

Tori L. Giesler, Esq.
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May 31, 2019

VIA FIRST CLASS MAIL

Jeannette and Craig Pavlick
4200 Colonial Drive
Murrysville, PA 15668

Re: Jeannette and Craig Pavlick v. West Penn Power Company
Docket No. C-2018-3002723

Dear Mr. and Ms. Pavlick:

This letter is in response to your request for clarification as to the Interrogatories and Requests for Production of Documents (Set I) of West Penn Power Company to Jeannette and Craig Pavlick that were originally served on September 14, 2019 (“Discovery Requests”). You have correctly noted a typo on one page of those Discovery Requests which was the result of an administrative oversight. I note that this does not change the content of the questions in any way, nor does it disclose any personally identifiable information about yourselves or about any other complainant, given that the only item at issue is the incorrect name as stated in the document, and the name of the complaining customer is used as the public name of the complaint case when docketed.

Pursuant to 52 Pa. Code §§ 5.341 and 5.349, *et seq.*, your answers were due within twenty days of service of the original requests. In addition, any objections were due within ten days of service of those requests. You timely served objections to the Discovery Requests on September 27, 2018. Nowhere in those objections did you raise issue with this typo. Upon receiving West Penn Power Company’s (“West Penn’s”) Motion to Dismiss, you filed a response dated October 9, 2018. Again, no mention of this error was noted. Instead, you outlined all the reasons you should not be required to answer the questions posed.

On November 28, 2018, Administrative Law Judge (“ALJ”) Jeffrey A. Watson issued an Interim Order granting West Penn’s Motion to Compel, and directing that you respond to the Discovery Requests in full no later than December 14, 2018. On December 11, 2018, you filed a letter seeking an extension of the date to provide those responses due to family matters. Nowhere did you mention the error. To the contrary, your letter implied your intent to respond to those questions. ALJ Watson granted this request, and set a new deadline of January 17, 2019. On January 17, 2019, you again sent a letter requesting an extension to respond for the same reasons, and again failed to note any error.

The fact that you now raise this minor error as the reason you have not responded to the Discovery Requests could be construed as a ploy to ignore the ALJ's orders in this proceeding and delay this case from moving forward. I am hopeful that is not the case. I have corrected the minor typo and have enclosed the very same questions with that correction for your comfort in responding to.

In addition, I have enclosed a proposed stipulated protective agreement for use in this proceeding should you desire one. Many customers have found this to be helpful in giving them comfort that their personal information is protected when they submit responses to these questions.

This document has been served as indicated within the Certificate of Service. If you have any questions, please feel free to reach out. If you have no questions, please sign and sent it back to me.

Very truly yours,

A handwritten signature in blue ink that reads "Tori J. Giesler" followed by a stylized monogram "JG" in the right margin.

Tori L. Giesler

Enclosures

c: As Per Certificate of Service

The Honorable Jeffrey Watson, Public Utility Commission (Cover Letter and Certificate of Service)

Rosemary Chiavetta, Esq., Public Utility Commission (Cover Letter and Certificate of Service)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JEANNETTE AND CRAIG PAVLICK

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:
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v.

Docket No. C-2018-3002723

WEST PENN POWER COMPANY


CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Interrogatories and Requests for Production of Documents of West Penn Power Company to Jeannette and Craig Pavlick upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by First Class Mail, postage prepaid, as follows:

Jeannette and Craig Pavlick
4200 Colonial Drive
Murrysville, PA 15668

Dated: May 31, 2019



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