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July 9, 2019

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**Re: Dorene Dougherty v. Pennsylvania Electric Company**  
**Docket No. C-2018-3001474**

Dear Secretary Chiavetta:

Please allow this letter to serve as a response to Dorene Dougherty's "Motion For Late Filing of Interrogatories to be Propounded on Pennsylvania Electric Company or in the Alternative Motion for Leave to File Interrogatories Out of Time." Pennsylvania Electric Company (the "Company" or "Penelec") opposes the Motion for the following reasons.

Ms. Dougherty filed her Formal Complaint with the Pennsylvania Public Utility Commission ("Commission") on April 24, 2018. On October 18, 2018, Administrative Law Judge Jeffrey ("ALJ") Watson issued an Interim Order Establishing Litigation Schedule which provided the deadline for the parties to complete discovery as February 25, 2019 and to submit notification of witnesses by January 4, 2019. The Company propounded discovery to Ms. Dougherty on October 30, 2018. No responses were received, and the Company filed a Motion to Compel which was granted by ALJ Watson on January 7, 2019, requiring Ms. Dougherty to provide full and complete responses by February 1, 2019. Ms. Dougherty again failed to provide full and complete responses to the Company's discovery and the Company filed a Motion to Dismiss based upon Ms. Dougherty's failure to provide full and complete responses to discovery and failure to provide notification of her anticipated witnesses.

A prehearing conference was held on June 17, 2019 wherein all parties appeared. Ms. Dougherty verbally advised that she believed that she would have an additional witness. ALJ Watson directed Ms. Dougherty to confirm her witnesses in writing to him and counsel for the Company no later than July 1, 2019. On June 19, 2019, ALJ Watson issued an Interim Order which, *inter alia*, held in abeyance the Company's Motion to Dismiss and ordered that Ms. Dougherty had until July 3, 2019 to provide full and complete responses to the Company's discovery. Ms. Dougherty has still not provided full and complete responses as directed.

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Ms. Dougherty has had ample time to submit her interrogatories to the Company, but she failed to do so until June 10, 2019, more than a year after she filed her Formal Complaint and significantly beyond the deadline established by ALJ Watson.

Ms. Dougherty avers that neither party would be prejudiced by permitting her to propound discovery this late in the complaint process. The Company disagrees as this would further delay the entire litigation schedule to which the Company has already expended a significant amount of time and resources adhering. Further, ALJ Watson has provided Ms. Dougherty with multiple extensions to respond to the Company's discovery requests and provide notification of witnesses which has already extended the litigation schedule.

For all the foregoing reasons, the Company opposes Ms. Dougherty's Motion and requests that the Motion be denied in its entirety. Copies are being provided in accordance with the Certificate of Service. Should you have any questions or concerns regarding this information, please feel free to contact me.

Very truly yours,



Tori L. Giesler

cc: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**DORENE DOUGHERTY**

:

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v.

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**Docket No. C-2018-3001474**

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**PENNSYLVANIA ELECTRIC COMPANY**

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the aforementioned document upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

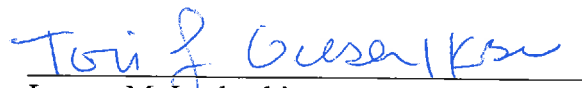
Service by First Class Mail, postage prepaid, as follows:

Dorene Dougherty  
15 Margrow Road  
Tunkhannock, PA 18657

Administrative Law Judge Jeffrey A. Watson  
Pennsylvania Public Utility Commission  
Office of Administrative Law Judge  
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Eldon Kibler  
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Dated: July 9, 2019



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