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July 15, 2020

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Keystone Bldg. 2nd Floor W
400 N. Street
Harrisburg, PA 17120

RE: Pamela Scott v. Duquesne Light Company
Docket No. C-2018-3004042

Dear Secretary Chiavetta:

Enclosed please find Duquesne Light Company's Answer to Complainant's Petition for Extension of Time to File Main Brief.

A copy of this document has been served upon Complainant in accordance with Commission regulations.

Sincerely,

/s/ Paul Shane Miller

Jeremy V. Farrell, Esquire
Paul Shane Miller, Esquire
Attorneys for Duquesne Light Company

Enclosure

c: Pamela Scott (with enclosure)
ALJ Jeffrey Watson (with enclosure)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PAMELA SCOTT,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2018-3004042

**ANSWER TO COMPLAINANT'S PETITION
FOR EXTENSION OF TIME TO FILE MAIN
BRIEF**

Filed on behalf of Respondent
Duquesne Light Company

Counsel of Record for this Party:

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**ANSWER TO COMPLAINANT'S PETITION FOR EXTENSION OF TIME TO FILE
MAIN BRIEF**

Duquesne Light Company objects to Complainant's request to postpone the post-hearing briefing deadline to an unspecified date after "the Commission's offices have reopened for public viewing of transcripts..." See Complainant's Petition for Extension of Time to File Main Brief, p. 2 (filed July 14, 2020). Duquesne Light has provided a copy of the hearing transcript to Complainant with this Answer, which removes any need to review it at the Commission's offices. Duquesne Light consents to extending the briefing deadline for 14 calendar days or less so that Complainant can review the transcript. Accordingly, Duquesne Light does not object to extending the deadline to a date on or before August 7, 2020.

Duquesne Light objects to a longer extension of the deadline because the parties have known for at least four months that they could file post-hearing briefs, and Complainant fails to adequately explain why she filed the Petition just 10 days before the deadline. For example, the Presiding ALJ repeatedly stated at the hearing on March 12, 2020 that the parties could file post-hearing briefs. Tr. at 7 ("I will give the parties an opportunity to submit written briefs in this case."); Tr. at 353-54 ("I had indicated to the parties previously that I would give the parties an opportunity to submit briefs...and I'll certainly give you all ample time to submit written briefs in this case."). Then, on June 15, 2020, the Presiding ALJ issued an Interim Order setting the briefing deadline for July 24, 2020. See Interim Order Establishing Briefing Schedule (dated June 15, 2020). The July 24th deadline was nearly six weeks after the Interim Order on June 15th, thus giving the parties plenty of time to obtain the hearing transcript.¹

¹ On July 1, 2020, the Presiding ALJ issued an Interim Order Closing the Hearing Record. See Interim Order Closing the Hearing Record (dated July 1, 2020). Five days later, Duquesne Light filed a brief letter clarifying that it intended to file a post-hearing brief and requesting that the Presiding ALJ not issue an initial decision in this matter until briefs were filed. See Letter From Paul Shane Miller to Judge Watson (dated July 6, 2020). Complainant was copied on this letter. That same day, the Presiding ALJ issued an Interim Order that reopened the hearing record and reiterated that post-hearing briefs were due on or before July

No new facts or circumstances have occurred since the hearing that justify Complainant's belated request for an open-ended extension of the briefing deadline. Complainant claims that she cannot review the hearing transcript because the Commission's offices are closed. But this is not a new development—the Commission's offices have been closed since March 2020. Similarly, Complainant claims she cannot afford to buy the hearing transcript, but does not explain why she failed to raise this issue sooner.

In sum, the parties have known that they could file post-hearing briefs for at least four months. Now, just 10 days before the deadline, Complainant has requested an open-ended extension. This proceeding should not be delayed indefinitely, especially since Duquesne Light has voluntarily provided Complainant with the hearing transcript.

WHEREFORE, Duquesne Light consents to extending the post-hearing briefing deadline to a date on or before August 7, 2020, but objects to a longer extension of the deadline.

Respectfully submitted,

TUCKER ARENSBERG, P.C.

/s/ Paul Shane Miller

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24, 2020. See Interim Order Re-Opening the Hearing Record and Permitting the Parties to File Main Briefs (dated July 6, 2020).

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PAMELA SCOTT,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2018-3004042

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Answer to Complainant's Petition for Extension of Time to File Main Brief upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

Pamela Scott
134 Markham Drive
Pittsburgh, PA 15228-1008
(via email and U.S. Mail)

Administrative Law Judge Jeffrey Watson
Pennsylvania Public Utility Commission
Piatt Place - 301 Fifth Avenue
Suite 220
Pittsburgh, PA 15222
(via email and U.S. Mail)

Dated this 15th day of July, 2020

/s/ Paul Shane Miller

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