



## Commonwealth Court of Pennsylvania

Michael Krimmel, Esq.  
Prothonotary

Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 2100  
P.O. Box 69185  
Harrisburg, PA 17106-9185  
[www.pacourts.us](http://www.pacourts.us)

August 29, 2019

### Notice

RE: Myers, R. v. PUC  
Temporary Docket No.: 546 XX 2019  
Agency Docket or Decision Number: C-2017-2620710

The Court has received your recent communication indicating your intention to appeal from a decision of the agency listed at the end of this notice. The Pennsylvania Rules of Appellate Procedure (Pa.R.A.P.) require that in order to perfect your appeal you must file a petition for review with this Court. This notice and the enclosed forms will provide important information about filing a petition for review; please read them, and carefully follow all instructions.

The date of August 29, 2019 will be preserved as the date of filing your appeal. This is the date your communication indicating your intention to appeal was filed with this Court. **If this date is more than 30 days from the mailing date of the decision that you are appealing, your appeal may be dismissed because it is untimely.** In addition, unless your petition for review is filed and the filing fee (if any) is paid **within 30 days of the date of this notice**, the Court will take no further action in this matter. See Pa.R.A.P. 121, 1512, 1514; Commonwealth Court Internal Operating Procedures § 211

A blank petition for review form is enclosed for you to complete and return to the Court. Also enclosed are a blank cover letter form and a blank proof of service form. All pages of the enclosed forms must be completed legibly, signed, and returned to the Court as directed below.

The petition for review must include a general statement of objections to the order or other determination that you are appealing. See Pa.R.A.P. 1513.

Any time you file papers with the Court, including your petition for review and all subsequent filings, you must send a copy to all other parties and provide a proof of service to the Court. In this case, you must send copies of your completed and signed petition for review (all pages) to 1) the agency, 2) the Attorney General of Pennsylvania, and 3) all other parties who participated before the agency. You may serve these copies by certified mail or personal delivery. A proof of service, which states that you have served the other parties and the Attorney General, and lists the addresses that you used to serve the papers, must be attached to all papers that you file with the Court. See Pa.R.A.P. 121, 122, 1514(c).

In addition, any time you file papers with the Court, the papers must be accompanied by a certification of compliance with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* (Public Access Policy). See

Pa.R.A.P. 127. The Public Access Policy and related forms and information are available online at <http://www.pacourts.us/public-records/public-records-policies>. It is very important that you review and follow the Public Access Policy because it requires you to protect sensitive personal information in Court filings.

Unless protected by the Public Access Policy or otherwise sealed by statute or court order, all dockets, filings, and orders and opinions of the Court in your case will be public records and subject to public inspection. The Court's public dockets are available on the Court's website and are searchable on-line. The Court's opinions, which generally include a summary of the case, including the identity of the parties and the relevant factual background, also are available on the Court's website and searchable on-line. Generally, the Court will seal or restrict public access to dockets or opinions only in accordance with the Public Access Policy or upon motion and order of Court for good cause.

Because this is an appellate court, its function is limited to reviewing the record made before the agency. **The Court cannot consider any new evidence.** The agency will send us the original record of your case. When the Court receives the original record, we will notify you when your brief is due. A brief is a written argument explaining your legal position. You will need to file four copies of your brief. Depending on the nature of your case, you also may need to file four copies of a reproduced record. See Pa.R.A.P. Chapter 21.

The Pennsylvania Rules of Appellate Procedure (Pa.R.A.P.) and the Commonwealth Court Internal Operating Procedures are available in any county law library or online at <http://www.pacode.com/secure/data/210/210toc.html>. You may wish to consult with a lawyer. If you do not have a lawyer, you may wish to contact the bar association lawyer referral service or the legal aid service in your county. These services can provide you with information about hiring a lawyer, or may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee. If you have general questions about the information in this notice, you may go to the Court's web page at [www.pacourts.us](http://www.pacourts.us) or call the Prothonotary's Office at 717-255-1650. If you call, please have this notice handy and refer to the temporary docket number (XX) at the top of this notice. The Prothonotary's Office cannot give you legal advice.

**This is what you must file with this Court at the address below within 30 days of the date of this notice to perfect your appeal:**

- (1) the original and one copy of your completed and signed **cover letter and petition for review** (use the enclosed forms and legibly complete all information on all pages);
- (2) the **certificate of compliance** with the Public Access Policy;
- (3) the **proof of service** signed by you, which states that you have sent a copy of the petition for review to the agency, the Attorney General, and all other parties, and lists the addresses that you used to send the petition for review (use the enclosed form and legibly complete all information);
- (4) a copy of the **agency decision** that you are appealing;
- (5) a copy of **this notice**; and
- (6) the **filing fee**, if any, shown below. The filing fee may be paid by check or money order payable to the Commonwealth Court of Pennsylvania.

**Mailing address of the Court:**

**Prothonotary  
Commonwealth Court of Pennsylvania  
601 Commonwealth Avenue, Suite 2100  
P.O. Box 69185  
Harrisburg, PA 17106-9185**

**Agency: Public Utility Commission**

**Filing Fee: \$90.25**

Enclosure

cc: Bohdan R. Pankiw, Chief Legal Counsel

## **Service List**

Addressed To: Richard N. Myers  
1123 Elm Ave  
Lancaster, PA 17603

Carbon Copied To: Bohdan R. Pankiw  
Chief Legal Counsel  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265