

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

600 SCRANTON LLC

V.

**PPL ELECTRIC UTILITIES CORPORATION
C-2019-3014952**

**COMPLAINANT'S APPLICATION FOR CONTINUANCE
OF APRIL 15, 2021 HEARING**

AND NOW comes the Complainant, 600 Scranton LLC, by and through its Counsel, Thomas J. Jones, Jr. Esquire, of Thomas J. Jones, Jr. P.C. making Application for the Continuance of the Hearing scheduled before Administrative Law Judge, Dennis Buckley, on April 15, 2021 pursuant to 52 Pa. Code § 1.15 and setting forth the following in support thereof:

1. On December 13, 2019, Complainant filed a Formal Complaint against Respondent, PPL Electric Utilities Corporation (hereinafter PPL or Respondent).
2. On January 2, 2020, Attorney Kimberly G. Krupka, on behalf of Respondent PPL, filed an Answer to the Complaint.
3. In March 2020, the Commonwealth of Pennsylvania imposed a mandatory lockdown pursuant the Pa. Department of Health Emergency Regulations caused by the Corona Virus Pandemic which restricted activity and conduct of Courts and the PUC.
4. On November 5, 2020 Complainant served upon Counsel for Respondent, Complainant's First Set of Interrogatories and Motion for Production of Documents.
5. On January 8, 2021, Respondent served upon Complainant an Answer and Objections to the 1st Set of Interrogatories and Motion for Production of Documents.
6. On January 25, 2021, Complainant's Counsel, phoned Counsel for Respondent to discuss informal resolution of Discovery issues and concurrence in a mutual request for a Continuance of the Hearing scheduled February 9, 2021.

7. On February 2, 2021 Complainant filed an Application for Continuance of Hearing pursuant to 52 Pa. Code § 1.15.

8. ALJ Buckley by Order dated February 5, 2021, granted the Application for Continuance and scheduled April 15, 2021 as the new Hearing Date.

9. On February 12, 2021 Complainant herein, 600 Scranton LLC, filed an emergency Formal Complaint before the Pa. PUC against the Pennsylvania American Water Company (Docket C-2021-3024207) involving a catastrophic water loss exceeding a million gallons weekly.

10. On March 3, 2021 Complainant served upon Respondent here, PPL, the 2nd Set of Interrogatories and notice of proposed scheduling for Deposition of PPL Accounts Manager, Brian Stafford.

12. On March 10, 2021 Respondent, Pa. American Water filed an Answer to the Complaint before the PUC.

13. On March 12, 2021, Pa. PUC Chief Administrative Law Judge, Charles E. Rainey, Jr., issued an Emergency Interim Order Setting Resolution Conference no later than April 9, 2021 placing the duty upon Respondent, Water Company to contact Complainant, 600 Scranton LLC, and arrange conferences and file a Report within ten(10) days thereafter.

14. As of this date, April 2, 2021, the emergency Resolution Conference to be scheduled by Respondent, Pa. American Water, before Mediator, Matthew Homsher (Docket C-2021-3024207) has not yet been scheduled before April 9, 2021.

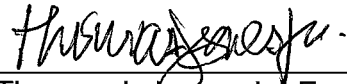
15. As of this date, April 2, 2021, Respondent here, PPL, has not yet responded to Complainant's 2nd Set of Interrogatories nor request for scheduling the Deposition of PPL Witness, Brian Stafford.

16. Complainant, 600 Scranton LLC, has only one Witness to testify at Hearing and assist Counsel in preparation for Hearing, General Manager, David Kurtz, who has been on site at the 55-acre commercial premises (rehabilitated brownfield) daily to assist with location of the massive water leak (still not located as of this date, April 2, 2021) working with engineers, expert Leak Detectors, Pa. American Water Leak Specialists, excavators, contractors and laborers. He has been mostly unavailable to meet or discuss the PPL Case with Counsel.

17. Complainant requests a Thirty (30) day Continuance of the Hearing scheduled for April 15, 2021 in order to complete Discovery inclusive of the Deposition of PPL Commercial Account Manager, Brian Stafford.

WHEREFORE it is respectfully requested the Complainant's Application for Continuance of Hearing Scheduled April 15, 2021 be granted, then scheduled for Hearing Thirty (30) days thereafter to permit the conclusion of Pre-Hearing Discovery.

THOMAS J. JONES, JR., PC



By: Thomas J. Jones, Jr., Esquire
Counsel for Complainant,
600 Scranton LLC


CERTIFICATE OF SERVICE

I, THOMAS J. JONES Jr., hereby certify that I have served the foregoing Claimant's Application for Continuance of April 15, 2021 on the individual at the address set forth below via electronic service.

Kimberly G. Krupka, Esq.
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THOMAS J. JONES, JR., PC

Date: April 2, 2021

By: 
Thomas J. Jones Jr., Esquire
Counsel for Complainant,
600 Scranton LLC