

Cindy J. Kelly  
7252 Camp Meeting Road  
New Tripoli, PA 18066

September 3, 2019

Via Email

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

**Re: Cindy Kelly v. Metropolitan Edison Company**  
**Docket No. C-2018-3004681**

Your Honor:

Complainant (Cindy Kelly) respectfully requests a postponement of this scheduled hearing on September 10, 2019 and in addition request an updated pre-hearing order which includes the details of expectations and due dates consistent with that of a hearing procedure schedule.

Due to the lack of cohesiveness of the orders that I have previously received as well as the conflicting information I have been given by Mr. Dan Pallas Judge Watson's legal assistant when phoning the PA PUC on July 18, 2019 and August 27, 2019, I feel this is a reasonable and justifiable request. Upon reviewing all orders posted to my docket you will see the earlier documents confirm that what I was told to prepare for was not an evidentiary hearing but rather a telephonic pre hearing conference. There was further communication with Mr. Pallas on September 3, 2019 regarding my status report, when reference was made to my declining a pre hearing conference recommended by MetEd and my statement of preference to proceed directly to an evidentiary hearing at the appropriate time, of which no formal acknowledgement was made by the other parties that I was able to decipher as such. However the next documentation I received, "Interim Order Scheduling a Pre Hearing Conference Requiring Attendance" dated May 30, 2019, which is clearly after the date of the status report is what I have been using as reference and confirmed by Mr. Pallas each time that I called after receiving reschedule notices, with him assuring me no exhibits would be necessary to submit. Suddenly and only 10 days prior to a September 10, 2019 hearing date was I notified that all evidence must be submitted as typical for an evidentiary hearing. As a pro se' litigant this schedule does not allow for me to prepare questions for the respondent's witness or allow enough time for my thorough and obligate preparation of evidence.

Obviously September 10, 2019 is not simply a pre hearing call-in conference as previously referred to, defined and originally established on May 30, 2019 stating clearly that no pre hearing memorandum is required, but rather based on the interim order confirming requirements for an "evidentiary hearing" sent on August 30th. Furthermore each cancellation/reschedule only served to substantiate my belief that the expectation was not of an evidentiary hearing

Therefore I am requesting a continuance of the hearing scheduled for September 10, 2019 to allow for sufficient time to prepare for an evidentiary hearing.

In addition I am hereby submitting this letter and respectfully requesting that any expert witnesses submit in full written direct testimony accompanied with whatever documents they will be using substantiating their statements in advance of the hearing.

Met Ed intends to call three expert witnesses as part of its direct case. I submit that the use of written testimony will help the hearing proceed in an orderly and expeditious fashion. Such expert testimony would be easier to understand if presented in written form and could be moved into the record much quicker. In fact, the "[u]se of written testimony in Commission proceedings is encouraged, especially in connection with the testimony of expert witnesses." 52 Pa. Code § 5.412(a). Moreover, I believe that using written testimony for expert witnesses will enable each party to better prepare for the hearing.

For these reasons, I respectfully request that all expert witnesses in this proceeding be required to submit written direct testimony and affiliated documentation in full a minimum of 14 days in advance of a newly scheduled hearing date. In addition I respectfully request that any due dates for the exchange or submission of exhibits, reports, and statements be adjusted to reflect the new hearing date.

A copy of this letter is also being served on Lauren M. Lepkowski, as indicated on the Certificate of Service.

Respectfully submitted,



Cindy J. Kelly

cc: Rosemary Chiavetta, Secretary (*via E-file*)  
Certificate of Service

Before the Pennsylvania Public Utility Commission

Cindy Kelly V. Metropolitan Edison Company

Docket No. C-2018-3004681

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served of true copy of the response to Metropolitan Edison Company upon individuals listed below, in accordance with the requirements of 52 Pa. Code 1.54. (relating to service by a participant)

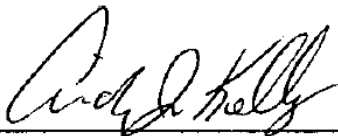
### Via Email

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Counsel for Metropolitan Edison.

Dated 9/3/2019



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