

August 19, 2019

**Via Electronic Filing**

Rosemary Chiavetta, Esquire  
Secretary  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Docket No. C-2019-3009781  
Gary Mandekic v. West Penn Power Company  
Motion for Continuance of West Penn Power Company**

Dear Secretary Chiavetta:

Attached for filing is West Penn Power Company's Motion for Continuance of the Initial Hearing scheduled for Tuesday, August 27, 2019 (Motion). Please note I was unsuccessful in reaching Gary Mandekic (Complainant) regarding his position on the requested continuance.

A copy of the Motion has been forwarded to the Complainant in the manner indicated on the attached Certificate of Service.

If there are any questions, please contact me

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/lam  
Enclosure

cc: The Honorable Mary D. Long, PA Public Utility Commission [w/enc.]  
Teresa K. Harrold, Esquire, FirstEnergy Service Company [w/enc.]  
Gary Mandekic [w/enc.]

**Re: Docket No. C-2019-3009781  
Gary Mandekic v. West Penn Power Company  
Motion for Continuance of West Penn Power Company**


**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the person(s) listed below, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**Via First Class Mail**

Gary Mandekic  
817 West 1st Avenue  
Derry, PA 15627

Dated: August 19, 2019

  
Margaret A. Morris, Esq.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GARY MANDEKIC

V.

WEST PENN POWER COMPANY

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Docket No. C-2019-3009781

**NOTICE TO PLEAD**

Pursuant to 52 Pa. Code § 5.103, you are hereby notified that if you do not file a written response answering the enclosed **Motion for a Continuance of the August 27, 2019 Hearing**, filed by West Penn Power Company, within **five (5) days** from service of this Notice, the facts set forth by West Penn Power Company in the Motion may be deemed to be true, whereby requiring no other proof. All pleadings, such as a Reply to Motion, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy to counsel for West Penn Power Company, Margaret A. Morris, Esq., and Administrative Law Judge Mary D. Long who is presiding over the proceeding.

**File with:**

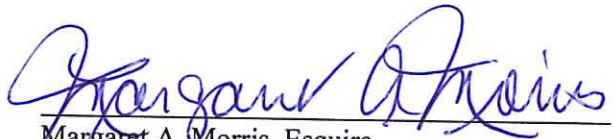
Rosemary Chiavetta, Esquire  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2 North  
P.O. Box 3265  
Harrisburg, PA 17105

**With a copy to:**

The Honorable Mary D. Long  
PA PUC - OALJ  
Piatt Place, Suite 220  
301 Fifth Avenue  
Pittsburgh, PA 15222

Margaret A. Morris, Esquire  
Reger Rizzo & Darnall LLP  
Cira Centre, 13<sup>th</sup> Floor  
2929 Arch Street  
Philadelphia, PA 19104

Date: August 19, 2019



Margaret A. Morris, Esquire  
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Reger Rizzo & Darnall LLP  
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*Counsel for West Penn Power Company*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GARY MANDEKIC

v.

WEST PENN POWER COMPANY

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Docket No. C-2019-3009781

**MOTION FOR CONTINUANCE OF WEST PENN POWER COMPANY**

West Penn Power Company (West Penn or Company), by and through its attorneys, Reger Rizzo & Darnall LLP, and pursuant to 52 Pa. Code §§ 1.15 and 5.103, hereby moves the Honorable Mary D. Long (Judge Long) of the Pennsylvania Public Utility Commission (Commission) for an order continuing the scheduled August 27, 2019, Telephonic Hearing (Hearing). Counsel was retained on August 16, 2019 and is unavailable on August 27, 2019.

In support thereof, West Penn avers as follows:

1. In his Formal Complaint, filed April 29, 2019, Gary Mandekic (Complainant) averred he suffered property damage as a direct result of West Penn's actions and seeks reimbursement in the amount of \$1,093.71.
2. In its Answer and New Matter, filed May 29, 2019, the Company denied the material allegations and averred that the Code does not permit the Commission to direct damages.
3. By Notice, dated July 1, 2019, the matter was scheduled for a telephonic hearing before Judge Long on August 27, 2019.

4. On July 9, 2019, Judge Long issued a Prehearing Order which, *inter alia*, informed the parties how to request a continuance in the proceedings.

5. On August 16, 2019, undersigned counsel was retained and efiled an Entry of Appearance. Judge Long and Complainant were both served with the filing.

6. Counsel is unavailable on the scheduled hearing date due to a planned out-of-state family vacation the week of August 26, 2019. Notice of the unavailability was previously to the Commission's Scheduling Office.

7. Counsel was unsuccessful in reaching the Complainant regarding his position on the requested continuance. A voice message was left at the number listed on the formal complaint form.

**WHEREFORE**, for good cause shown, Respondent, West Penn Power Company, respectfully requests that the Honorable Mary D. Long grant its Motion for Continuance of the August 27, 2019 Hearing.

Respectfully submitted,



Margaret A. Morris, Esq.

PA ID No. 75048

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*Counsel for West Penn Power Company*

Dated: August 19, 2019