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*"The difficult legal challenges we
complete immediately; the impossible
ones take a little longer."*

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July 8, 2021

Honorable Dennis Buckley
Administrative Law Judge
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Via Email: debuckley@pa.gov

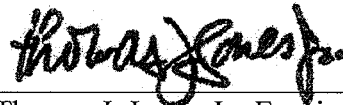
**RE: 600 Scranton LLC v. PPL Electric Utilities Corporation
Docket No.: C-2019-3014952**

Dear Judge Buckley:

Regarding the above-captioned matter, enclosed please find Motion for Continuance for the above-captioned case.

If you have any questions or concerns, please do not hesitate to contact me. Thanking you for your attention hereto, I am,

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



Thomas J. Jones, Jr., Esquire

TJJ,Jr./rf
Enclosures

cc: Kimberly Krupka, Esquire (w/enc.)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

600 SCRANTON, LLC	:	
Complainant	:	
v.	:	C-2019-3014952
PPL ELECTRIC UTILITIES CORPORATION	:	
Respondent	:	

CERTIFICATE OF SERVICE

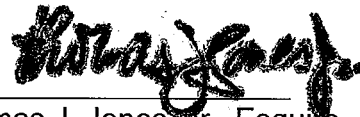
I, Thomas J. Jones, Jr., Esquire, hereby certify that I have served the foregoing Motion for Continuance, upon the individuals electronically at the addresses set forth below.

Honorable Dennis Buckley
Administrative Law Judge
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
debuckley@pa.gov

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GROSS MCGINLEY LLP
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July 8, 2021

Thomas J. Jones, Jr., P.C.



Thomas J. Jones, Jr., Esquire
Attorney for Plaintiff
600 Scranton, LLC

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

600 SCRANTON LLC

V.

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

**COMPLAINANT'S MOTION FOR CONTINUANCE
OF JULY 22, 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 Motion for the Continuance of the Hearing scheduled before Administrative Law Judge, Dennis Buckley, on July 22, 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 the activity and conduct of the 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 Dennis Buckley, by Order dated February 5, 2021, granted a Continuance and scheduled April 15, 2021 as the new Hearing Date.

9. On February 12, 2021, Complainant, 600 Scranton LLC, filed an emergency Formal Complaint before the Pa. PUC against Pennsylvania American Water Company (Docket C-2021-3024207) involving a catastrophic water loss exceeding one (1) 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.

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

12. 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, PA American Water to contact Complainant, 600 Scranton LLC, and arrange conferences and file a Report within ten(10) days thereafter.

13. On April 2, 2021, the emergency Resolution Conference to be scheduled by Respondent, Pa. American Water, before Mediator, Matthew Homsher (Docket C-2021-3024207) had not been scheduled before April 9, 2021.

14. On April 2, 2021, Respondent here, PPL, had not responded to Complainant's 2nd Set of Interrogatories nor request for scheduling the Deposition of PPL Witness, Brian Stafford.

15. On May 26, 2021, Complainant filed a Motion to Compel Responses and Production of Documents to Complainant's Second Set of Interrogatories.

16. On June 7, 2021 ALJ Buckley ordered a Telephonic Call-In Evidentiary Hearing be held on July 22, 2021 with proposed Exhibits to be provided by July 16, 2021.

17. Counsel for 600 Scranton and Counsel for PPL continued to negotiate informal Discovery issues and the scheduling of the Oral Deposition of PPL Accounts Manager, Brian Stafford.

18. On June 7, 2021 ALJ Buckley, in 600 Scranton LLC v. Pa. American Water Company C-2021-3024207 ordered a Prehearing Conference for June 16, 2021 with Prehearing Memorandum due from the parties on or before June 15, 2021.

19. The Case was assigned to ALJ Buckley after Counsel for Respondent, Pa Water, made an “emergency” request to remove the matter from Mediation.

20. At the Prehearing Conference on June 16, 2021, Respondent’s Counsel indicated he would file a Motion to Limit the Scope of the Hearing based upon the written statements contained in the filed Formal Complaint as well as those in Complainant’s first Prehearing Conference Memorandum. Specifically, he found objectionable Issue Number 4:

“4. Other witnesses to testify on issue: Pa America Water, Public Utility and PPL Electric Public Utility (600 Scranton LLC v. PPL Electric Utilities (2019-C-3014952) devote substantial resources to aid and assist new industrial, commercial construction in the new Business Park located on the new highway in Archbald, while at the same time ignoring, if not penalizing, customers struggling with rehabilitated and recovered brownfield properties served by old, deteriorating infrastructure on the old commercial highway on the other side of Town.”

21. On July 6, 2021, Complainant filed a Motion to Consolidate Pa America Water, Public Utility (600 Scranton LLC v. Pa. American Water Co, C-2021-3024207) and PPL Electric Public Utility (600 Scranton LLC v. PPL Electric Utilities (2019-C-3014952). As of this date, neither PPL nor Pa. Water Co. have filed an Objection to the Motion to Consolidate.

22. Meanwhile Counsel for 600 Scranton and Counsel for PPL finally arranged for the Oral Deposition and Production of Documents from PPL Account Manager, Brian Scoffield scheduled for July 9, 2021, in Scranton at the Office of Counsel for 600 Scranton.


23. It was learned on this day, that PPL intends to file tomorrow, July 9, 2021, an Objection to Complainant's Motion to Consolidate the two Cases and further, to Object to Complainant's Motion for Continuance should one be filed.

24. Due to being informed only today that Brian Stafford was unavailable to appear in person, the proposed method of conducting his deposition, and opposing counsel provided counsel for Complainant alternative dates in which to secure Mr. Stafford's in person deposition, counsel for Complainant cancelled the deposition scheduled for tomorrow and will obtain an alternative date in which to secure the same.

25. Complainant requests a Continuance of the Hearing scheduled for July 22, 2021, in order to permit the adjudication of the Motion to Consolidate the two Cases and the common issues to be determined.

WHEREFORE it is respectfully requested the Complainant's Motion for Continuance of Hearing Scheduled July 22, 2021, be granted until the issue of Consolidation is determined by ALJ Buckley.

THOMAS J. JONES, JR., PC


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