

Myers, Benjamin

From: Myers, Benjamin
Sent: Tuesday, July 30, 2019 10:35 AM
To: Kimberly Krupka; Kumar
Subject: RE: [External] RE: C20193009714

Importance: High

Good morning.

The telephonic hearing in this matter was conducted as scheduled on July 23, 2019. Multiple pieces of correspondence - including a notice of hearing and prehearing order - were issued to the parties. This correspondence not only alerted the parties to the date and time of the hearing but also the manner in which to call in and participate in the hearing by telephone.

None of the correspondence sent to the parties has ever been returned as undeliverable by the postal authorities.

The record closed at the conclusion of the hearing on July 23, 2019.

To the extent that this correspondence from the Complainant may be construed as a request to reopen the record in this matter, I am not inclined to grant such a request at this time.

If I understand this request correctly, the Complainant has alleged that he did not participate in the July 23, 2019 hearing because the notice of hearing mailed on May 30, 2019 was not delivered until July 29, 2019. The assertion that the Complainant was somehow unaware of the date of the hearing and the manner in which to participate is not credible given the fact that other correspondence - sent to the Complainant by both the Office of Administrative Law Judge (OALJ) and the Respondent - repeatedly included information about the date and time of the July 23, 2019 call-in telephonic as well as the manner in which to dial in and participate.

The Complainant has also failed to explain the delay in making contact with OALJ regarding his failure to participate in the hearing. Despite receiving information from Ms. Krupka on July 23, 2019 that the hearing had occurred that day as scheduled and that the Complainant should make contact with OALJ at the telephone number which she provided, the Complainant made no such contact and instead waited a period of six (6) days to send the email attached below.

As such, a reopening of the record is denied. There will be no additional hearing scheduled in this matter. I will address this request and my ruling again in the initial decision that will be issued in the near future.

Regards,

Benjamin J. Myers | Administrative Law Judge
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street | Harrisburg, PA 17120
Phone: 717.787.1191 | Fax: 717.787.0481
www.puc.state.pa.us

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



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From: Kimberly Krupka <KKrupka@grossmcginley.com>
Sent: Monday, July 29, 2019 5:13 PM
To: Kumar <kumarbeanogas@gmail.com>; Myers, Benjamin <benmyers@pa.gov>
Subject: [External] RE: C20193009714

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To the extent the e-mail of Complainant below is a request for further hearing, kindly accept this reply as PPL Electric's opposition to the same. The PUC issued an Call-In Telephone Hearing Notice on May 30, 2019 which was mailed to both PPL Electric and Complainant at the same time. Complainant's copy was mailed to 106 Waterway Lane, Stroudsburg, PA 18360. This is the same address listed on Complainant's Complaint. The notice clearly set forth the Call In Number for the hearing, along with the date of July 23, 2019 and time of 10:00 a.m. On July 15, 2019, I sent to Complainant copies of proposed exhibits with a cover letter which set forth the date and time of the "Call-In Telephonic Hearing." It is the position of PPL Electric that the PUC provided proper notice of the hearing.

I attended the hearing on July 23, 2019 along with a PPL Electric representative. Upon return to my office (and computer), I noted an e-mail from Complainant timed 10:15 a.m. inquiring about the hearing. No e-mails or calls were placed by Complainant prior to this time, which was after the hearing. As I attend hearings at a location other than my office, I responded to Complainant upon my return to the office at 10:52, advising him that the hearing had already occurred and further provided Complainant with the Judge's telephone number to enable Complainant to contact the Court immediately to address the issue. From Complainant's e-mail below, it appears Complainant has taken no action in the past six (6) days to address this issue, despite being provided with the ALJ's telephone number on July 23. Given the valid hearing notice provided by the PUC along with PPL Electric's cover letter as a reminder of the date and time for the hearing, Complainant's failure to contact anyone until after the hearing time had passed, and Complainant's inaction for the past six (6) days, PPL Electric must oppose any request for additional hearing.

Kimberly G. Krupka
Attorney at Law
GROSS MCGINLEY, LLP

DIRECT (610) 871-1325

From: Kumar <kumarbeanogas@gmail.com>

Sent: Monday, July 29, 2019 4:39 PM

To: Kimberly Krupka <KKrupka@grossmcginley.com>; benmyers@pa.gov

Subject: C20193009714

CAUTION: External Email

Today, July 29, 2019, I received a letter that said that a hearing date is scheduled for July 23, 2019.

Can you please send the time machine to carry me back to the hearing date.

On, July 23, 2019, I received a letter from the attorney of ppl. Which has the date and time of a hearing, but no phone number. Was the hearing only supposed to be with ppl and the court. Why was I denied access to the hearing?

Furthermore, the court cannot hold a telephone hearing because I would not know if the voices are computer generated or not. Since the court denied my voice and gave ppl the right to decided. I never put in for a telephone hearing. I have yet to recieve all interviews and statements from witnesses from PUC and ppl to begin my investigation. Is it the intention of the court to deny me my rights. Furthermore, the court has my telephone number, why did the court not called me that day to provide me with the information.

Gomattie Harilal.

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