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March 22, 2024

VIA FIRST CLASS MAIL

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

Re: David Maloney v. Metropolitan Edison Company
Docket No. C-2019-3007460

Dear Secretary Chiavetta:

In accordance with the Prehearing Conference Order issued on December 15, 2023 in the above-referenced matter, this letter serves as a status report on behalf of FirstEnergy Pennsylvania Electric Company on behalf of its Met-Ed Rate District¹ (“the Company”). On January 8, 2024, Mr. Maloney was ordered to Show Cause by January 29, 2024 as to why his Formal Complaint in the above-captioned matter should not be dismissed due to his failure to appear at the scheduled prehearing conference held on January 8, 2024. To date, Mr. Maloney has not provided a response and a ruling remains outstanding.

In addition, Mr. Maloney continues to fail to respond to directives to provide his witness information and complete responses to discovery requests dating back to June 2019, which ultimately led to the Company filing a Motion to Dismiss on September 10, 2019. This Motion has been held in abeyance since October 22, 2019, when Mr. Maloney was provided additional time to respond to the various requests. To date – four and a half years later – Mr. Maloney remains unresponsive.

¹ 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.

Given the details outlined herein, not only are the Company's due process rights impaired, but both the Company's and the Pennsylvania Public Utility Commission's resources are being unduly wasted by Mr. Maloney's unwillingness to participate in a proceeding of his own creation. As such, the Company respectfully requests that Your Honor issue a determination on the Rule to Show Cause and, in the alternative, again renews its request for a ruling on its Motion to Dismiss.

Very truly yours,



Tori L. Giesler

TLG/vlr

c: As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DAVID MALONEY :
 :
 v. : **Docket No. C-2019-3007460**
 :
METROPOLITAN EDISON COMPANY :

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 by First Class Mail, postage prepaid, and electronic mail as follows:

David Maloney
320 Merkle Road
Boyertown, PA 19512

Administrative Law Judge Alphonso Arnold III
Pennsylvania Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222
alphonarno@pa.gov

Dated: March 22, 2024



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