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SECRETARY'S BUREAUTori L. Giesler, Esq.
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July 15, 2019

VIA FIRST CLASS MAILRosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120**Re: Dorene Dougherty v. Pennsylvania Electric Company**
Docket No. C-2018-3001474

Dear Secretary Chiavetta:

In accordance with the Interim Order issued by Administrative Law Judge ("ALJ") Jeffrey A. Watson on June 19, 2019, Pennsylvania Electric Company ("Penelec" or "Company") submits this letter as a status report in the above-referenced matter.

Since the filing of the prior status report on March 5, 2019, Ms. Dougherty propounded discovery requests to Penelec on June 10, 2019, more than a year after she filed her Formal Complaint and significantly beyond the deadline established by ALJ Watson. She failed to timely issue discovery even though she had ample time to submit her requests to the Company.

A prehearing conference had been scheduled, and then rescheduled due to conflicts, and was eventually held on June 17, 2019 at which 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 confirmed her witnesses in writing, nor provided full and complete responses as directed.

On July 1, 2019, the Complainant filed a "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." Ms. Dougherty averred that neither party would be prejudiced by permitting her to propound discovery this late in the complaint process. On July 9, 2019, Penelec filed a letter response which opposed Ms. Dougherty's Motion and requested that the Motion be denied in its entirety. The Company disagreed with Ms. Dougherty's assertion that neither party would be prejudiced 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

Rosemary Chiavetta, Secretary
July 15, 2019
Page 2 of 2

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, deadlines which Ms. Dougherty has yet to comply with.

At this time, the Company requests that Ms. Dougherty's Motion, which is currently outstanding, be denied. The Company also renews its Motion to Dismiss, which has been held in abeyance via ALJ Watson's Interim Order issued on June 19, 2019 and seeks to have Ms. Dougherty's Formal Complaint dismissed with prejudice for her failure to provide full and complete responses to the Company's discovery and failure to adhere to multiple Interim Orders issued by ALJ Watson.

To the extent the Company's Motion is not granted and an evidentiary hearing is set in this matter, the Company presently must assume that Ms. Dougherty does not intend to submit testimony other than her own. That being the case, Penelec does not anticipate needing to present testimony other than that of Mr. John C. Ahr, and expects that one day of hearings will be sufficient. It requests that under those circumstances, any hearing in this matter be scheduled as telephonic. The Company's counsel and witness are available on the following dates for hearings: September 10-12 and October 1-2, 8-10, 15-16, and 22-24.

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,

Handwritten signature of Tori L. Giesler in black ink, including the initials KBW.

Tori L. Giesler

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DORENE DOUGHERTY

v.

PENNSYLVANIA ELECTRIC COMPANY

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Docket No. C-2018-3001474

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the aforementioned document upon the individual 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

Eldon Kibler
420 Snyder Avenue
Reading, PA 19605

Administrative Law Judge Jeffrey A. Watson
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
Piatt Place, Suite 220
301 5th Street
Pittsburgh, PA 15222

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Dated: July 15, 2019



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