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331 Shady Ridge Drive
Monroeville, Pennsylvania

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

July 18, 2019

Via Paper Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Keystone Building, 2nd Floor
Harrisburg, Pennsylvania 17120

RE: **Michele Hriadil and Francis Hriadil v. Duquesne Light Company**
Docket No. C-2016-2571726
Amended Request for a Continuance

Dear Secretary Chiavetta:

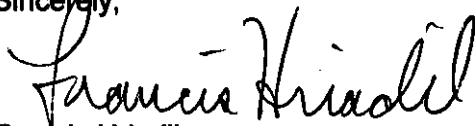
Enclosed please find a copy of Complainants'

Amended Request for a Continuance

of our scheduled August 19 - 20, 2019 Hearing. This request has been served upon the Judge Jeffrey Watson, Presiding PA PUC Pittsburgh Administrative Law Judge, and the Respondent's Counsel, Jeremy V Farrell, Esquire, in accordance with Commission regulations.

Please feel free to contact me if you have any questions.

Sincerely,



Francis Hriadil
Complainant
(412) 779-3314
hriadil@attglobal.net

Enclosure

Cc: Judge Jeffrey Watson, Presiding PA PUC Pittsburgh Administrative Law Judge

Cc: Jeremy V Farrell, Esquire, Counsel for Duquesne Light Company

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Via Paper Filing

Judge Jeffrey Watson
PA PUC Pittsburgh Administrative Law Judge Office
301 Fifth Ave, Suite 220
Piatt Place
Pittsburgh, PA 15222

RE: **Michele Hriadil and Francis Hriadil v. Duquesne Light Company**
Docket No. C-2016-2571726
Amended Request for a Continuance of the Hearing

Dear ALJ Watson:

Yesterday, I FAXed you our Request for a Continuance. **We wish to amend and replace that original Request with the following.**

As in our original Request, we re-state, per your June 6, 2019 Interim Order, Complainants were burdened with the significant and laborious task of producing and providing more detailed Expert Reports, etc. to the Respondent by July 10, 2019, or be precluded from having our Expert Witnesses testify in our behalf at our upcoming Hearing.

We have complied with this order, under objection, as the Complainants assert that we have more than fulfilled the Expert Witness requirements specified in the February 6, 2018 Prehearing Order to which both parties agreed, which meets the standard applied in other Smart Meter Formal Complaints before the PA PUC, and which satisfies PA Code including 52 Pa. Code § 5.324(a)(1)(ii).

This task imposed on the Complainants' Expert Witnesses by the June 6, 2019 Interim Order was excessive and extreme, as we are not a multi-billion dollar company represented by a professional law firm, and do not have anywhere near their staff and resources at our disposal. It remains our position that this order imposed unreasonable annoyance, embarrassment, oppression, and burden on the Complainants, two (2) elderly people representing ourselves (with Francis Hriadil bearing virtually all of the load for preparation and Francis Hriadil having a number of chronic medical conditions), in direct violation of PA Code § 5.361(a)(2); and it has hindered our preparations for the scheduled August 19 and 20, 2019 Hearing, bringing said preparations to a virtual stop, thereby depriving us of due process.

Complainants were focused on preparing for the upcoming Hearing, and all of its detailed requirements concerning procedure, presentation, statements, exhibits, etc., when we received your June 6, 2019 Interim Order, requiring extremely extensive Expert Reports. As a result, Complainants had to suspend our preparations for the Hearing, and redirect all of our effort in order to comply with your order.

It took the full time period allotted, until July 10, to comply with your Order, concerning three of our four intended Expert Witnesses. Our fourth intended Expert Witness, Michele Hriadil, could not comply, due to her age, and being limited by full time work commitments and responsibilities, etc., and removed herself as an Expert Witness, though she is highly qualified.

We still are in the process of transcribing all of our video evidence per your direction; and then, on top of that, we still need to prepare for the Hearing date you suggested. In light of all of the additional work that the Complainants were forced to perform, the fact that the Complainants are two (2) elderly people representing ourselves (with Francis Hriadil having a number of chronic medical conditions, and not being well), and reviewing the tasks that remain to properly prepare for and satisfy the requirements of the Hearing procedure, Complainants have determined that there is insufficient time to complete our Hearing preparations for August 19 - 20. In short, with the additional burdens you added upon us, the Hearing date of Aug 19 - 20 has simply become untenable.

We reasonably require a little more than 2 weeks just to finish the remaining transcriptions, per your order, and at least 40 more days to properly prepare. **Realistically, we cannot see completing all of the required tasks and preparations in time for Aug 19 - 20, and have determined that it will require about 60 days.**

We require more time, and are hereby formally requesting a continuance of the August 19 - 20 Hearing for on the order of 60 days, to allow us the time needed to properly prepare for our Hearing, restoring the time that was taken away from us by your order to produce more detailed Expert Reports. That would move the Hearing to some time in October. We have consulted with our out-of-state expert witnesses, and they are ready to provide availability schedules as they have readily done in the past.

Therefore, we respectfully wish for a continuance of the hearing for at least 60 days, until some time in October.

In our April 24 Pre-Hearing Conference Call, you admonished me for not requesting a continuance or extension if I felt it was necessary. It is necessary in this circumstance, and we are formally requesting one here. The Complainants are trying to the best of our ability, and have worked diligently, to try to meet all of our obligations in this process. We believe that our request is reasonable, and is necessary in order for us receive due process in this complicated Formal Complaint process.

We are not responsible for any delay. This request is necessitated by the additional burdens laid upon us by you in the Prehearing Conference Call and your subsequent June 6 Order. It simply is not physically possible under these circumstances for us, as two (2) elderly people representing ourselves, and with Francis Hriadil's chronic medical conditions, to perform all of these tasks concurrently and meet your August 19 - 20 Hearing date.

I have contacted the Respondent, informed them that we want a continuance, our basic reason for a continuance, and asked for their concurrence. They have informed me that they object to our request for any continuance, stating that "this proceeding has already lasted several years, ..."


In response to the Respondent's position, the Complainants wish add here and provide the following facts:

- **first, this proceeding has not lasted several years. This is a gross over-exaggeration of the circumstances.** The truth of the matter is that it has only been a little more than 2 years since we filed our complaint, which is not unusual for a complaint of this nature and complexity.
- **second, that said, any major extensions or continuances that have occurred so far were not because of the Complainants.** They were due primarily to the multiple and voluminous detailed motions / filings of the Respondent, the time required to properly respond to those filings, and also the time required for you to review and rule on those filings.
- **third, the Complainants could not proceed with proper preparations for the Hearing until the outstanding motions from both parties were reviewed and ruled upon, and this did not happen until just last month.** It was then, that the new task of providing much more extensive Expert Reports was also laid on the Complainants.
- **finally, while the Respondent, as a major law firm, may feel that the remaining one month is sufficient time for someone to prepare, this view is self-serving and presumptuous on the part the Respondent, and it is unreasonable and unfair considering our circumstances as we are just two elderly people representing ourselves. This is just another example of the Respondent's ongoing, concerted effort to keep the Complainants inundated and debilitated, to force the Complainants to proceed at a pace and in a manner that is beyond both our physical and financial means (at the risk of our health), and to push the Complainants into a Hearing at a major disadvantage without sufficient time to prepare.**

We re-iterate that we require more time. Our request is reasonable and necessary, in order for this complicated Formal Complaint proceeding to be fair and equitable, and for us to receive due process, As such, we require a Continuance for at least 60 days.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,



Francis Hriadil
Complainant
(412) 779-3314
hriadil@attglobal.net

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Cc: Jeremy V Farrell, Esquire, Counsel for Duquesne Light Company

Cc: Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

No: C-2016-2571726

DUQUESNE LIGHT COMPANY,

Respondent.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Complainants' Amended Request for a Continuance of the August 19 - 20 Hearing upon the participants listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant):

Via Paper Filing
Judge Jeffrey Watson
PA PUC Pittsburgh Administrative Law Judge Office
301 Fifth Ave, Suite 220
Piatt Place
Pittsburgh, PA 15222

Via Paper Filing
Jeremy V Farrell, Esquire
Paul S Miller, Esquire
One PPG Place - 1500
Pittsburgh, PA 15222
(412) 594-5619 (Fax)

Counsel for Respondent, Duquesne Light Company

Dated this 18th day of July, 2019



Michele and Francis Hriadil
331 Shady Ridge Drive
Monroeville, Pennsylvania
(412) 779-3314
hriadil@attglobal.net

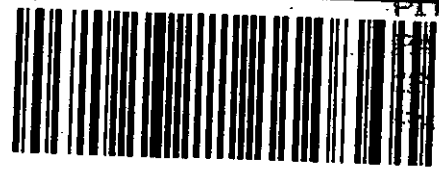
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PA PUBLIC UTILITY COMMISSION
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F. Hriadil
331 Shady Ridge Drive
Monroeville, PA 15146

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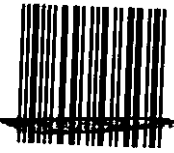
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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Keystone Building, 2nd Floor
Harrisburg, Pennsylvania 17120

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