
Nicholas A. Stobbe

nstobbe@postschell.com
717-612-6033 Direct
717-731-1985 Direct Fax
File #: 140074

April 27, 2022

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Michael Kissling v. PPL Electric Utilities Corporation
Docket No. C-2022-3030980

Dear Secretary Chiavetta:

Attached for filing is the Unopposed Motion of PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) for Continuance of the Hearing scheduled for Tuesday, May 3, 2022, at 10:00 a.m. in the above-referenced proceeding.

Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Nicholas A. Stobbe

NAS/dmc
Attachments

cc: Honorable Marta Guhl (*via email*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL AND FIRST-CLASS MAIL

Michael Kissling
549 East Church Street
Slatington, PA 18080
MKissling65@gmail.com

Date: April 27, 2022



Nicholas A. Stobbe

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Kissling,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2022-3030980
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.103(c), YOU MAY FILE A REPLY TO THE ENCLOSED MOTION WITHIN (20) DAYS AFTER THE DATE OF SERVICE OF THIS NOTICE. YOUR REPLY SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR ANSWER SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

Kimberly A. Klock (ID # 89716)
Michael J. Shafer (ID # 205681)
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101
Phone: 610-774-2599
Fax: 610-774-4102
E-mail: kklock@pplweb.com
mjshafer@pplweb.com



Devin T. Ryan (ID # 316602)
Nicholas A. Stobbe (ID # 329583)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: dryan@postschell.com
nstobbe@postschell.com

Date: April 27, 2022

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Kissling,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2022-3030980
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

MOTION FOR CONTINUANCE OF PPL ELECTRIC UTILITIES CORPORATION

TO ADMINISTRATIVE LAW JUDGE MARTA GUHL:

PPL Electric Utilities Corporation (“PPL Electric”) hereby files this Motion for a Continuance pursuant to Section 5.103 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.103, and requests that the above-captioned Complaint be continued by approximately 30 days. Prior to filing the instant Motion, PPL Electric consulted with Michael Kissling (“Complainant”) about the proposed continuance. The Company’s understanding is the Complainant does not oppose the proposed continuance.

In support of the instant Motion, PPL Electric avers as follows:

I. MOTION

1. PPL Electric furnishes electric service to approximately 1.4 million customers throughout its certificated service territory, which includes all or portions of twenty-nine counties and encompasses approximately 10,000 square miles in eastern and central Pennsylvania. PPL Electric is a “public utility” and an “electric distribution company” as defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 102, 2803.

2. Pursuant to Chapters 15 and 28 of the Public Utility Code, PPL Electric has a statutory obligation to provide safe, efficient, and reasonable service and facilities and to make all repairs or improvements in or to such service or facilities as are reasonably necessary for the accommodation, convenience, and safety of its customers.

3. The Complainant is a residential customer of PPL Electric with a property located in Slatington, Pennsylvania.

4. On February 18, 2022, the Company was served with the above-captioned Complaint via Secretarial Letter from the Commission.

5. In the Complaint, the Complainant alleged, among other things, that his electric service was improperly shut-off by PPL Electric on February 12, 2022, without notice.

6. On March 10, 2022, PPL Electric filed an Answer and New Matter to the Complaint, admitting in part and denying in part the factual basis of the Complainant's allegations. Also on March 10, 2022, the Company filed a Preliminary Objection.

7. On March 14, 2022, the Commission issued a Telephonic Hearing Notice, scheduling an evidentiary hearing for 10:00AM, May 3, 2022.

8. Section 1.15(b) of the Commission's regulations states:

(b) Except as otherwise provided by statute, requests for continuance of hearings or for extension of time in which to perform an act required or allowed to be done at or within a specified time by this title or by order of the Commission or the presiding officer, shall be by motion in writing, timely filed with the Commission, stating the facts on which the application rests, except that during the course of a proceeding, the requests may be made by oral motion in the hearing before the Commission or the presiding officer. Only for good cause shown will requests for continuance be considered. The requests for a continuance should be filed at least 5 days prior to the hearing date.

52 Pa. Code § 1.15(b).

9. In addition, the Telephonic Hearing Notice issued on March 14, 2022, provides the following:

You may request a continuance of the hearing if you have a good reason. All continuances will be granted only for good cause. To request a continuance, you must submit a written request (a “motion”) at least five (5) days before the hearing. Your motion should include: 1) The case name, number, and hearing date; 2) The reason for the request; and 3) Whether the other party agrees (or if you do not know).

Telephonic Hearing Notice, p. 2 (Mar. 14, 2022).

10. Since filing its responsive pleadings, the Company has contacted the Complainant multiple times about settlement. Although those negotiations have not produced a settlement yet, PPL Electric remains hopeful that a settlement will be achieved in this proceeding. However, PPL Electric believes that a settlement is unlikely to be reached prior to the May 3, 2022, hearing date.

11. Further, the requested continuance will help the parties prepare for the hearing and produce a more complete evidentiary record. The parties have had only a couple months since the Complaint was served on PPL Electric to try to resolve the case and prepare for the hearing. In fact, under the current schedule, there will only be 74 days between when the Complaint was served on PPL Electric (*i.e.*, February 18, 2022) and the evidentiary hearing (*i.e.*, May 3, 2022). The Company firmly believes that an additional 30 days will help the parties complete their factfinding and be able to create a full and clear evidentiary record.

12. In addition, a 30-day continuance will enable the parties to have productive discussions about potentially entering into factual stipulations, narrowing the scope of issues in this case, or both, which would reduce the length of the evidentiary hearing.

13. Moreover, PPL Electric's Preliminary Objection, which was timely filed on March 14, 2022, remains pending as of the date of this Motion. The requested continuance may facilitate a ruling on that Preliminary Objection prior to the hearing.

14. Lastly, this is the Company's first request for continuance, and a 30-day continuance of the hearing will not unnecessarily delay the adjudication of the Complaint.

15. For these reasons, PPL Electric herein requests a continuance of the hearing by approximately 30 days for a date that is mutually acceptable to the parties and Administrative Law Judge Marta Guhl.

16. PPL Electric has contacted the Complainant about the requested continuance. PPL Electric understands that the Complainant does not oppose the requested continuance.

II. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that a continuance of the hearing by approximately 30 days be granted in the above-captioned proceeding.

Respectfully submitted,



Kimberly A. Klock (ID # 89716)
Michael J. Shafer (ID # 205681)
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101
Phone: 610-774-2599
Fax: 610-774-4102
E-mail: kklock@pplweb.com
mjshafer@pplweb.com

Devin T. Ryan (ID # 316602)
Nicholas A. Stobbe (ID # 329583)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: dryan@postschell.com
nstobbe@postschell.com

Date: April 27, 2022

Attorneys for PPL Electric Utilities Corporation