



Emily M. Farah
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January 2, 2019

Via Electronic Filing

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

RE: HFT Holdings, Inc. v. Duquesne Light Company
Docket No. C-2018-3005529 & C-2018-3005532

Dear Secretary Chiavetta:

Enclosed please find Duquesne Light Company's Motion to Compel Discovery Responses.

A copy of this document has been served upon Complainant's counsel in accordance with Commission regulations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Emily M. Farah", is written over a circular blue stamp.

Emily M. Farah
Counsel, Regulatory

Enclosure

cc: Brad Sommer, Esq. (via email, with enclosure)
Craig Maravich, Esq. (via email, with enclosure)
ALJ Mary Long (via email, with enclosure)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

HFT HOLDINGS, INC.

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

Nos: C-2018-3005529
C-2018-3005532

**MOTION TO COMPEL DISCOVERY
RESPONSES**

Filed on behalf of Respondent
Duquesne Light Company

Counsel of Record for this Party:

Emily M. Farah, Esquire
PA I.D. No. 322559
(412) 393-6431

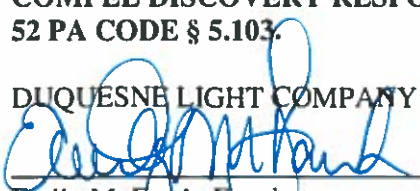
411 Seventh Avenue, 15th Fl.
Pittsburgh, PA 15219

NOTICE TO PLEAD

TO COMPLAINANT HFT HOLDINGS, INC.:

YOU ARE NOTIFIED TO FILE A WRITTEN RESPONSE TO RESPONDENT'S MOTION TO COMPEL DISCOVERY RESPONSES WITHIN TWENTY DAYS OF SERVICE PURSUANT TO 52 PA CODE § 5.103.

DUQUESNE LIGHT COMPANY


Emily M. Farah, Esquire
Attorney for Duquesne Light Company

MOTION TO COMPEL DISCOVERY RESPONSES

Pursuant to 52 Pa. Code. § 5.103, Duquesne Light Company (“Duquesne Light”) files this Motion to Compel Discovery Responses (“Motion to Compel”):

1. In this Motion to Compel, Duquesne Light seeks an order requiring Complainant HFT Holdings, Inc. (“Complainant”) to respond to discovery requests submitted by Duquesne Light.

2. Complainant filed the above-captioned actions on or about October 19, 2018.

3. On December 4, 2018, Duquesne Light served its First Set of Discovery Requests Directed to Complainant for both actions. The Discovery Requests contained a Notice to Plead addressed to the Complainant, which stated, **“YOU ARE HEREBY NOTIFIED TO FILE A WRITTEN RESPONSE TO THE WITHIN DISCOVERY REQUESTS WITHIN TWENTY (20) DAYS OF SERVICE HEREOF OR A JUDGEMENT MAY BE ENTERED AGAINST YOU”** (bold in original).

4. The Certificates of Service for Duquesne Light’s First Set of Discovery Requests are attached to this Motion as **Exhibit A** and **Exhibit B**.

5. Defendant’s responses were due on December 24, 2018.

6. Duquesne Light reminded Complainant’s counsel of the discovery deadline on December 21, 2018. At that time, Complainant’s counsel asked for an extension.

7. Duquesne Light agreed to an extended deadline of December 28, 2018.

8. As of the date of this filing, Complainant has not responded to Duquesne Light’s First Set of Discovery Requests, nor has Complainant filed any objections to the discovery requests pursuant to § 5.342(e).

9. In the Interim Order, dated December 18, 2018, Administrative Law Judge Mary D. Long indicated Duquesne Light could seek clarity using the Commission’s discovery procedures. See 52 Pa. Code §5.321 *et seq.*

10. A consolidated hearing for the above-captioned matters is scheduled for January 29, 2019. Without clarity sought in the discovery requests dated December 4, 2018, Duquesne Light cannot adequately defend against the Formal Complaints.

11. Duquesne Light, therefore, respectfully requests that the Commission order Complainant to respond to Duquesne Light's First Set of Discovery Requests within ten days or by January 14, 2019.

WHEREFORE, Duquesne Light Company respectfully requests that the Commission grant its Motion to Compel Discovery Responses and require Complainant HFT Holdings, Inc. to provide complete answers to Duquesne Light's First Set of Discovery Requests Directed to Complainant on or before January 14, 2019.

Respectfully submitted,

DUQUESNE LIGHT COMPANY



Emily M. Farah, Esquire
PA I.D. No. 922559
(412) 393-6431

411 Seventh Avenue, 15th Fl.
Pittsburgh, PA 15219

Counsel for Respondent,
Duquesne Light Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

HFT HOLDINGS, INC.	:	
	:	
Complainant,	:	
	:	
vs.	:	Nos: C-2018-3005529
	:	C-2018-3005532
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):

Sommer Law Group, P.C.
c/o Brad N. Sommer and Craig E. Maravich
6 Market Square
Pittsburgh, PA 15222

Dated this 2nd day of January, 2019



Emily M. Farah, Esquire
PA I.D. No. 822559
(412) 393-6431
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411 Seventh Avenue, 15th Fl.
Pittsburgh, PA 15219

Counsel for Respondent,
Duquesne Light Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

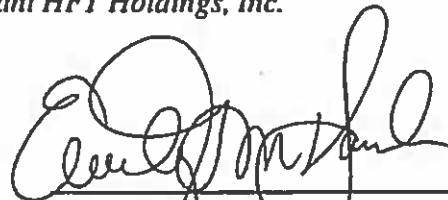
HFT HOLDINGS, INC.,	:	
	:	
Complainant,	:	
	:	
vs.	:	No: C-2018-3005529
	:	
DUQUESNE LIGHT COMPANY,	:	
	:	
Respondent.	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing First Set Of Discovery Requests Directed To Complainant upon the counsel listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant):

Brad N. Sommer
6 Market Square
Pittsburgh, PA 15222
Counsel for Complainant HFT Holdings, Inc.

Dated this 4th day of December 2018



Emily M. Farah, Esquire
PA I.D. No. 322559
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Counsel for Respondent, Duquesne Light
Company



**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

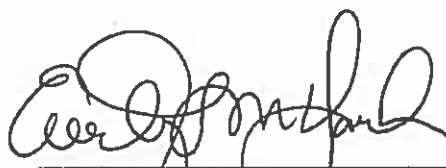
HFT HOLDINGS, INC.,	:	
	:	
Complainant,	:	
	:	
vs.	:	No: C-2018-3005532
	:	
DUQUESNE LIGHT COMPANY,	:	
	:	
Respondent.	:	

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Brad N. Sommer
6 Market Square
Pittsburgh, PA 15222
Counsel for Complainant HFT Holdings, Inc.

Dated this 4th day of December 2018



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