

331 Shady Ridge Drive
Monroeville, Pennsylvania

August 5, 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

Dear Secretary Chiavetta:

Enclosed please find a copy of Complainants'

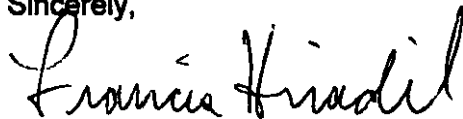
Objection to ALJ Watson July 29, 2019 Interim Order
Denying Request for a Continuance.

concerning the August 19 - 20 Hearing and its associated deadlines.

A copy of this document has been served upon ALJ 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

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Enclosure

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

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

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2016-2571726

**OBJECTION TO
ALJ WATSON JULY 29, 2019 INTERIM ORDER
DENYING REQUEST FOR A CONTINUANCE**

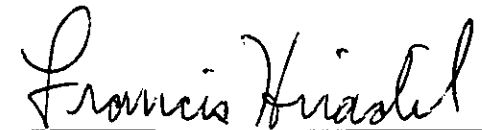
Filed by Michele and Francis Hriadil

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331 Shady Ridge Drive
Monroeville, PA 15146

**OBJECTION TO
ALJ WATSON JULY 29, 2019 INTERIM ORDER
DENYING REQUEST FOR A CONTINUANCE**

TO: THE HONORABLE ALJ JEFFREY A. WATSON

ENCLOSED IS COMPLAINANTS' FILING OF OUR OBJECTION TO YOUR JULY 29, 2019
INTERIM ORDER.



Francis Hriadil
August 5, 2019

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
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No: C-2016-2571726

**OBJECTION TO
ALJ WATSON'S JULY 29, 2019 INTERIM ORDER
DENYING REQUEST FOR A CONTINUANCE**

TO ALJ Jeffrey A. Watson:

1. On July 17, 2019 and July 18, 2019, the Complainants' filed a Request for a Continuance of the Hearing and an Amended Request for a Continuance of the Hearing, respectively. And, on July 25, 2019, Complainants filed a Response to Respondent's Brief in Opposition to Complainants' Amended Request for a Continuance of the Hearing. In our filings, Complainants provided legitimate and sufficient cause, and necessity, for a continuance. Our reasons are clear, specific, and detailed.

2. In our filings, responses, and status reports, the Complainants, who are elderly and as ourselves, in keeping with PA PUC policy, with Francis Hriadil having a number of serious chronic medical conditions and Michele Hriadil having full time work commitments and responsibilities, etc., have complained repeatedly that the latest set of tasks and litigation schedule being imposed by ALJ Watson, is excessive, exceeds the norm that

has been applied in other Smart Meter Formal Complaints before the PA PUC, and has inundated the Complainants to the point of exhaustion.

3. In his July 29, 2019 Interim Order, which Complainants did not receive until July 31, ALJ Watson stated that the parties agreed to an August 19 - 20, 2019 Hearing. ALJ Watson is well aware that the August time period was picked by him, and that the parties were directed to compare and provide availability schedules for this period, which we did. The Complainants did not lie or fabricate excuses about the availability of ourselves or our witnesses. Furthermore, ALJ Watson is well aware that that "agreement" was conditional, as there were many significant outstanding motions that remained to be addressed, which the Complainants raised and indicated could impact that Hearing schedule.

4. The Complainants formally raised these and other issues in our Status Report After the April 24, 2019 Prehearing Conference Call, filed on April 30, 2019, in which the Complainants specifically stated,

"Your Honor cannot escape the material fact that there remain many unresolved issues which must be resolved before the true scope of what remains in this prehearing process can be clearly defined. The Complainants must be treated fairly and appropriately as people representing ourselves, in a manner consistent with other PA PUC proceedings, and be granted a fair opportunity to present our case. Only then, can a reasonable new Hearing date be set and an appropriate adjustment be made to the litigation schedule."

5. ALJ Watson, is also well aware that the Respondent's succession of Motions challenged and put into question all aspects of the Complainants Formal Complaint and case. As such, the Complainants could not reasonably prepare appropriate exhibits and materials, and put together a proper, coherent, and cogent case when all aspects of Complainants' case were put into serious doubt by the Respondent's motions to suspend / dismiss our Hearing, to narrow the issues of the Hearing in unknown and potentially significant ways, or preclude the participation of any or all of Complainants' identified expert witnesses. The Complainants had

no clear direction as to how to proceed with our preparations. It is a material fact that the outstanding issues were not ruled upon until just a short time ago.

6. Nevertheless, the Complainants proceeded with our Hearing preparations, as was reasonably possible and as best as we could under the circumstances. Then, as the Complainants were focused on preparing for our upcoming Hearing, and all of its detailed requirements concerning procedure, presentation, statements, exhibits, etc., we received ALJ Watson's June 6, 2019 Interim Order, requiring new and 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 that order, otherwise our Expert Witnesses would be precluded from participating in our Hearing on our behalf. The Complainants had no choice and complied, with objection, as the Complainants asserted, and still assert, that we had more than fulfilled the Expert Witness requirements specified in the February 6, 2018 Prehearing Order, and original litigation schedule, 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). It took the full time period allotted, until July 10, to comply with that order, concerning three of our 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.

7. The Complainants were in the process of transcribing all of our video evidence, per ALJ Watson's specific direction; and then, on top of that, we still needed to prepare for the Hearing of August 19 - 20, 2019, and the submission deadline of July 26, 2019 for all materials, statements, and properly annotated exhibits, plus transcripts of all video evidence, intended to be introduced at our Hearing. In light of all of the additional work that the Complainants were forced to perform, the circumstances and limitations of the Complainants, and reviewing the

tasks that remained to properly prepare for and satisfy the requirements of the Hearing procedure, Complainants determined that there was insufficient time to meet the remaining litigation schedule deadlines and complete all of our Hearing preparations for August 19 - 20. In short, with the additional burdens imposed upon us by ALJ Watson's rulings, the exhibits, etc. deadline of July 26 and the Hearing dates of August 19 - 20 simply became untenable. ALJ Watson and the Respondent were informed of this issue in as timely of a manner as possible. This was not sprung on the parties "at the last moment."

8. The Complainants reasonably established that, realistically, it was, and remains, physically impossible for us, under the circumstances that have transpired, and with our limitations, to complete all of the required tasks and preparations in time for the July 26 exhibit, etc. deadline and an evidentiary Hearing on August 19 - 20. The Complainants determined that it would require at least an additional 60 days. ALJ Watson and the Respondent were informed of this, and what was required, in our motion for a reasonable continuance, and a suitable adjustment of the litigation schedule. This is not unreasonable given the situation, and has been granted routinely in other Formal Complaints, when requested.

9. ALJ Watson has chosen to ignore the unfair, excessive, and undue burden being imposed upon the Complainants at a critical time in the proceeding. ALJ Watson's July 29, 2019 Interim Order to deny Complainants' motion for a reasonable and short continuance, etc., amounts to nothing other than a preferential and one-sided "rubber stamping" of the Respondent's preferences. This is being done at the cost, and to the detriment, of due process for the Complainants, who now find ourselves being over-burdened and rushed into a Hearing, at a critical point in our preparations, according to some unspoken agenda, when it has been established that we cannot be fully prepared under these conditions.

10. The Complainants, in our sincere effort to try to meet these conditions, are at the

point of exhaustion. No consideration is being given to the Complainants and our limitations. Whether intentionally or not, ALJ Watson has orchestrated circumstances that have done nothing but hinder and complicate our ability to properly and fully prepare for our Hearing, at this critical point in the proceeding. The Complainants have established that we require more time.

11. The Complainants have been directed by ALJ Watson to discuss and attempt to resolve any issues regarding the preparation or presentation of evidence prior to the hearing. Per that direction, the Complainants have contacted the Respondent to inform the Respondent that we are working on preparing our exhibits to provide them to the Respondent, as quickly as we can, and as best as I am able, under these circumstances. Nevertheless, the ruling of ALJ Watson's July 29, 2019 Interim Order does not change the reality and untenable nature of the circumstances, the limitations of the Complainants, and the harm that is being done to the Complainants and our case, as we try to safeguard our health and well-being, and preserve our God-given inalienable rights as human beings.

12. It is a material fact that ALJ Watson, and the PA PUC, work for the Government known as Pennsylvania.

13. It is a material fact that the Complainants are men, living human beings, endowed with God-given rights.

14. It is a material fact that the Declaration of Independence of 1776 declares that "to secure these rights, Governments are instituted among Men."

15. It is a material fact that the Respondent, Duquesne Light Company, is NOT a man. It is artificial entity, a figment created by Government, with no God-given rights.

16. ALJ Watson, through his words and deeds, has demonstrated that he does not completely read and review the filings and paperwork of the Complainants, two (2) human

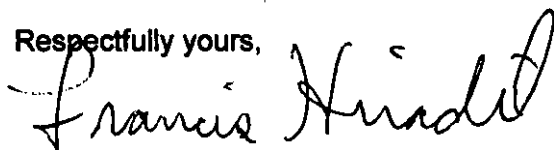
beings who have God-given rights. Yet, by his words and deeds, ALJ Watson has demonstrated that he does read and review the filings and paperwork of the Respondent, a figment with no God-given rights, as he quotes the Respondent in his rulings.

17. Granting the Complainants' absolutely necessary request for an extension is in the interest of justice, and is in the public interest. And, it is well-within the proceeding guidelines established by the PA PUC. It does not harm justice to grant the Complainants' request; but, it greatly harms the Complainants' opportunity for justice if it is allowed to stand as denied. The Complainants have never abused the extension process at any time during this proceeding, and have only requested what was necessary.

WHEREFORE, in light of these circumstances, the Complainants are filing this objection to ALJ Watson's July 29, 2019 Interim Order denying Complainants' motion for a necessary, reasonable, and short continuance, and respectfully request, in all fairness, that that ruling be reconsidered and that our request be granted.

A copy of this document has been filed with the Commission's Secretary, in accordance with Commission Regulations.

Respectfully yours,



Francis Hriadil
(412) 779-3314
331 Shady Ridge Drive
Monroeville, PA 15146
August 5, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2016-2571726

CERTIFICATE OF SERVICE

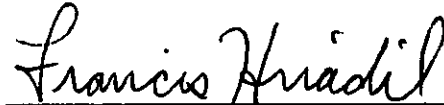
I hereby certify that I have this day served a true copy of Complainants' Objection to ALJ Watson July 29, 2019 Interim Order Denying Request for a Continuance, upon the participants listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant):

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

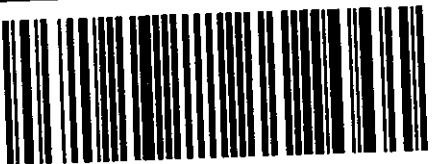
Dated this 5th day of August, 2019



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

CERTIFIED MAIL

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Monroeville, PA 15146

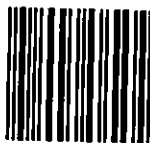


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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Keystone Building, 2nd Floor
Harrisburg, Pennsylvania 17120

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