**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, Bureau :

Of Investigation & Enforcement : :

v. : C-2019-3011675

:

Metropolitan Edison Company :

**INTERIM ORDER**

**DIRECTING A LITIGATION SCHEDULE**

On July 22, 2019, the Bureau of Investigation and Enforcement (BIE) filed a formal complaint against Metropolitan-Edison Company (Met-Ed), alleging that Met-Ed violated certain provisions of the Public Utility Code, regulations and National Electric Safety Code related to the company’s installation and/or maintenance of certain facilities. BIE alleges that Met-Ed’s failure to properly maintain its facilities caused an electricity line to fall to the ground and resulted in a fatal electrocution and property damage on July 26, 2016, in Easton, Pennsylvania. As relief BIE seeks civil penalties in the amount of $4,533,000 and numerous corrective measures.

Met-Ed filed an answer and new matter along with preliminary objections on October 31, 2019.[[1]](#footnote-1) Met-Ed denies the material allegations of the complaint, and raises affirmative defenses in its new matter. BIE filed a response to the preliminary objections and answer to the new matter on November 20, 2019.[[2]](#footnote-2)

By notice dated January 9, 2020, this matter was assigned to me and scheduled for a prehearing conference on March 3, 2020. An interim order dismissing the preliminary objections was issued on January 16, 2020.

By letter dated February 26, 2020, Met-Ed requested a 60-day continuance of the March 3, 2020 prehearing conference. A further continuance was jointly requested by the parties on April 27, 2020. By notice dated April 27, 2020, the prehearing conference was rescheduled for June 10, 2020. Both parties timely filed prehearing memoranda.

The prehearing conference convened as scheduled. Attorneys Kourtney Myers and Kayla Rost appeared on behalf of BIE. Attorneys Tori Giesler and Garrett Lent appeared on behalf of Met-Ed. The parties reported that although settlement discussions were ongoing, they were unable to agree on a litigation schedule.

THEREFORE,

IT IS ORDERED

1. That evidentiary hearings shall be scheduled to take place on December 15-17, 2020.

2. That on or before **July 3, 2020**, the parties shall file and serve a status report regarding the progress of their settlement discussions as well as a proposed schedule for the completion of discovery and service of written direct and rebuttal testimony. In the event the parties are unable to reach an agreement regarding litigation proceedings, a schedule will be ordered.

Date: June 10, 2020 /s/

Mary D. Long

Administrative Law Judge

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1. By Secretarial Letter dated August 16, 2019, Met-Ed was granted an extension of time to file its answer.  
    [↑](#footnote-ref-1)
2. By Secretarial Letter dated November 12, 2019, BIE was granted an extension of time to file its response. [↑](#footnote-ref-2)