

Andrew and Theresa Sabatini

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January 9, 2024

VIA E-FILE

Rosemary Chiavetta, Esq.
Public Utility Commission

Re: Andrew and Theresa Sabatini v. West Penn Power Company
Docket No. C-2018-3005177

Dear Ms. Chiavetta,

Please find enclosed our Motion for Extension of Briefing Schedule in the above referenced matter.

Respectfully,

 /s/
Andrew Sabatini

 /s/
Theresa Sabatini

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ANDREW AND THERESA SABATINI	:	
	:	
v	:	Docket No. C-2018-3005177
	:	
WEST PENN POWER COMPANY	:	

Motion for Extension of Briefing Schedule

On December 5, 2023, Administrative Law Judge, Emily I. DeVoe entered a briefing schedule in our case, giving us just over a month until January 12, 2024 to file our brief in the above referenced case with the PUC.

Our case has been stayed since November 4, 2020. Our hearing, held on February 20th, 2020, was nearly four years ago. After all this time we cannot remember any of the details of our hearing, and we need time to go to the PUC offices in Pittsburgh to review our transcript before we can write our brief, since we can't afford to purchase the transcript. Our brief is essential to our case and without time to review the transcript, we are completely unable to put forth our position in our case.

ALJ DeVoe's order of December 5, 2023 states:

That the Parties may, but shall not be required to, file briefs in this matter... it shall not be a requirement that the briefs include proposed findings of fact, conclusions of law or proposed ordering paragraphs. In addition, it shall not be a requirement that any brief include any specific references to the testimony or exhibit from the evidentiary hearing. The briefs may include a discussion of the legal argument of the parties as well as any legal authority and citations to support such argument or discussion.

So while ALJ DeVoe allows that the briefs need not include "any specific references to the testimony or exhibit from the evidentiary hearing", we assert that we must reference the testimony of the hearing in order to make our case and ensure a proper record for subsequent

appeal to a higher court. In addition, at our hearing, we did state, on the record, that we could not afford to purchase our own copy of the transcript. At our hearing ALJ Watson, on the record, assured us that we would be able to view the transcript at his offices. We need time to do that.

1. During the short period allowed by ALJ DeVoe's order (December 5th to January 12th), we a) had previously arranged for family to come stay here with us, with different family members coming throughout the month of December for holiday visits and (b) had the two federally recognized holidays of Christmas and New Year's Day fall between those dates. With family obligations, church obligations, and office and business closures, December 5th to January 12th was simply not enough time to prepare a brief.
2. PUC office hours were also affected by holiday closures, hindering our ability to access the transcript thereby, in effect, shortening our briefing schedule even more.
3. Additionally, Marilyn S. Barton, Theresa's mother, who has lived with us for the past six years, was very ill during all of December and passed away on December 28th, 2023. Her care up until the date of her passing and all the planning and arranging of funeral home and service and burial fell to us. We have also had family members staying with us since her passing to attend the services and family gatherings to grieve and remember the matriarch of our family. The funeral was January 5th, and we still have family members staying here through the evening of January 10th. There are still many, many urgent matters to attend to for the estate and all of her belongings which are here on our property, and after six years of her daily presence in our home and lives, her absence is sorely felt, and that is affecting our sleep and basic, daily functioning.

THEREFORE, we respectfully request a six month extension for the submission of our brief until July 12, 2024, to give us necessary time to handle both our family circumstances and the important research and writing of our legal brief in this matter.

Respectfully submitted this 9th day of January 2024,

_____/s/

Andrew Sabatini

_____/s/

Theresa Sabatini

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

ANDREW AND THERESA SABATINI :
 :
 v : **Docket No. C-2018-3005177**
 :
WEST PENN POWER COMPANY :

CERTIFICATE OF SERVICE

We hereby certify that we have this day served a true copy of this Motion for Extension of Briefing Schedule upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by email as follows:

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Dated: January 9, 2024