



2800 Pottsville Pike  
PO Box 16001  
Reading, PA 19612-6001

*Tori L. Giesler, Esq.*  
*(610) 921-6658*  
*(330) 315-9263 (Fax)*

February 8, 2024

**VIA ELECTRONIC FILING**

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

**Re: Joan Consul v. Metropolitan Edison Company**  
**Docket No. F-2021-3024123**

Dear Secretary Chiavetta:

Enclosed please find the Motion for Continuance of FirstEnergy Pennsylvania Electric Company on behalf of its Met-Ed Rate District with regard to the above-captioned matter. This document has been served on the Complainant as shown in the Certificate of Service.

Please contact me if you have any questions regarding this matter.

Very truly yours,

Tori L. Giesler

TLG/vlr

Enclosures

c: As Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>JOAN CONSUL</b>	:	
v.	:	
	:	<b>Docket No. F-2021-3024123</b>
<b>METROPOLITAN EDISON COMPANY</b>	:	
	:	

**MOTION OF FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY ON BEHALF  
OF ITS MET-ED RATE DISTRICT FOR CONTINUANCE OF HEARING**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

FirstEnergy Pennsylvania Electric Company on behalf of its Met-Ed Rate District<sup>1</sup> (the “Company”) by and through its attorney, Tori L. Giesler, and pursuant to 52 Pa. Code § 1.15(b), hereby files this Motion for Continuance of the hearing currently scheduled for February 20, 2024.

In support thereof, the Company avers as follows:

**I. BACKGROUND**

1. On or about February 11, 2021, Joan Consul (“Complainant”) filed a Formal Complaint with the Pennsylvania Public Utility Commission (“Commission”) seeking to maintain her use of the analog meter currently installed at her property located at 255 Mountain Mary Road, Boyertown, Pennsylvania 19512 (“Service Location”).<sup>2</sup>

2. On August 16, 2022, the Pennsylvania Supreme Court issued its Opinion affirming in part and reversing in part the Commonwealth Court’s decision.<sup>3</sup>

---

<sup>1</sup> On January 1, 2024, FirstEnergy Corp.’s Pennsylvania operating companies (i.e., Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company) merged into FirstEnergy Pennsylvania Electric Company. Due to the merger transaction, the affected operating companies’ tariffs were consolidated into a single tariff, with each former operating company’s rates becoming its own rate district. As such, the customers of the former Metropolitan Edison Company have their own separate and distinct rate district under FirstEnergy Pennsylvania Electric Company’s tariff.

<sup>2</sup> On November 4, 2020, smart meter proceedings were stayed pursuant to the Commission’s Order. *See Smart Meter Procurement and Installation*, No. M-2009-2092655 (Order entered 11/4/2020) (“*Stay Order*”).

<sup>3</sup> *See Povacz v. Pa. PUC*, 280 A.3d 975 (Pa. 2022) (“*Povacz II*”).

3. On November 9, 2023, the Commission issued an Order at Docket No. M-2009-3092655, lifting the stay in certain smart meter related Formal Complaint proceedings.

4. On December 4, 2023, Met-Ed filed an Answer and New Matter in which it denied the material allegations of the Complaint and requested the Complaint to be dismissed. On December 4, 2023 Met-Ed also filed Preliminary Objections seeking dismissal of the complaint based on legal insufficiency of the Complaint.

5. On January 25, 2024, Administrative Law Judge Haas (“ALJ Haas”) issued a Telephonic Prehearing Conference Notice for the conference to be held on February 20, 2024.

6. On February 5, 2024, ALJ Haas issued a Prehearing Conference Order.

7. Counsel for the Company is unavailable during the scheduled hearing date and time due to jury duty obligations.

8. As such, the Company respectfully requests that the prehearing conference scheduled for February 20, 2024 in this matter be rescheduled to a later date in March when both parties are available to participate.

9. The Company has reached out to the Complainant to discuss alternative hearing dates. Both parties are available for a hearing in the morning on the following dates:

**March 15, 18, 21 and 22**

10. Complainant indicated a preference for the hearing to be held on March 21 or 22.

11. To the extent the proposed dates are not available, counsel for the Company is happy to work with the presiding officer’s scheduling staff and the Complainant to find an acceptable date.

## II. MOTION FOR CONTINUANCE

12. The Commission's regulations permit a request for continuance of a hearing upon good cause shown. 52 Pa. Code § 1.15(b).

13. In this case, the Company is unable to attend the hearing at the scheduled date and time due to a due to jury duty obligations.

WHEREFORE, FirstEnergy Pennsylvania Electric Company on behalf of its Met-Ed Rate District respectfully requests that the Commission issue an Order granting the Motion for Continuance.

Respectfully submitted,

Dated: February 8, 2024



---

Tori L. Giesler  
Attorney No. 207742  
FirstEnergy Service Company  
2800 Pottsville Pike  
P.O. Box 16001  
Reading, Pennsylvania 19612-6001  
(610) 921-6658  
[tgiesler@firstenergycorp.com](mailto:tgiesler@firstenergycorp.com)  
Counsel for FirstEnergy Pennsylvania Electric  
Company (Met-Ed Rate District)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JOAN CONSUL**

**v.**

**METROPOLITAN EDISON COMPANY**

:  
:  
:  
:  
:

**Docket No. F-2021-3024123**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the Motion of Continuance of FirstEnergy Pennsylvania Electric Company on behalf of its Met-Ed Rate District upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by First Class and electronic mail as follows:

Joan Consul  
255 Mountain Mary Road  
Boyertown PA, 19512  
[Concycle@aol.com](mailto:Concycle@aol.com)

Deputy Chief Administrative Law Judge  
Steven K. Haas  
[sthaas@pa.gov](mailto:sthaas@pa.gov)

Dated: February 8, 2024



---

Tori L. Giesler  
FirstEnergy Service Company  
2800 Pottsville Pike  
P.O. Box 16001  
Reading, Pennsylvania 19612-6001  
(610) 921-6658  
[tgiesler@firstenergycorp.com](mailto:tgiesler@firstenergycorp.com)

Counsel for FirstEnergy Pennsylvania Electric  
Company (Met-Ed Rate District)