

January 17, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Rich Bailey v. West Penn Power Company
Docket No. C-2023-3037788

Dear Secretary Chiavetta:

In accordance with the Interim Order issued on November 28, 2023 in the above-referenced matter, this letter serves as a status report on behalf of West Penn Power Company (“West Penn”). Presently, the Complainant has failed to provide timely and complete notification of his expert and factual witnesses pursuant to the Interim Order, which established a deadline of December 22, 2023. West Penn timely provided notice of its expert and factual witnesses. Further, West Penn served its First Set of Discovery to Complainant on December 15, 2023, without response to date. Despite the Complainant’s lack of proper notification and summaries, West Penn intends to proceed with its witness as identified in its notification dated December 22, 2023.

Counsel for West Penn has conferred with the Complainant regarding possible settlement of or withdrawal of his Formal Complaint and is currently awaiting a response as to a possible resolution. Unless and until that development occurs, West Penn will continue to pursue its defense of the Formal Complaint as filed to include, but not be limited to, a motion to compel discovery responses and dispositive motions in advance of its defense at an evidentiary hearing to be held in this matter.

Copies of this report are being provided in accordance with the attached Certificate of Service. Should you have any questions regarding this report, please do not hesitate to contact me.

Very truly yours,



Daniel A. Garcia

vlr

c: As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RICH BAILEY

v.

WEST PENN POWER COMPANY

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Docket No. C-2023-3037788

CERTIFICATE OF SERVICE

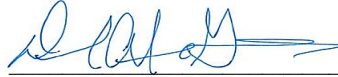
I hereby certify that I have this day served a true copy of the aforementioned documents upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service via First-Class Mail and electronic mail as follows:

Rich Bailey
594 Bartleyville Road
Burgettstown, PA 15021

Administrative Law Judge Emily I. DeVoe
edevoe@pa.gov

Dated: January 17, 2024



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