

Tori L. Giesler, Esq.  
(610) 921-6658  
(330) 315-9263 (Fax)

September 21, 2020

**VIA ELECTRONIC FILING**

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

**Re: Jeannette and Craig Pavlick v. West Penn Power Company**  
**Docket No. C-2018-3002723**

Dear Secretary Chiavetta:

West Penn Power Company (“West Penn” or the “Company”) respectfully submits this letter in response to the letter dated September 16, 2020, submitted by Jeannette and Craig Pavlick (“Complainants”). In their letter, the Complainants requested a continuance of the September 29, 2020 evidentiary hearing until the Pennsylvania Public Utility Commission’s (“Commission”) offices reopen, so that the Complainants can review the prehearing conference transcript before the evidentiary hearing.

The Complainants’ request for continuance should be denied. This case began over two years ago on June 14, 2018, when West Penn was served with the Complainants’ Formal Complaint. This case is ripe and should finally proceed to the hearing on the merits.

Nothing in the Complainants’ letter justifies a further continuance of the hearing. The Complainants do not need to review the transcript of a prehearing conference that took place nearly 15 months ago on June 25, 2019, before the evidentiary hearing can be held. No testimony or exhibits were admitted at the prehearing conference. In fact, during the prehearing conference, the parties and Your Honor only addressed the following topics: (1) overview of the proceeding; (2) litigation schedule; (3) discovery issues; (4) the Complainants’ then-pending “Motion to Find in Favor of Complainants” dated April 25, 2019; (5) West Penn’s Motion to Dismiss dated March 6, 2019; and (6) service of documents.

Moreover, to the extent the Complainants still want to review the prehearing conference transcript, they can purchase a copy from the court reporting service. Your Honor fully explained this option to them at the prehearing conference. Also, the Commission’s offices only closed earlier this year due to the outbreak of COVID-19. Nothing prevented the Complainants from accessing the Commission’s offices to review the prehearing conference transcript in the several months between the June 25, 2019 prehearing conference and the closure of the Commission’s offices earlier in 2020.

Finally, back in July 2020, the Complainants actually helped West Penn pick September 29, 2020, as the date for the evidentiary hearing. Nothing in the Complainants' letter explains how the September 29, 2020 date worked for the Complainants in July 2020 but does not work for them now.

For these reasons, the Complainants' request for continuance is unfounded and should be denied.

This document has been served on the all parties as shown in the Certificate of Service.

Respectfully submitted,



Tori L. Giesler

krak  
Enclosures

c: As Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JEANNETTE AND CRAIG PAVLICK**

v.

**WEST PENN POWER COMPANY**

:  
:  
:  
:  
:

**DOCKET NO. C-2018-3002723**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by electronic mail as follows:

Jeannette and Craig Pavlick  
nettpav@yahoo.com

Administrative Law Judge Jeffrey A. Watson  
jeffwatson@pa.gov

Dated: September 21, 2020



---

Lauren M. Lepkoski  
Tori L. Giesler  
FirstEnergy Service Company  
2800 Pottsville Pike  
P.O. Box 16001  
Reading, Pennsylvania 19612-6001  
(610) 921-6203  
(610) 921-6658  
llepkoski@firstenergycorp.com  
tgiesler@firstenergycorp.com