



National Fuel

Nathaniel J. Ehrman
Senior Attorney

June 26, 2020

VIA ELECTRONIC FILING

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

RE: Thomas Picheco v.
National Fuel Gas
Distribution Corporation
Docket No. C-2020-3018963

Dear Secretary Chiavetta:

Enclosed please find National Fuel Gas Distribution Corporation's
Objections to Discovery Requests in the above-referenced Complaint.

Very truly yours,

Nathaniel J. Ehrman
(814) 871-8177

Enclosures

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

THOMAS PICHECO,	:	
	:	
Complainant,	:	DOCKET NO. C-2020-3018963
	:	
v.	:	
	:	
NATIONAL FUEL GAS	:	OBJECTIONS TO DISCOVERY
DISTRIBUTION CORPORATION,	:	REQUESTS
	:	
Respondent.	:	

NOW COMES, Respondent, National Fuel Gas Distribution Corporation (“Respondent”), by and through its attorney, Nathaniel J. Ehrman, Esquire, and submits it Objections to discovery requests from Thomas Picheco (“Complainant”) which were received on or about June 16, 2020. Respondent objects to Complainant’s discovery requests for the following reasons:

1. Respondent objects to the form of Complainant’s discovery requests.
2. Complainant failed to send the discovery requests to Respondent’s attorney’s attention as specified in this court’s Telephonic Prehearing Order dated June 8, 2020.
3. Complainant references the “Pa ‘Right to Know’ statue” (sic) which is inapplicable in this matter.
4. Conversely, discovery in this matter is subject to 52 Pa. Code §§ 5.321 et. seq.
5. Pursuant to 52 Pa. Code § 5.321 (c) a party may obtain discovery “which is relevant to the subject matter involved in the pending action.”
6. In Complainant’s discovery request, he requests “any and all information for the above service address. Complainant additionally requests, “Any and all bills,

termination notices, and internal service notices and phone calls to the account holder.”

7. As explained in Respondent’s answer in this matter, at all times relevant to this Complaint, Jerome Young (“Account Holder”) was the Account Holder and was responsible for the gas service at the property. To the extent Complainant is seeking account information regarding the Account Holder, or any other third-party, such account information is confidential and shall not be provided.
8. The discovery request for “any and all” items is unduly burdensome, overly broad, lacks any limited scope, and requests items which are irrelevant to the current proceeding, which is focused on Respondent turning off service at the request of the Account Holder and alleged damages relating to such activity.¹
9. Based on the foregoing, Respondent shall provide information which is relevant to the subject matter of the pending action, including the relevant work order for termination of service. Respondent objects to any discovery which is outside the scope of the pending action or that requests confidential information.

Respectfully submitted,



Nathaniel J. Ehrman
Pa. I.D. No. 324920
Attorney for National Fuel Gas
Distribution Corporation
P.O. Box 2081
Erie, PA 16512

¹ Respondent reaffirms its position that any damages requested by Complainant in this matter should be dismissed as specified in the “Preliminary Objection of National Fuel Gas Distribution Corporation to the Complaint of Thomas Picheco” which was filed on March 20, 2020 at this docket and remains pending.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

THOMAS PICHECO,	:	
	:	PROOF OF SERVICE
Complainant,	:	
	:	
v.	:	
	:	
NATIONAL FUEL GAS	:	
DISTRIBUTION CORPORATION,	:	DOCKET NO. C-2020-3018963
	:	
Respondent.	:	

I hereby certify that I have this day served a true copy of the foregoing document upon the participant, listed below, in accordance with the requirements of § 1.54 (relating to service by a participant).

Thomas Picheco
5736 Cherry St
Erie, PA 16509

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION



Nathaniel J. Ehrman
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Attorney for National Fuel Gas
Distribution Corporation
P.O. Box 2081
Erie, PA 16512

Dated: 6/26/2020