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Phone: (570) 342-9296
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April 12, 2021

Via Electronic Transmission

The Honorable Dennis J. Buckley
Administrative Law Judge
400 North Street
2nd Floor West
Harrisburg, PA 17102

Re: 600 Scranton, LLC v. PPL Electric Utilities Corporation
No. C-2019-3014952

Dear Judge Buckley,

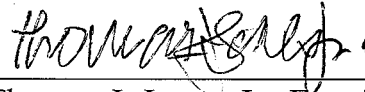
As you are aware from my Motion for Continuance of Hearing of April 15, 2021 which was electronically filed on April 2, 2021 and my correspondence of April 8, 2021, essentially seeking a status of my request, attached please find correspondence from my client's General Manager, David Kurtz, received by me over the weekend which further explains his inability, as my sole witness, to be available to assist me in preparation for the hearing. My client and Mr. Kurtz are presently dealing with a dire situation which is totally consuming their time, unfortunately, making Mr. Kurtz unavailable for the hearing this Thursday. Also please find attached an email chain of correspondence between Ron Whitiak, owner of my client's anchor tenant, P&R Discount and Operations Manager of another tenant, Rapid Pallet, Inc. which further serves to confirm the urgency of this present crisis.

Please advise if, under the above described reasons and for those reasons also set forth in my motion for continuance, if the hearing scheduled for three (3) days from now may be continued.

Thanking you for your anticipated cooperation, I am,

The Honorable Dennis J. Buckley
April 12, 2021
Page 2

Very truly yours,
THOMAS J. JONES, JR. P.C.



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

TJJ,Jr./rf
Attachments

cc: Kimberly Krupka, Esquire
David Kurtz

600 Scranton LLC
Route 6, Scranton Carbondale Highway
Eynon, Pennsylvania 18403

David Kurtz, General Manager
Office: (570) 876-4098
Mobile: (570) 267-8486

Thomas J. Jones, Jr., Esq.
410 Spruce St. Suite 301
Scranton, PA 18503
Via Email tjoneslaw@gmail.com

April 11, 2021

Re: 600 Scranton LLC v. PPL Electric Co.
PUC Docket. No. C-2019-3014952

Dear Attorney Jones,

You are certainly aware of the catastrophic Water Leak at the Sugarman's Complex where we are suffering the loss of a million gallons of water every five days as claimed in the Case, 600 Scranton v. Pa American Water Co. (PUC Docket No. C-2021-3024207). And, as you know, I have been consumed by the responsibility to urgently locate the Leak and repair it keeping the business and Tenants operational.

Well, we finally located the Sugarman's Water Leak yesterday morning. It blew through the floor of Kost Tire at 5:00 AM, flooding the parking lot and P&R grocery. Both stores are now shut down posted "Danger", and I can't bring in heavy equipment to fix the Leak now that there is concern the ground below has become a void or sinkhole unstable for the foundation and area. I will be back on site 7:00 AM tomorrow.

I have not been avoiding your phone calls or messages the past few weeks, and I know my responsibility to assist you in the Discovery and Deposition of PPL, Brian Stafford, and preparation for the Hearing. However, I truly am unable to help during this crisis.

I am dealing with the Pa. Department of Agriculture that is inspecting the contaminated perishable goods in P&R due to flood damage. The Kost Tire blow out of the Water Leak brought petroleum from the garage and spread everywhere. PA DEP has been here as well monitoring the clean-up. Additionally, I am working with the Pa DEP Bureau of Mine Reclamation on the mine subsidence and open shafts and portals issues.

Kindly, express my sincere apologies to the PUC ALJ and the PPL Counsel. I do expect all these critical issues to be resolved by week's end, one way or the other. At least electricity consumption on our property will be significantly reduced for the foreseeable future if that is any consolation.

Best regards,

David Kurtz

David Kurtz



Thomas Jones <tjjoneslaw@gmail.com>

P&R Discount

7 messages

Myles Wren <MWren@c-wlaw.com>

Thu, Apr 8, 2021 at 12:12 PM

To: "tjjoneslaw@gmail.com" <tjjoneslaw@gmail.com>

Cc: Ron Whitiak <ron@rapidpallet.com>, Charlie Rizzo <charlie@rapidpallet.com>, Rose Moran <rose@rapidpallet.com>

Dear Tom,

As I understand Shulem Green has finished his Passover holiday and through David Kurtz has advised us that Tuesday, April 13th would be a good day for the two principals to get together and discuss a resolution. My client is agreeable, he suggests Tuesday at 11:00 a.m. at Shulem Green's office. David Kurtz is welcome to join. The 13th was the date suggested by David so I am presuming that is good.

Let me know if the client's meeting is confirmed and I will let Ron know.

Sincerely,

MYLES R. WREN, ESQUIRE Partner**CIPRIANI & WERNER, P.C.**

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Thomas Jones <tjjoneslaw@gmail.com>

Thu, Apr 8, 2021 at 12:59 PM

To: David Kurtz <dlkatsugarmans@gmail.com>

[Quoted text hidden]

Thomas Jones <tjjoneslaw@gmail.com>

Thu, Apr 8, 2021 at 12:59 PM

To: David Kurtz <usasled22@aol.com>

[Quoted text hidden]

Ron Whitiak <ron@rapidpallet.com>

Mon, Apr 12, 2021 at 12:23 PM

To: Myles Wren <MWren@c-wlaw.com>, "tjjoneslaw@gmail.com" <tjjoneslaw@gmail.com>

Cc: Charlie Rizzo <charlie@rapidpallet.com>, Rose Moran <rose@rapidpallet.com>

Good afternoon Myles, 1st P&R is shut down completely since Friday 5am. Sugarman's main water line to building burst inside Kost tire. April 13th, I don't recall if Tom and David they responded ?

Please advise, Ron

Ron Whitiak

Operations Manager

Rapid Pallet, Inc.

Cell: (570) 947-7964

Office: (570) 876-4000

Email: ron@rapidpallet.com

From: Sheri Conforti <SConforti@c-wlaw.com> **On Behalf Of** Myles Wren

Sent: Thursday, April 8, 2021 12:13 PM

To: 'tjjoneslaw@gmail.com' <tjjoneslaw@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

Thomas Jones <tjjoneslaw@gmail.com>

Mon, Apr 12, 2021 at 1:45 PM

To: Ron Whitiak <ron@rapidpallet.com>

Cc: Myles Wren <MWren@c-wlaw.com>, Charlie Rizzo <charlie@rapidpallet.com>, Rose Moran <rose@rapidpallet.com>

Good Afternoon All,

In response to Ron Whitiak's email of today, please be advised that my client, 600 Scranton LLC, its principal, Shulem Green and its General Manager, David Kurtz, have been working feverishly to rectify the situation. As you all know, this latest development which occurred on Thursday is in addition to the leak in the waterline which has been occurring at an estimated loss of a million gallons per week from a different line which was unable to be identified and located until this past Friday. There is a concern of underground stability beneath Kost Tire, due perhaps to a mine cave in, which is why the PA DEP Bureau of Mine Reclamation is now involved, along with DEP and the PA Department of Agriculture, due to the forced closure of P&R Discount's store and the food products it sells. Rest assured that we are doing everything as expeditiously as possible to effect a return to the normal status quo. We apologize for the inconvenience this has caused everyone.

Very truly,

Thomas J Jones, Jr, Esquire

Counsel for 600 Scranton LLC

[Quoted text hidden]

Thomas Jones <tjjoneslaw@gmail.com>
To: David Kurtz <dlkatsugarmans@gmail.com>

Mon, Apr 12, 2021 at 1:46 PM

----- Forwarded message -----

From: **Thomas Jones** <tjjoneslaw@gmail.com>
[Quoted text hidden]
[Quoted text hidden]

Thomas Jones <tjjoneslaw@gmail.com>
To: David Kurtz <usasled22@aol.com>

Mon, Apr 12, 2021 at 1:46 PM

----- Forwarded message -----

From: **Thomas Jones** <tjjoneslaw@gmail.com>
Date: Mon, Apr 12, 2021 at 1:46 PM
Subject: Fwd: P&R Discount
To: David Kurtz <dlkatsugarmans@gmail.com>

[Quoted text hidden]