

BEFORE THE PENNSYLVANIA PUBLIC UTILTY COMMISSION

JOHN MUSGRAVE IV

DOCKET NUMBER C-2020-3020714

Complainant

**MOTION FOR RESCHEDULING OF
PREHEARING CONFERENCE
DUE TO COMPUTER TECHNICAL
DIFFICULTIES**

v.

**THE PITTSBURGH WATER AND SEWER
AUTHORITY**

Counsel of Record for this Party:

**John K. Musgrave IV
6059 Bunkerhill Street
Pittsburgh, PA 15206
(412)853-1666**

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN MUSGRAVE IV

Complainant

v.

PITTSBURGH WATER AND SEWER AUTHORITY

Respondent

DOCKET NO. C-2020-3020714

**MOTION FOR RESCHEDULING OF PREHEARING CONFERENCE DUE TO
COMPUTER TECHNICAL DIFFICULTIES**

1) A Telephonic Prehearing Conference was scheduled for Thursday, April 14, 2022 at 10:00 AM. The Complainant missed this conference. The Complainant was not available when he was contacted at this time on his phone. The Complainant did receive the [External] Request for Prehearing Conference from Judge Devoe that was e-mailed on April 7, 2022 that stated that the Prehearing Conference was to be held on April 14, 2022 at 10:00 AM. The Complainant had mistakenly written on his calendar that the Telephonic Prehearing Conference was on Thursday, April 21, 2022 at 10:00 AM. It appears that since about March 21, 2022, the Complainant has not been receiving e-mail notices when new documents are sent to the docket. When the Complainant goes to the PUC website, however, he is able to read all the documents that have been docketed. Hence, the Complainant did not receive an e-mail notice of the order by Judge Devoe of the Further Call In Telephonic Prehearing Conference Notice docketed on 4/7/22 which would have alerted him that he wrongly written the date of the Prehearing Conference on his calendar. This inability to receive some e-mails on the Complainant's computer may be due to a malfunction in the Complainant's e-mail system. The Complainant has had several e-mails supposedly sent to him over the past few weeks that have never arrived in his e-mail box. The Complainant contacted his e-mail provider, Earthlink, about the problem on April 14, 2022 after missing the Telephonic Prehearing Conference. Earthlink thinks they may have resolved the problem by changing a setting that was automatically erasing suspected spam to a setting which gives the user time to read suspected spam before erasing it. Going forward, the Complainant will need to check the PUC website regularly to see if any new documents have been docketed in case the problem persists. The Complainant would appreciate the PUC checking that they have correctly set up their system to e-mail the Complainant at jmusky@earthlink.net when new documents are docketed. The Complainant may benefit from new documents that are docketed being snail mailed to him, but do not know if this is possible.

2) The Respondent has requested that the evidentiary hearing be held using Microsoft Teams so that evidence can be viewed and explained more clearly. The Complainant experienced technical difficulties using Microsoft Teams on his computer during a previous court case. In this previous court case, the Complainant was unable to get Microsoft Teams to work on his computer after coaching by the technical director, so he was asked to try to get it working on his neighbor's computer. The Complainant was unable to get Microsoft Teams working on his neighbor's computer as well, so the case had to proceed using only the telephone. The Complainant agrees that that viewing evidence would be helpful. The Complainant would like to know if this case could be heard in person now that Covid dangers appear to be less pervasive.

CONCLUSION

WHEREFORE, the Complainant respectfully requests the Commission to (1) schedule another Prehearing Conference, (2) check if their system is set up to correctly to e-mail imusky@earthlink.net of new documents that are docketed, (3) snail mail John Musgrave IV any new documents that are documented, and (4) schedule the evidentiary hearing to be in person.

Respectfully submitted,

A handwritten signature in black ink that reads "John K. Musgrave IV". The signature is written in a cursive style and is positioned above a horizontal line.

John K. Musgrave IV
6059 Bunkerhill Street
Pittsburgh, Pennsylvania 15206
imusky@earthlink.net

Date: April 14, 2022

Pro Se Complainant

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code Section 1.54.

Dated this 14th day of April, 2022

John K. Musgrave IV

John K. Musgrave IV

Pro Se Complainant John K. Musgrave IV agrees to serve as Pro Se counsel for himself:

John K. Musgrave IV
6059 Bunkerhill Street
Pittsburgh, PA 15206
(412)853-1666
jmusky@earthlink.net

Pittsburgh Water and Sewer Authority
Karen O. Moury, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street
Harrisburg, PA 17101
(717)237-6036
kmoury@eckertseamans.com
Accepts eService

Pittsburgh Water and Sewer Authority
Shannon F. Barkley, Esquire
Penn Liberty Plaza I
1200 Penn Avenue
Pittsburgh, PA 15222
(412)676-6685
sbarkley@pgh2o.com
Accepts eService

Service by eService as follows:
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Accepts eService

Pittsburgh Water and Sewer Authority
Lauren M. Burge, Esquire
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
(412)566-2146
lburge@eckertseamans.com
Accepts eService

Hon. Emily I. DeVoe
Administrative Law Judge
PA Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222
edevoe@pa.gov
Accepts eService