

Commonwealth of Pennsylvania

Before the Pennsylvania Public Utility Commission

Stephen Morgan

Complainant,

No. C-2020-3021730

v.

Columbia Gas of Pennsylvania, Inc.

Respondent.

JOINT PREHEARING MEMORANDUM

Complainants, Stephen Morgan and Brian Dolfi (“Complainants”), and Respondent, Columbia Gas of Pennsylvania, Inc. (“Respondent” and together with Complainants, the “Parties”), pursuant to the *Interim Order Dismissing Outstanding Preliminary Objection as Moot and Converting Proceeding to Prehearing Conference* dated December 28, 2020, file this Joint Prehearing Memorandum as follows:

1. The Parties request that written discovery commence immediately although Columbia Gas is of the opinion that a litigation schedule should not be firmly established until after disposition of the Columbia Gas Motion for Judgment on the Pleadings. The Parties agree that proper time should be allowed for the completion of the written discovery process. Complainants offer that it is imperative that they learn the who, what, when, where, and how regarding the facts of this case, including but not limited to the 2012 Gas Line installation and the related restoration, as well as the removal of the damaged line, the 2018 Gas Line Installation in the center of Scenery Drive and that related restoration and repair of the landslide. This information must be a part of Complainants’ investigation into the issues in this case.

2. The Parties have been able to agree regarding a litigation schedule. Accordingly, the Parties propose the following schedule:

A. The Parties be given at least a 120-day period to have their experts perform an investigation regarding the facts of this case, including but not limited to the 2012 Gas Line installation and/or renewal on or near the edge of Scenery Drive and the related restoration, as well as the removal of the damaged line, the 2018 Gas Line Installation in the center of Scenery Drive and the related restoration and repair of the landslide. Upon Respondent providing Complainants a certificate of insurance, a release of liability, and reasonable notice, all of which must be reasonably satisfactory to Complainants, Complainants would agree to allow Respondent reasonable access to the Properties for the purposes of its investigation.

B. Once the parties' investigations are complete, the parties propose that they have time to exchange additional information and/or written discovery. When this exchange is complete, the parties propose that they be given a 90-day period to conduct additional fact discovery and/or take any necessary fact witness depositions. Once fact discovery is completed, the parties request an additional 30-days be allotted for expert discovery – including the exchange of expert reports and depositions of the parties' experts.

C. After both parties have completed fact and expert discovery, the parties propose that they have a 30-day period to endeavor to amicably resolve this matter without a formal hearing. If an amicable resolution of this matter is not possible, the parties will notify the

Presiding Officer of the need to schedule a formal hearing or hearings. The parties at that time will provide proposed dates for the hearings.

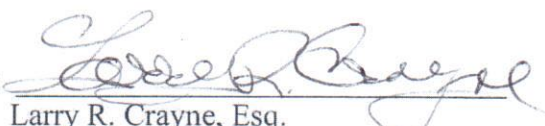
3. The Parties agree that it is appropriate to have both Complainants, Stephen Morgan and Brian Dolfi, named as Complainants on one complaint under one docket number.

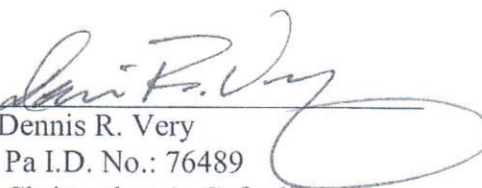
Wherefore, the Parties request that the proposed schedule be adopted by the Presiding Officer.

Respectfully submitted,

Columbia Gas of Pennsylvania, Inc.

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