

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Andrew Perrong	:	
	:	
v.	:	Docket # C-2021-3024359
	:	
Alpha Gas & Electric LLC	:	

**ANSWER TO RESPONDENT ALPHA GAS & ELECTRIC LLC’S
NEW MATTER**

Complainant ANDREW PERRONG, subject to and not waiving any of the Preliminary Objections thereto, files this Answer to the New Matter of ALPHA GAS & ELECTRIC LLC (hereinafter “Respondent”), as follows:

1. (Pleading Paragraph 19) Denied. This averment is a conclusion of law to which no responsive pleading is required. To the extent that this averment contains an averment that is not a conclusion of law, that averment is denied. It is expressly denied that Responded will bear its burden with respect to any affirmative defense alleged herein.

2. (Pleading Paragraph 20) Denied. This averment is a conclusion of law to which no responsive pleading is required. To the extent that this averment contains an averment that is not a conclusion of law, that averment is denied. Expressly denied that such facts are legally required elements to plead any of the alleged violations of the Utility Code.

3. (Pleading Paragraph 21) Denied. This averment is merely a “denial of the averments in the preceding pleading.” As such, this general factual denial is improperly pled as a New Matter. 52 Pa. Code § 5.62. To the extent that the averment is not a mere denial of an averment in the preceding pleading, that averment is denied.

4. (Pleading Paragraph 22) Denied. This averment is merely a “denial of the averments in the preceding pleading.” As such, this general factual denial is improperly pled as a New Matter. 52 Pa. Code § 5.62. To the extent that the averment is not a mere denial of an averment in the preceding pleading, that averment is denied.

CONCLUSION

Complainant prays that the Commission issue a civil penalty against Respondent for violating 52 Pa. Code § 111.10(a)(2), 52 Pa. Code § 111.10(a)(3), 52 Pa. Code § 111.10(b), and 52 Pa. Code § 111.12(d), issue a preliminary injunction enjoining Respondent from violating the same in the future, and revoke Respondent’s license for violating the same, as well as any other relief that the Commission deems meet and just.

Dated: **April 25, 2021**

/s/

Andrew Perrong
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CERTIFICATE OF SERVICE

Pursuant to 52 Pa. Code § 1.54, I hereby certify that I served a copy of the foregoing via

E-Mail and First Class Mail, to:

Karen O. Moury, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
kmoury@eckertseamans.com

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, L-M West
400 North Street
Harrisburg, PA 17120
bobbwillia@pa.gov

I also certify that I e-filed the foregoing with the Commission via their web portal.

Dated: **April 25, 2021**

_____/s/_____

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