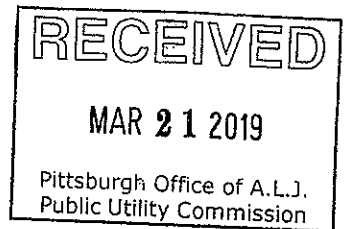


18 March 2019
Jeffery A. Watson
PA PUC
Piatt Place, Suite 220
301 5th Ave
Pittsburgh PA 15222

C-2018-3003158



Re: C-2018-3003158 Interim Order Scheduling Prehearing Conference and Extending Deadline for Complaint to file Response to Motion to dismiss.

Mr Jeffery A. Watson,

I shall not participate in a prehearing conference which has unilaterally been scheduled for March 26, 2019. I retain my right to a public hearing as requested in in a formal complaint filed with the Pennsylvania Public Utility Commission on June 29, 2018.

This letter is the response by Eldon Kibler, to the **interim order scheduling prehearing conference and extending deadline for complaint to file response to motion to dismiss** dated March 12, 2019, signed by Jeffery A. Watson.

Paragraph 3 on page 1 states, in part, "The parties shall fully participate in a prehearing conference on Tuesday March 26, 2019". The paragraph farther states that "The parties are hereby directed to comply with the following requirements".

*This prehearing conference is invalid as it was not set by following the procedure stated in "Prehearing Conference" on page 6 of **INTERIM ORDER ESTABLISHING INITIAL LITIGATION SCHEDULE** signed on October 15, 2018 by Jeffery Watson.*

Paragraph 4 on page 1 states; "The parties are directed to review the regulations pertaining to prehearing conferences, 52 Pa Code 5.221 – 5.224, and in particular, 5.222(d) which provides, in part:

I am not familiar with 52 Pa Code 5.221 – 5.224 or 5.222(d) and do not know where or how to obtain the documents for review. The regulations appear to be legal documents which apparently would be available to and understood by Lawyers. I consider myself versed in everyday common English, but not in Legal jargon. This directive is obvisouly intimidation.

Page 1 (d) (Continued on page 2) States, in part; "Parties are expected to be fully prepared for useful discussion of problems involved in the proceeding."

The above statement is vague, non specific and does not list the problems that are "involved in the proceeding and are to be discussed". I do not know of any problems involved in the proceedings; therefore, it is an intimidating unreasonable request and it is impossible to be prepared for useful discussion when the items to be discussed are not known.

Page 2 Paragraph 1 states in part; "The parties are expected to be prepared to fully address a litigation schedule and to address the presently identified issues and any outstanding issues."

I cannot find a listing of "the presently identified issues" or a listing of "any outstanding issues". Without knowledge of identified issues or any outstanding issues, it is impossible to prepare for a civil discussion when the issues to be discussed are unknown.

Page 2 also states "Preparation by parties prior to the prehearing conference shall include:"

"(I) Advance study of all relevant materials."

I do not see a listing of "all relevant materials" and do not know of any relevant materials that are to be studied. It is therefore reasonable to assume that I have studied all known relevant materials.

Page 2, the paragraph beginning at the middle of the page states, in part "The parties are farther directed to review the regulations relating to discovery, specifically 52 Pa. Code 5.331(b), inter alia,

I am not familiar with 52 Pa Code 5.331(b) and do not know where or how to obtain the document for review. The regulations appear to be legal documents which apparently would be available to and understood by Lawyers. I do not know the meaning of inter alia and assume that it is a legal term that is not in understandably clear plain English.

Page 3 1. States "That the parties shall participate by telephone at a prehearing conference on Tuesday, March 26, 2019, at 11:00 a.m. and shall be fully prepared for the conference, consistent with the terms set forth above.

*I shall not participate in the above unilaterally scheduled prehearing conference. Page 3, of "**INTERIM ORDER, ESTABLISHING INITIAL LITIGATION SCHEDULE**" Dated October 15, 2018, signed by Jeffert A. Watson, Prehearing Conference, States "Any Party may request a prehearing conference, **after conferring with the opposing Party and requesting consent to the scheduling of such a conference.**" To my knowledge, the opposing party has not conferred with me nor requested consent to the scheduling of such a conference.*



Eldon Kibler March 18, 2019

Cc: Lauren Lepkoski
Rosemary Chiavetta, Secretary