



February 10, 2020

VIA HAND DELIVERY

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

MOTION FOR CONTINUANCE

Eugene J. Bazan v. West Penn Power/First Energy [C-2017-2640338]

Dear Secretary Chiavetta:

Enclosed please find A MOTON FOR CONTINUANCE in the above referenced matter. This document has been served on the Respondent and Administrative Law Judge shown in the Certificate of Service. .Please contact me if you have any questions regarding this matter.

Very truly yours,

Tracey S. Lewis

cc: Jeffrey A. Watson, ALJ
Tori L. Giesler, Attorney

PA PUC
SECRETARY'S BUREAU
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60686 • Harrisburg, PA 17106
F: 717-831-1573 • E: tracey@tslewislaw.com
tslewislaw.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

EUGENE J. BAZAN

Complainant

v.

FIRST ENERGY/WEST PENN POWER

Respondent

C-2017-2640338

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EMERGENCY MOTION FOR CONTINUANCE

To the HONORABLE ALJ JEFFREY WATSON:

Complainant is in receipt of your February 5, 2019 Order granting in part and denying in part a request for a continuance in this matter.

Complainant respectfully requests Your Honor reconsider his decision and avers as follows:

1. While this matter has been ongoing for some time and Your Honor and the parties are familiar with the facts, Undersigned Counsel has recently become involved and needs additional time to prepare.
2. Undersigned Counsel has been advised by Complainant that at least one of the witnesses he was relying on to testify in this matter will be out of the country for the entire month of March. As a result, undue prejudice would occur from the inability to present all the evidence the Complainant desires.
3. Undersigned Counsel is attached for oral argument on March 18, 2020 in the matter of Povaz v. PUC, 492 CD 2019, 606 CD 2019, 607 CD 2019) and requires time to prepare for that argument.
4. As you may know, the Commonwealth Court granted the PUC's request for a stay in all pending PUC appeals before the Court until the Povaz matter is decided. As Your Honor has not granted the type of relief the Complainant requests, there is no doubt this case will ultimately end up in the long line of currently stayed cases before the Commonwealth Court.

5. Complainant respectfully submits there will be no prejudice to the Respondent by granting the Complainant's requested continuance given the current Commonwealth Court stay on appeals.
6. In addition, Undersigned Counsel has received notice that oral argument may be scheduled some time in March or April in the matter of Paul v. PUC, 460 CD 2019. As a result, Undersigned Counsel requests a continuance until those arguments have occurred to avoid any potential scheduling conflicts that may arise in the future.
7. Complainant simply requests additional time to present his case and believes he has set forth good cause for such a simple request.
8. Complainant submits failure to grant his continuance request will prejudice his case and prevent his counsel from carefully reviewing all averments in an effort to present Complainant's best case.
9. Wherefore, Complainant requests Your Honor grant his request for a three-month continuance in this matter.

Thank you for your attention to this matter.

By: Tracey S. Lewis
Tracey S. Lewis, Esquire
I.D. No. 72914
P.O. Box 60686
Harrisburg, PA 17106
T: 717-979-1661
F: 717-831-1573
E: tracey@tslewislaw.com
Counsel for the Complainant, Eugene Bazan

Date: 2/10/2020

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