



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE
C-2017-2640338

December 30, 2019

Hon. Jeffrey A. Watson
Office of Administrative Law Judge
301 Fifth Ave., Suite 220, Piatt Place
Pittsburgh, PA 15222

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PA PUC
SECRETARY'S BUREAU

Re: Eugene J. Bazan v. FirstEnergy/West Penn Power
C-2017-2640338 (the "Complaint")

Dear Judge Watson:

The Law Bureau represents Shane Rooney, Esquire, a current employee of the Commission, who is employed as counsel to Commissioner John F. Coleman, Jr., a current Commissioner. For the reasons listed below, we object to the applications for issuance of subpoenas for the testimony of Mr. Rooney and former Commissioner Kim Pizzingrilli, filed by the Complainant in the above referenced proceeding.

Objections:

1. Pursuant to See 52 Pa.Code § 1.96, the document underlying the requested testimony is an unofficial statement which no relevance to the Complaint; and
2. The testimony sought by the Complainant is inadmissible under the deliberative process, attorney/client and attorney work product privileges. See e.g., *Commonwealth v. Vartan*, 733 A.2d 1258 (Pa. 1999); *Leber v. Stretton*, 928 A.2d 262 (Pa. Super. 2007).

Accordingly, we respectfully request that you deny the application for subpoenas.

Sincerely,

Robert F. Young
Deputy Chief Counsel

cc: per Certificate of Service
Shane Rooney, Esq.

CMMR JOHN COLEMAN JR
2019 DEC 31 AM 10:48

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document upon the persons listed, and in the manner indicated below.

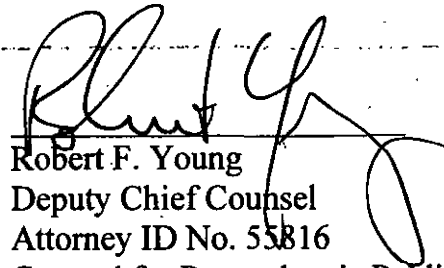
Notification by first class mail addressed as follows:

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Dated: December 30, 2019