

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-3043744
	:	
Municipal Authority of Hazle Township,	:	Damage Prevention Case 017047
	:	
Respondent	:	

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**RESPONDENT, MUNICIPAL AUTHORITY OF HAZLE TOWNSHIP’S MOTION FOR CONTINUANCE OF HEARING**

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**TO ADMINISTRATIVE LAW JUDGE JOHN M. COOGAN:**

Respondent, Municipal Authority of Hazle Township (“MAHT”), by and through its undersigned counsel, hereby submits this Motion for Continuance of Hearing, pursuant to 52 Pa. Code § 1.15(b), to continue the hearing date that was previously scheduled in this matter for March 29, 2024, and in support hereof, states the following:

1. On January 17, 2024, a Telephonic Pre-Hearing Conference was held in this matter.
2. A Telephonic Evidentiary Hearing in this matter was set for Wednesday, February 28, 2024.
3. On February 22, 2024, Complainant, Bureau of Investigation and Enforcement (“I&E”), with MAHT’s concurrence, filed a Motion to Continue the February 28, 2024 hearing.

4. By e-mail, dated February 22, 2024, the Honorable John M. Coogan indicated that he would grant I&E's Motion and would continue the telephonic evidentiary hearing to Friday March 29, 2024 at 10:00 A.M. The Court subsequently confirmed its e-mail by Order.

5. Counsel for MAHT and I&E subsequently held a telephone conference on February 23, 2024 to discuss a potential settlement in this matter.

6. The I&E offered a settlement proposal which the undersigned was obliged to present to MAHT's Board of Directors for consideration. The undersigned informed Attorney Rosul that the next meeting of MAHT's Board did not occur until March 6, 2024.

7. At the March 6, 2024 meeting, MAHT's Board considered and rejected the I&E's settlement proposal and submitted a counteroffer, which the undersigned thereupon conveyed to Attorney Rosul in an e-mail later that day.

8. The undersigned further requested in his March 6, 2024 e-mail that, in the event the I&E rejected MAHT's counteroffer, the I&E agree to a continuance of the March 29, 2024 re-scheduled telephonic evidentiary hearing since Good Friday falls on March 29, 2024 and many (if not all) of MAHT's witnesses would be unavailable to participate due to their observance of this Holiday.

9. By e-mail, dated March 8, 2024, Attorney Rosul stated that the I&E had rejected MAHT's counteroffer. In his e-mail, Attorney Rosul also stated that the I&E had no objection to MAHT's request for a continuance.

10. Accordingly, MAHT requests that Your Honor continue the March 29, 2024 hearing to another date/time.

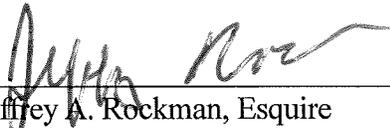
11. Although the parties are currently at a settlement impasse, the grant of a continuance will allow the parties to further explore settlement options which may very well resolve this matter and obviate the need for a hearing.

**WHEREFORE**, due to the coincidence of the Good Friday Holiday with the scheduled telephonic evidentiary hearing on March 29, 2024 and to provide the Parties additional time to negotiate a potential settlement, MAHT respectfully requests that the March 29, 2024 hearing be continued.

Respectfully submitted,

THE SLUSSER LAW FIRM

By:



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Jeffrey A. Rockman, Esquire

Supr. ID #47463

1620 North Church Street, Suite 1

Hazleton, PA 18202

Telephone: 570-453-0463

Attorney/Solicitor for Respondent,  
Municipal Authority of Hazle Township

DATED: March 13, 2024

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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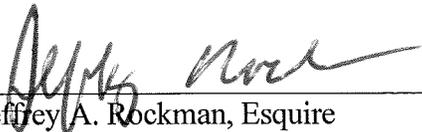
**CERTIFICATE OF SERVICE**

I, Jeffrey Rockman, Esquire, hereby certify that on March 13, 2024, I served Respondent's *Motion for Continuance* in the above-captioned via e-mail upon the following:

Grant Rosul, Esquire  
Bureau of Investigation and Enforcement  
400 North Street, 3<sup>rd</sup> Floor  
Harrisburg, Pa. 17120  
Email: [grosul@pa.gov](mailto:grosul@pa.gov)

and electronically with the Pennsylvania Public Utility Commission using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov)

THE SLUSSER LAW FIRM

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Solicitor for Respondent,  
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