

VIA E-FILE

April 5, 2024

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

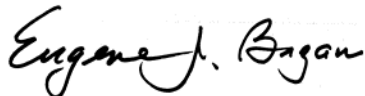
Re: MOTION FOR CONTINUANCE OF HEARING ON APRIL 25, 2024
(Eugene J. Bazan v. West Penn Power Company, Docket # C-2017-2640338)

Dear Secretary Chiavetta:

Appended, please find our **MOTION FOR CONTINUANCE OF HEARING ON APRIL 25, 2024** to ALJ Mark Hoyer, dated today, April 5, 2024 in the above referenced proceeding to file with the Pennsylvania Public Utility Commission. This document has been served by email on ALJ Mark Hoyer, presiding officer, and by email on Respondents Renner, Watson, Lepkoski and Giesler as shown in the Certificate of Service, in accordance with Commission regulations.

Thank you for your assistance.

Sincerely,



Eugene J. Bazan,
Co-Complainant, pro se



Tania M. Slawecki,
Co-Complainant , pro se

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Eugene Bazan

v.

West Penn Power Company

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C-2017-2640338

VIA E-Serve

MOTION FOR CONTINUANCE OF HEARING ON APRIL 25, 2024

[Eugene J. Bazan v West Penn Power, C-2017-2640338]

To the Honorable ALJ Mark A. Hoyer:

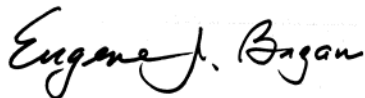
- 1) We are in receipt of your two eServe Notices for a Hearing on April 25, 2024, dated March 25th and April 3rd respectively. We are requesting a continuance as we require additional information and time to prepare for this hearing.
- 2) By way of background, Dr. Tania M. Slawecki has her Ph.D. in Materials Science, and has been working at the Microwave Processing and Engineering Center at Penn State. She is our Expert Witness and submitted her Expert Witness Testimony dated April 14, 2019, with minor updates dated July 22, 2019. Mr. Bazan is her husband.
- 3) In February of 2022 Tania's father suffered a stroke followed by a heart attack. He cannot talk or walk and requires around the clock care. He had been taking care of his wife who had developed dementia. As power of attorney for both parents, and in charge of their medical directives, Tania has been occupied for the past two plus years managing the care, medical treatment and finances of both, and keeping their health food business running. Following insufficient recovery at a rehab facility, Tania arranged for the direct care of her father at his home in Bucks County, four hours from our home in Lemont. Tania rotates taking care of her father with a live-in aide and other aides. With the help of her siblings, she arranged to place her mother in a memory care facility also in Bucks County. While at home in Lemont, she handles their affairs here. Consequently, she has had to reduce her hours at her university lab work.
- 4) Four years have passed since our March 2020 hearing. The continuation of the hearing rescheduled for October 2020, was ultimately cancelled due to the stay. Since that time, the legal landscape around wireless technologies including smart meters has been volatile, and not just in Pennsylvania. At the same time the scientific landscape has expanded. The Litigation Schedule under which we were earlier operating has gone by the board, and we, the complainants, are not clear on the scope of this next hearing.
- 5) Previously, the October 2020 hearing was to allow Complainants to ask questions of respondent's witnesses. Is this still the case? Originally, these witnesses were to be Mr. Ahr, Dr. Davis and Dr. Israel. We recently learned that Dr. Davis has died. What are

respondent's plans for this second hearing? We require time to pull together documents, exhibits and materials most appropriate for this second hearing.

- 6) In light of the lapse of time and changes in the legal and scientific landscape over the past four years, we may wish to bring additional evidence supporting our complaint. Here we rely on 52 Pa. Code § 5.571, for the purpose of taking additional evidence. We require time to prepare these beyond the submission deadline of April 18 you set in your hearing order.
- 7) Tania is away taking care of her parents about half the time. In light of the above questions and circumstances, we request a continuance of two calendar months to prepare for the hearing. Possible windows for Tania's availability are weekdays as follows, subject to any emergencies that may arise in caring for her parents:
 - June 24-June 28
 - July 15-July 19
 - Aug 5-Aug 9
 - Aug 26-Aug 30.
- 8) We do not know if the respondents agree with the request for continuance, but trust that they will get back to us and the Court on the questions raised above and proposed dates.
- 9) Summarizing, we move the Court to do the following:
 - a) Clarify the scope of the proposed hearing and resolve the questions in 5) above;
 - b) Acknowledge entering of additional evidence as indicated in 6) above;
 - c) Grant a continuance with proposed windows for the hearing as indicated in 7) above.

Thank you for your consideration.

Sincerely,



Eugene J. Bazan,
Co-Complainant, pro se
PO Box 24
Lemont, PA 16851



Tania M. Slawecki,
Co-Complainant, pro se

Dated: April 5, 2024

CERTIFICATE OF SERVICE

I certify that I have this day served a true copy of our **MOTION FOR CONTINUANCE OF HEARING** upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), by email, to the parties listed below.

Mark A. Hoyer, ALJ
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Dated: April 5, 2024



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Docket No. C-2017-2640338