

Andrew and Theresa Sabatini

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January 25, 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 to Strike West Penn Power's Brief that was not filed timely.

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	:	

On December 5th, 2023, ALJ Emily DeVoe entered an interim order setting a briefing schedule for our case before the PUC with the deadline for filing briefs set for January 12, 2024. Item number 5 in her order read: “That no extension to any of the deadlines set forth in this Order shall be granted absent good cause.”

On January 9th, 2024, we filed a Motion to Extend the Briefing Schedule and supplied the “good cause” of Theresa’s mother’s final illness, death (December 28, 2023) , and funeral (January 5, 2024), which was occurring HERE IN OUR HOUSEHOLD during the ENTIRE time of our briefing schedule period from (December 5th, 2023 to January 12, 2024).

One day later, on January 10, 2024, ALJ Emily DeVoe entered an interim order entirely denying our Motion for Extension of Briefing Schedule.

On January 24th, we (Andrew and Theresa Sabatini) received West Penn Power’s Brief via USPS, with no prior email notification or E-Filing notification, although their brief states that we received electronic notification; we did not. Checking the PUC E-Filing website, we found that their brief was filed on January 16, 2024, FOUR DAYS AFTER ALJ DeVoe’s strict deadline of January 12, 2024.

Their brief was not filed timely and therefor should be stricken from the case record.

Respectfully submitted this 25th 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 to Strike West Penn Power’s Brief 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:

CHIEF ADMINISTRATIVE LAW JUDGE, CHARLES E. RAINEY, JR.
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Dated: January 25, 2024