

August 20, 2018 (refiled from March 4, 2018)

VIA EMAIL

Ms. Rosemary Chiavetta
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd floor
Harrisburg, PA 17120

RE: Ann V. Sheehan v. West Penn Power/First Energy Docket No. C-20172630406

Dear Ms. Chiavetta,

Attached, please find the Motion to Compel and for Extension of Time (re-filed) in the matter of Ann V. Sheehan v. West Penn Power/First Energy, with copies to the individuals listed below in accordance with the requirements of 52 Pa. Code 1.54 (relating to service by a participant).

This document has been served as indicated within the Certificate of Service to the individuals listed below.

Very truly yours,



Ann V. Sheehan

First Energy Service Company (original filing to Lepkoski and Giesler)
Lauren M. Lepkoski, Esquire
Tori Giesler, Esquire
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
llepkoski@firstenergycorp.com
tgiesler@firstenergycorp.com

(added Herrold to 8-15-18 filing)
First Energy Service Company
Teresa Herrold, Esquire
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
therrold@firstenergycorp.com

Cc: The Honorable Judge Jeffrey Watson
Public Utility Commission (cover letter and Certificate)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Ann V. Sheehan v. West Penn Power Company/First Energy

Docket No. C-2017-2630406

NOTICE TO PLEAD


Pursuant to 52 Pa. Code 5.61, you are hereby notified that, within 20 days, you must answer the enclosed Motion to Compel and Extension of Time (refiled). You must provide a full copy of any objection or answer to Ann V. Sheehan. If you serve an objection or answers, you may not file the substance of such objection or answer with the Commission or the Administrative Law Judge; however, you must file a certificate of service with the Secretary of the Pennsylvania Public Utility Commission with the Administrative Law Judge, evidencing the service of such objection or answers on Ann V. Sheehan.

File with:

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

With a copy to:
Ann V. Sheehan
4986 Carmack Court
Mercersburg, PA 17236

Dated: August 20, 2018



Ann V. Sheehan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ANN V. SHEEHAN :
 :
 v. : **Docket No. C-2017-2630406**
WEST PENN POWER COMPANY :

Original document filed 3-4-18

Re-filed 8-20-18

MOTION TO COMPEL AND FOR EXTENSION OF TIME

Now comes the Complainant Ann V. Sheehan, in the above captioned case, and respectfully requests that the court require West Penn Power to reply to all Complainant's Interrogatory Set I questions and Set II questions, which they failed to answer, thus requiring the parties to continue the telephone conference of July 19, 2018.

In support of this request, Complainant states the following:

1. Complainant e-filed her Formal Complaint against West Penn Power on October 23, 2017.
2. West Penn Power filed its Preliminary Objections and New Matter to Complainant's Formal Complaint on November 16, 2017 via US Mail. This document should have been e-filed and not sent via US Mail.
3. Complainant e-filed and emailed her answer to Preliminary Objections and New Matter on November 27, 2017.
4. Complainant served via e-file and email, Interrogatory Set I questions on West Penn Power on February 2, 2018, with objections due on February 12th and answers due on February 22th.

5. West Penn Power failed to file objections to any of Complainant's Interrogatory Set I questions.
7. West Penn Power mailed, rather than emailing its Interrogatory Set I to Complainant, postmarked January 19, 2018, and received by Complainant on January 22, 2018.
8. Complainant received a copy of West Penn Power's Interrogatory Set I on January 22, 2018.
9. On January 23, 2018, Complainant requested of Your Honor that she be permitted an additional 3 days to answer West Penn Power's Interrogatory Set 1 because West Penn Power neglected to e-file its Interrogatory Set I questions to her, and deprived her of 3 days to answer its Interrogatories under the PUC rules for Formal Complaints.
6. West Penn Power attorneys subsequently asked for additional time to answer Complainant's Interrogatory Set I on February 6, 2018. In a later email of February 10, 2018, the attorneys reveal this is because they would be out of the country on the due date.
7. Complainant agreed to allow West Penn Power additional time to answer her Interrogatory Set I, with West Penn Power agreeing that answers would be due by both parties on February 28th.
10. Complainant answered all of West Penn Power's interrogatory questions via email by February 28, but West Penn Power failed to answer many crucial Interrogatory Set I Complainant questions that go to the heart of Complainant's Formal Complaint, in their answers to Complainant's Interrogatory Set I, which they emailed to Complainant on February the 28th; instead West Penn Power stated within its answers that it objected to answering many of the questions.

11. This activity of West Penn Power in objecting to questions within Complainant's Interrogatory Set I, returned to Complainant on February the 28th, was past the due date for objections by 16 days. This being the rule of law in PUC Formal Complaint regulations
12. Complainant served via e-file and email, Interrogatory Set II questions on West Penn Power on February 26, 2018, with objections due on March 5th and answers due on March 15th.
13. West Penn Power failed to answer many crucial Interrogatory Set II Complainant questions that go to the heart of Complainant's Formal Complaint, in their answers to Complainant's Interrogatory Set II, which they emailed to Complainant on March 19, 2018, which was 4 days beyond the response time; instead West Penn Power stated within its answers that it objected to answering many of the questions.
14. Complainant emailed Additional Counts concerning billing errors on March 19, 2018, which were attached to the original formal complaint, as per instructions from the PUC.
15. West Penn Power failed to file objections to any of Complainant's Interrogatory Set I or Set II questions.
16. Complainant is seeking sanctions on West Penn Power, if the Pennsylvania Public Utilities Commission has sanctions, again the utility.
17. The Complainant cannot possibly come to a meeting with West Penn Power, which has chosen, in defiance of the law, to supply her insufficient and scanty information regarding West Penn Power's violations of Section 1501 as pertains to Complainant.
18. In addition, Complainant answered all of the interrogatories put to her by West Penn Power.

19. West Penn Power emailed Complainant that Your Honor wishes that the parties meet before scheduling a formal hearing.

20. While Complainant finds a meeting with West Penn Power before scheduling a formal hearing and taking up the Court's time to be a laudable goal, West Penn Power must adhere to the PUC rules and regulations regarding Formal Complaint procedures.

21. West Penn Power attorneys are expected to know the PUC rules and regulations and abide by them.

22. To date, Complainant, who is acting pro se, is not convinced that West Penn Power attorneys believe that the PUC rules and regulations apply to their conduct towards her in her Formal Complaint action.

23. Complainant has been mightily inconvenienced by West Penn Power's flagrant disregard for its obligations in this instance, having already arranged to be available in anticipation of a productive conference.

24. Without receiving well ahead of time, allowing her sufficient time to study all of West Penn Power's full and complete answers to her Interrogatory Set I questions and Interrogatory Set II questions, Complainant cannot participate meaningfully in any conference with West Penn Power.

25. Complainant humbly requests the conference be postponed until West Penn Power has answered all of Complainant's Interrogatory Set I questions and Complainant's Interrogatory Set II questions, which they have failed to do and have failed to object to in a timely manner, and so that the conference meeting be rescheduled at the convenience of the Complainant after she

receives answers to all of Complainant's Interrogatory Set I questions and Complainant's Interrogatory Set II questions.

WHEREFORE, the Complainant requests that Your Honor grant her Motion to Compel and related request for a continuance of the conference.

PROPOSED ORDER:

West Penn Power is required to answer all questions posed in Complainant's Interrogatory Set I and Interrogatory Set II within ten days of this Order, and the conference originally scheduled for July 19, 2018, is hereby continued until mutually rescheduled by the parties.

Respectfully submitted this 20th day of August 2018



Ann V. Sheehan
4986 Carmack Court
Mercersburg, PA 17236
annsheelan@md.net

ATTACHMENT:

COMPLAINANT'S INTERROGATORY SET I
COMPLAINANT'S INTERROGATORY SET II

Verification

For

Motion to Compel and for Extension of Time
(original filed 3-4-18, re-filed 8-20-18)

In the matter of

Ann V. Sheehan v. West Penn Power/First Energy

Docket No. C-2017-2630406

I, Ann V. Sheehan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter.

I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. 4904 (relating to unsworn falsification to authorities).



Ann V. Sheehan – Complainant

8-20-18

date

CERTIFICATE OF SERVICE

Ann V. Sheehan v. West Penn Power/First Energy Company

Docket No. C-2017-2630406

I hereby certify that I have this day served a true copy of the Motion to Compel and Extension of Time (re-filed) of Ann V. Sheehan to West Penn Power/First Energy upon the individuals listed below, in accordance with the requirements of 52 Pa. Code 1.54 (relating to service by a participant).

Service by email, as follows:

First Energy Service Company (original filing to Lepkoski and Giesler)
Lauren M. Lepkoski, Esquire
Tori Giesler, Esquire
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
llepkoski@firstenergycorp.com
tgiesler@firstenergycorp.com

(added Herrold to 8-15-18 filing)
First Energy Service Company
Teresa Herrold, Esquire
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001

Via email to those listed above

Dated this 20th day of August, 2018


Ann V. Sheehan