

December 13, 2018

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Keystone Bldg. 2nd Floor W
400 N. Street
Harrisburg, PA 17120

RE: Norbert Sliwinski v. Duquesne Light Company
Docket No. C-2016-2559985

Dear Secretary Chiavetta:

Enclosed please find a copy of Duquesne Light Company's Response to Complainant's Request to Withdraw Complaint. A copy of this correspondence has been served upon Complainant in accordance with Commission regulations.

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

Sincerely,



Paul Shane Miller
Attorney for Duquesne Light Company

Jeremy V. Farrell
Attorney for Duquesne Light Company

Enclosure

cc: Norbert Sliwinski (with enclosure)
ALJ Jeffrey Watson (with enclosure)

TADMS:5072377-1 014657-158498

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NORBERT SLIWINSKI,

Complainant,

No: C-2016-2559985

v.

DUQUESNE LIGHT COMPANY,

Respondent.

**RESPONSE TO COMPLAINANT'S
REQUEST TO WITHDRAW COMPLAINT**

Served on Behalf of Respondent
Duquesne Light Company

Counsel of Record for this Party:

Jeremy V. Farrell, Esquire
Pa. I.D. No. 316258

Paul Shane Miller, Esquire
Pa. I.D. No. 319174

Tucker Arensberg, P.C.
1500 One PPG Place
Pittsburgh, PA 15222
(412) 566-1212

4. Commission regulations permit the withdrawal of pleadings in contested proceedings.¹ 52 Pa. Code § 5.94.

5. The Commission may dismiss any complaint without a hearing if a hearing is not necessary in the public interest. 66 Pa. C.S. § 703(b).

6. A hearing is not necessary in the public interest when the complainant does not wish to pursue the case. Bergal v. Phila. Gas Works, F-2014-2451331, 2015 WL 1291577, at *1 (Feb. 27, 2015) (Colwell, ALJ); Darden v. Phila. Gas Works, C-2015-2512966, 2016 WL 1301695, at *4 (Mar. 11, 2016) (Colwell, ALJ).

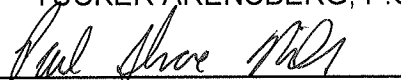
7. Duquesne Light has no objection to Complainant's decision to stop pursuing this case, as stated by Complainant in the Letter.

WHEREFORE, Duquesne Light Company respectfully requests that the Formal Complaint in this matter be dismissed and that the docket for this proceeding be marked closed.

Respectfully submitted,

TUCKER ARENSBERG, P.C.

By:



Jeremy V. Farrell, Esquire
Pa. I.D. No. 316258
jfarrell@tuckerlaw.com
Paul Shane Miller, Esquire
Pa. I.D. No. 319174
smiller@tuckerlaw.com

1500 One PPG Place
Pittsburgh, PA 15222
(412) 566-1212
Counsel for Respondent,
Duquesne Light Company

¹ Duquesne Light does not believe that it is permitted to file a Certificate of Satisfaction at this time because Complainant sent the Letter to the Commission and not Duquesne Light.

c/o Norbert Sliwinski
856 Cottonwood Dr
Monroeville, Pennsylvania

Date November 26, 2018

Pennsylvania Public Utility Commission
POB 3625
Harrisburg, PA 17120

SEC
on 11/30/2018
R. MAMILLAN
RECEIVED
2018 NOV 28 AM 9:16
CHAIRMAN'S OFFICE

RE: PUC Docket Number C 2016-2559985

To: Gladys Brown acting as Chair of PUC and a woman and
Rhoda L. Daviston acting as Assistant Council PUC and a woman

As you know, I filed my Notice of Liability - by certified mailing, completed on March 28, 2018 – and stepped out of your jurisdiction.

MODUS ET CONVENTIO VINCUNT LEGEM.

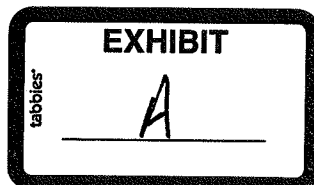
Now I am no longer asking for any answers to my questions provided in the formal complaint Docket C 2016-2559985 listed above I have closed the case, since it will be denied with prejudice as usual, in an unconstitutional administrative court system.

Likewise, I will not be responding to any additional correspondences.

Sincerely,



Norbert Sliwinski, sui juris, a man, hereby claiming all rights nunc pro tunc.



RECEIVED
2018 NOV 28 PM 3:25
CHAIRMAN'S OFFICE



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 North Street, Harrisburg, Pennsylvania 17120

IN REPLY PLEASE
REFER TO OUR FILE

November 30, 2018

VIA E-SERVICE

TO ALL PARTIES OF RECORD

Re: Norbert Sliwinski, Complainant
v. Duquesne Light Company, Respondent
Docket Number: C-2016-2559985

On November 28, 2018, an ex parte communication was received by the office of Chairman Gladys Brown of the Pennsylvania Public Utility Commission from the Complainant in the above captioned formal complaint case. Ex parte communications are prohibited under Section 334(c) of the Pennsylvania Public Utility Code.

Review of the filing also revealed that no certificate of service or other indication that the parties of record to the case were served by the Complainant. Since this matter is still pending before Administrative Law Judge Jeffrey Watson, this Secretarial Letter serves to cure the ex parte communication caused by the Complainant and the failure of the Complainant to serve all the parties of record and to file proof of service with his filing dated November 26, 2018.

In order to satisfy due process concerns, we have enclosed a copy of the Complainant's filing to constitute service for purposes of 52 Pa. Code Sections 1.54. Both the Complainant's filing and this Secretarial Letter will be placed upon the record at the above docket number.

Sincerely,

Rosemary Chiavetta
Secretary

Enclosures

cc: All Parties of Record
Administrative Law Judge Jeffrey Watson



**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NORBERT SLIWINSKI,
Complainant,

vs.

DUQUESNE LIGHT COMPANY,
Respondent.

No: C-2016-2559985

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Duquesne Light Company's Response to Complainant's Request to Withdraw Complaint upon the participant listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

Norbert Sliwinski
856 Cottonwood Drive
Monroeville, PA 15146

Administrative Law Judge Jeffrey Watson
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
Piatt Place, Suite 220
301 Fifth Avenue
Pittsburgh, PA 15222
Via Fax - (412) 565-5692

Dated this 13th day of December, 2018



Jeremy V. Farrell, Esquire
PA I.D. No. 316258
jfarrell@tuckerlaw.com
Paul Shane Miller, Esquire
PA I.D. No. 319174
smiller@tuckerlaw.com

1500 One PPG Place
Pittsburgh, PA 15222
(412) 566-1212
(412) 594-5619 (fax)
Counsel for Respondent,
Duquesne Light Company