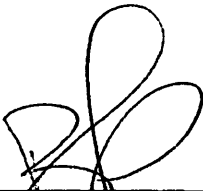
- (b) the substance of the facts and opinions to which the expert is anticipated to testify and the grounds for such opinions;

- (c) whether the facts and opinions to which the expert is expected to testify are contained in any written report, memorandum or other document. If so, please identify and describe the present custodian of the report, memorandum or other document; and

- (d) if the answer to interrogatory 4(c) is in the affirmative, please provide a copy of the expert's written report, memorandum or other document.

5. Identify and describe all documents or other objects you expect to introduce as exhibits at the hearing of your Formal Complaint. Please provide copies of all identified documents.

Dated: December 7, 2017



John F. Povlaitis
Brian C. Wathop
BUCHANAN INGERSOLL & ROONEY PC
409 North Second Street, Suite 500
Harrisburg, PA 17101-1357
(717) 237-4975

Attorneys for Raiser-PA LLC

I. DEFINITIONS

A. As used herein, "document" refers to any written, printed, recorded, taped, electronic, or graphic matter, including but not limited to, writings, agreements, licenses, contracts, books, pamphlets, periodicals, memoranda, correspondence, notes, diaries, calendars, appointment books, estimates, reports, intraoffice communications, work papers, canceled or uncanceled checks, records, filings, cost sheets, estimating sheets, studies, analyses, evaluations, purchase orders, bills, invoices, confirmations, bills of lading, receipts, ledgers, accounts, charts, graphs, indices, computer printouts, data sheets, data processing cards, tapes or discs, and any other data compilation from which information can be obtained or translated, if necessary, through detection devices into reasonably usable form, recordings, transcriptions thereof, minutes of meetings, and all other materials relating to any conversations, meetings and/or conferences, by telephone or otherwise, and any other writing or recording, however produced or reproduced, of any kind or description, including originals, non-identical copies (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts, regardless of origin, whether sent or received or made and/or used internally, in whatever form, and both sides thereof, that (a) are now or formerly in your possession, custody, or control or (b) are known or believed to be responsive to these interrogatories, regardless of who now has or formerly had possession, custody or control.

B. As used herein, the term "oral communication" means any words heard or spoken, including without limitation, words spoken during any meeting, discussion, speech, or conversation including any telephone conversation.

C. As used herein, "representatives" shall include directors, officers, employees, agents, attorneys or other persons acting on behalf of any of the Defendants.

D. As used herein, “identify” shall mean describe with particularity and provide the following information:

(a) When used with reference to a natural person, state his or her full name, address and present or last known business, his or her last known or present business affiliation, and his or her position and business affiliation (including a description of his or her duties and responsibilities) at the time of the transaction, occurrence, event, happening or matter in question;

(b) When used with reference to any entity other than a natural person (e.g., a corporation, partnership, joint venture, or unincorporated association), state: (1) its full name and organization form; (2) the address of its principal place of business; and (3) its purpose, primary business, or activities.

(c) When used with reference to a document (as that term is defined in paragraph A, above), annex a legible copy thereof including all attachments thereto, or state:

- (1) The nature of the document (e.g., letter, contract, chart, memorandum);
- (2) Its date and the date of its preparation;
- (3) Each author (and, if different, each signer) thereof, each addressee, and each other person to whom the document was distributed;
- (4) Its subject matter and substance;
- (5) Its present or last known location and custodian;
- (6) The disposition if such document was but is no longer in your possession or subject to your control; and
- (7) Any other information necessary to enable the custodian to locate the particular document and necessary for use in a request for

production of documents under Pennsylvania Rule of Civil Procedure 4009.11.

- (d) When used with reference to a meeting, state:
 - (1) The date, time, and location of the meeting;
 - (2) The identity of all persons involved in each and every meeting; and
 - (3) The substance of the meeting.

- (e) When used with reference to a legal proceeding, state:
 - (1) The court, administrative agency, or other governmental body involved;
 - (2) The caption of the proceeding;
 - (3) All parties to the proceeding; and
 - (4) The docket number of the proceeding.

E. As used herein, “person” or “persons” include natural persons as well as firms, partnerships, associations, institutions, joint ventures, corporations, governmental entities, administrative agencies, professional associations, and every other organization of whatever sort.

F. As used herein, the term “date” means the exact day, month and year, if ascertainable, or, if not, your best approximation thereof. If an approximation is given, the responses should so indicate.

II. INSTRUCTIONS FOR INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

A. Each interrogatory shall be accorded a separate answer, and each subpart of an interrogatory shall be accorded a separate answer. Interrogatories or subparts thereof should not be combined for the purpose of supplying a common answer. In accordance with 52 Pa. Code § 5.342, your response must be answered fully, in writing, under oath, and signed by the person answering.

B. In answering these interrogatories, furnish all information, including documentation that is available to you, including information in the possession of any of your agents, employees, or attorneys or otherwise subject to your custody and control. Under 52 Pa. Code § 5.332, you must supplement your responses to these discovery requests as additional or more accurate information becomes available and must also amend any response when it is discovered to no longer be true.

C. If you know of any document, communication, or information but cannot give the specific information or the full information called for by a particular interrogatory, provide all the information you have on the subject, and identify every person you believe to have the required document, communication or information.

D. No answer is to be left blank. If the answer to an interrogatory or subpart of an interrogatory is “none” or “unknown”, such statement shall be written in the answer. If the answer is omitted because of a claim of privilege, the basis of the privilege is to be stated.

E. The conjunctions “and” and “or” shall each be individually interpreted in every instance as meaning “and/or” and shall not be interpreted disjunctively to exclude any information otherwise within the scope of any specification in any interrogatory.

F. The term “including” shall be interpreted to mean “including without limitation.”

G. Unless otherwise specified, each answer shall cover the period through the date on which the answers are served.

H. As used herein, whenever an interrogatory calls for information with respect to “each” one of a particular type or class of matters, events, persons, or entities of which

there is more than one, separately list, set forth, and identify for each thereof all of the information called for.

I. If, in an answer, reference is made to an oral communication, with respect to each such oral communication:

- (1) State by whom and to whom such communication was made;
- (2) State the date and time such communication was made;
- (3) State the manner in which such communication was made (e.g., face-to-face conversation, telephone call);
- (4) State the subject matter and the substance of such communication;
and
- (5) Identify all documents memorializing, referring, or relating to such communication.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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:
:

Docket No. C-2017-2621783

CERTIFICATE OF SERVICE

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

Via UPS Overnight Delivery:

Carla Guzman
1302 Edge Hill Road
Abington, PA 19001
sostutores@hotmail.com

Dated this 7th day of December, 2017.



Brian C. Wauhop

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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:
:

Docket No. C-2017-2621783

CERTIFICATE OF SERVICE

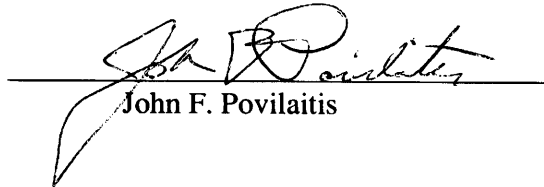
I hereby certify that I have this day served a true copy of the foregoing document upon the party, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

Via Email and First Class Mail:

Hon. Dennis J. Buckley
Administrative Law Judge
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
debuckley@pa.gov

Carla Guzman
1302 Edge Hill Road
Abington, PA 19001
sostutores@hotmail.com

Dated this 4th day of January, 2018.


John F. Povilaitis

Attachment 3



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET 2ND FLOOR, HARRISBURG, PA 17120

January 17, 2018

IN REPLY PLEASE
REFER TO OUR FILE NUMBER
C-2017-2621783

**MATTHEW A LUBER ESQ
MCOMBER & MCOMBER PC
30 S MAPLE AVE
MARLTON NJ 08045**

Dear Mr. Luber:

We are returning your **cover page to the entry of appearance on behalf of Carla Guzman** to you because it is required for us to have an original signature. The Commission does not accept electronic signatures unless the document is e-filed. Please sign in ink as indicated by the tab stating 'Sign Here' and return to the address listed at the top of this letter within 10 days.

Once we receive your Response with your original signature we will be able to process as needed. If you do not return within 10 days your filing will be considered unfiled.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink that reads "Rosemary Chiavetta". The signature is written in a cursive style with a large, looped initial 'R'.

Rosemary Chiavetta
Secretary

Enclosures
ane

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLA GUZMAN

v.

RASIER-PA LLC

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Docket No. C-2017-2621783

CERTIFICATE OF SERVICE

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

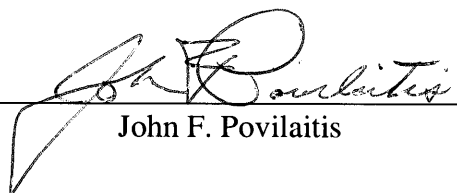
Via Email and First Class Mail:

Hon. Dennis J. Buckley
Administrative Law Judge
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
debuckley@pa.gov

Carla Guzman
1302 Edge Hill Road
Abington, PA 19001
sostutores@hotmail.com

Mathew A. Luber
McOmber & McOmber, PC
30 S. Maple Avenue
Marlton, NJ 08045
mal@njlegal.com

Dated this 30th day of January, 2018.



John F. Povilaitis