

COMMONWEALTH OF PENNSYLVANIA



PATRICK M. CICERO
Consumer Advocate

OFFICE OF CONSUMER ADVOCATE
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
(800) 684-6560

 @pa_oca
 /pennoca
FAX (717) 783-7152
consumer@paoca.org
www.oca.pa.gov

February 9, 2024

Via Electronic Mail Only

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

Re: Pennsylvania Public Utility Commission
v.
Conneaut Lake Park Water Corporation
Docket No. R-2023-3041575

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Proposed Litigation Schedule and Proposed Discovery Modifications in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Jacob D. Guthrie
Jacob D. Guthrie
Assistant Consumer Advocate
PA Attorney I.D. # 334367
JGuthrie@paoca.org

Enclosures:

cc: PUC Secretary Rosemary Chiavetta (Letter and Certificate of Service only)
Certificate of Service
4854-4855-4148

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission : R-2023-3041575
Office of Consumer Advocate : C-2023-3043091
Office of Small Business Advocate : C-2023-3043163
George Malloy : C-2023-3043026
Sharon Arneson : C-2023-3043397
Rhonda Jaquay, et al. : C-2023-3043552
James S. Tolbert, Jr. : C-2023-3043976

v.

Conneaut Lake Park Water Corporation, Inc.

Petition of Conneaut Lake Park :
Water Corporation, Inc. for Approval : P-2023-3042648
Of a Metering Exception :

SERVICE BY E-MAIL ONLY

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Proposed Litigation Schedule and Proposed Discovery Modifications, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 9th day of February 2024.

Mark J. Shaw, Esq.
MacDONALD, ILLIG, JONES & BRITTON LLP
100 State Street, Suite 700
Erie, PA 16507-1459
Mshaw@mijb.com
*Counsel for Conneaut Lake Park
Water Corporation*

Sharon E. Webb
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
swebb@pa.gov
Counsel for OSBA

Allison C. Kaster, Esq.
Michael A. Podskoch, Jr., Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
akaster@pa.gov
mpodskoch@pa.gov
Counsel for I&E

Joshua D. Brown
Dillon McCandless King Coulter
& Graham, LLP
128 West Cunningham Street
Butler, PA 16001
jbrown@dmkcg.com
Counsel for Conneaut Lake Objectors

SERVICE BY E-MAIL ONLY (Continued)

George Malloy
213 Cobblestone Drive
Pittsburgh, PA 15237
shellyhuf@hotmail.com

James S. Tolbert Jr.
21986 Russet Dr
Meadville PA 16335
jtoltbert@zoominternet.net

Sharon Arneson
1218 Forest Avenue
New Kensington, PA 15068
arnesonsharon@ymail.com

Brian Kalcic
Excel Consulting
225 S. Meramec Ave.
Suite 720T
St. Louis, MO 63105
excel.consulting@sbcglobal.net
Consultant for OSBA

/s/ Jacob D. Guthrie
Jacob D. Guthrie
Assistant Consumer Advocate
PA Attorney I.D. #334367
JGuthrie@paoca.org

Harrison W. Breitman
Assistant Consumer Advocate
PA Attorney I.D. #320580
HBreitman@paoca.org

Counsel for:
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Dated: February 9, 2024
*4860-2278-0836

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :
Office of Consumer Advocate :
 : Docket No. R-2023-3041575
v. :
 :
Conneaut Lake Park Water Corporation, Inc. :

PROPOSED LITIGATION SCHEDULE AND DISCOVERY MODIFICATIONS
OF THE
OFFICE OF CONSUMER ADVOCATE

Pursuant to the request of Administrative Law Judges Arlene Ashton and Eranda Vero on January 31, 2024, the Office of Consumer Advocate (OCA) submits the below proposed litigation schedule and discovery modifications in the above-captioned proceeding.

I. PROPOSED SCHEDULE

The OCA proposes the below litigation schedule.

Company Direct	Wednesday, March 13, 2024
Other Parties' Direct	Tuesday, April 9, 2024
Rebuttal	Tuesday, April 30, 2024
Surrebuttal	Friday, May 17, 2024
Written Rejoinder	Friday, May 24, 2024
Hearings	Wednesday, May 29, 2024 and Thursday May 30, 2024
Main Brief	Friday, June 21, 2024
Reply Brief	Friday, July 5, 2024

The OCA circulated this proposed schedule on February 7, 2024, and all parties agreed to the above dates.

II. DISCOVERY

The parties have already exchanged several rounds of discovery in this case. Going forward, the OCA proposes the following modifications to the Commission's discovery regulations:

1. Answers to written interrogatories shall be served in-hand within five (5) calendar days of service.
2. After the submission of Non-Company Direct Testimony, answers to written interrogatories shall be served in-hand within three (3) calendar days of service. The parties are to use their best efforts to provide answers within this shortened time-period.
3. Objections to interrogatories shall be communicated orally within two (2) calendar days and in writing within three (3) calendar days of service of the interrogatories.
4. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within two (2) calendar days of service of the written objections.
5. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within two (2) calendar days of service of such motions.
6. Responses to requests for document production, entry for inspection, or other purposes must be served in-hand within (5) calendar days.
7. Requests for admissions will be deemed admitted unless answered within three (3) calendar days of service.
8. Discovery and all discovery-related pleadings, such as objections, motions, or answers, served after 12:00 noon on a Friday or after 12:00 noon the day before a holiday recognized by the Commission will be deemed to have been served on the following business day for purposes of tracking due dates.
9. The parties are directed to make every reasonable effort to comply with these discovery response times. In those instances when compliance is not possible, despite a party's best efforts, the responding party shall so advise and the parties shall work together to address the requests and responses on a timely basis.

The OCA requests that all discovery due dates be “in-hand” and e-mail service on the due date will satisfy the “in-hand” requirement. The OCA has circulated the above proposed modifications to the parties and has heard no objection.

Respectfully Submitted,

/s/Harrison W. Breitman
Harrison W. Breitman
Assistant Consumer Advocate
PA Attorney I.D. # 320580
E-Mail: HBreitman@paoca.org

Jacob Guthrie
Assistant Consumer Advocate
PA Attorney I.D. # 334367
E-mail: JGuthrie@paoca.org

Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152

Counsel for:
Patrick M. Cicero
Consumer Advocate

Dated: February 9, 2024