



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

February 14, 2023

***Via Electronic Filing***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement v.  
Larkin Oil & Gas Company  
Docket No. C-2022-3037214  
**I&E Motion for Continuance**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion for Continuance in the above-referenced proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Alphonso Arnold III'.

Alphonso Arnold III  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 318487  
(717) 787-3836  
[alphonarno@pa.gov](mailto:alphonarno@pa.gov)

AA/ac  
Enclosures

cc: Per Certificate of Service  
Administrative Law Judge Charece Z. Collins (email only: [charcollin@pa.gov](mailto:charcollin@pa.gov))

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2022-3037214
	:	
Larkin Oil & Gas Company,	:	
Respondent	:	

**MOTION FOR CONTINUANCE**

NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorney, and files this Motion for Continuance pursuant to Sections 1.15 and 5.103 of the Commission’s regulations, 52 Pa. Code § 1.15 and 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E commenced this action on December 13, 2022, by filing a Formal Complaint.
2. The Formal Complaint alleged that Larkin Oil & Gas Company (“Respondent”) failed to file an assessment report detailing its 2020 calendar year revenues and failed to satisfy its 2021-2022 Fiscal Year assessment invoice in violation of Section 510(b) and (c) of the Pennsylvania Public Utility Code. *See* 66 Pa.C.S. § 510(b) and (c).
3. Respondent failed to file an Answer to the Formal Complaint.
4. I&E filed a Motion for Default Judgment on January 17, 2023.
5. Respondent failed to file a Response to the Motion for Default Judgment.

6. The Commission's Office of Administrative Law Judge (OALJ) served a Call-In Telephone Hearing Notice to the parties on January 18, 2023, scheduling this matter for a telephonic evidentiary hearing on March 2, 2023, before Administrative Law Judge Charece Z. Collins.

7. The OALJ served a Prehearing Order to the parties on January 18, 2023, explaining the procedures applicable to the evidentiary hearing. Of note, the Prehearing Order stated the following concerning requests for continuances: "You may request a continuance of the hearing if you have a good reason. 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, case number, and hearing date; (2) The reason you are requesting a continuance; and (3) State whether the other party(s) agrees to the request (or if you do not know)."

8. This Motion for Continuance is being submitted more than five (5) business days prior to the scheduled hearing.

9. I&E sought Respondent's consent to its Motion for Continuance, but has not received a reply.

10. I&E's sole witness in this matter has a pre-scheduled medical appointment the morning of March 2, 2023, at conflict with the evidentiary hearing scheduled in this matter.

11. Given the unavailability of I&E's sole witness to this proceeding, I&E asserts that good cause exists for the rescheduling of the March 2, 2023, evidentiary

hearing. The testimony of I&E's sole witness is crucial to I&E's ability to present evidence sufficient to meet its burden of proof as Complainant in this matter.

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement respectfully requests that the Commission grant I&E's Motion for Continuance and reschedule the hearing date on a date after March 2, 2023, to ensure the availability of I&E's witness.

Respectfully submitted,

A handwritten signature in black ink that reads "Alphonso Arnold III". The signature is written in a cursive style with a distinct "III" at the end.

Alphonso Arnold III  
Prosecutor  
PA Attorney ID No. 318487

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
(717) 787-3836  
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Date: February 14, 2023

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

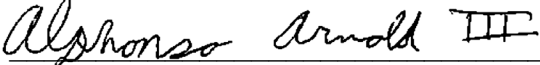
Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2022-3037214
	:	
Larkin Oil & Gas Company,	:	
Respondent	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing Motion for Continuance, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**Served via Electronic Mail**

Randy Larkin  
Larkin Oil & Gas Company  
217 Main Street  
PO Box 58  
Callensburg Pa, 16213  
[larkin16213@gmail.com](mailto:larkin16213@gmail.com)

  
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Alphonso Arnold III  
Prosecutor  
PA Attorney ID No. 318487

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Dated: February 14, 2023