

VIA E-FILE

April 15, 2024

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

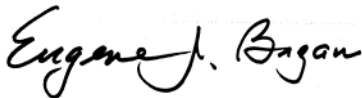
**PETITION TO RE-OPEN THE PROCEEDING
FOR THE PURPOSE OF TAKING ADDITIONAL EVIDENCE**
(Eugene J. Bazan and Tania M. Slawecki v. West Penn Power Company
Docket # C-2017-2640338)

Dear Secretary Chiavetta:

Appended, please find our **PETITION TO RE-OPEN THE PROCEEDING FOR THE PURPOSE OF TAKING ADDITIONAL EVIDENCE** to ALJ Mark Hoyer 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, Giesler, Meehan and Garcia 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.	:	C-2017-2640338
	:	
West Penn Power Company	:	

VIA E-Serve

**PETITION TO RE-OPEN THE PROCEEDING
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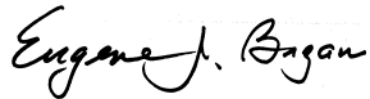
To the Honorable ALJ Mark A. Hoyer:

- 1) Complainants respectfully file this petition to reopen the above proceeding for the purpose of submitting additional evidence as per 52 PA Code § 5.571 (a) which states, § 5.571. Reopening prior to a final decision.
(a) At any time after the record is closed but before a final decision is issued, a party may file a petition to reopen the proceeding for the purpose of taking additional evidence.
- 2) Our reasons for submitting this additional evidence are as follows:
 - a) It has been more than four years since our March 10, 2020 hearing during which time there is new scientific evidence that was neither known nor addressed by the PA Supreme Court decision in Povacz, et. al, but which is of reasonably probative value (as per 2 Pa. C.S. § 505) in the above proceeding.
 - b) Near the conclusion of our March 10, 2020 hearing, Mr. Renner had levied numerous allegations against Dr. Slawecki which Complainants aver are without basis as per additional evidence Dr. Slawecki can provide on
 - i) her expertise on matters of human health, including her updated CV;
 - ii) the legal case in which Dr. Slawecki was involved that caused her to keep her name off of any publicly-posted documents but was not an issue for her Expert Witness Testimony, as this document was not publicly posted;
 - iii) PA Codes pertaining to conflicts of interest.
- 3) The information we seek to provide is relevant as per 225 Pa. Code § 401 which states:
225 Pa. Code § 401 – Test for Relevant Evidence
Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action.
- 4) We invoke Haines v. Kerner, 404 U.S. 520 (1971) in which the U.S. Supreme Court wrote “that people as themselves (that are pro se, as we are) are not same as professional

attorneys, and should not be treated and judged as such. Nor should we be judged to the same standard.” As such, we are submitting this Petition to Re-Open the Proceeding as per 52 PA Code § 5.571 to the best of our understanding of the law and request Your Honor to please notify us if you require any additional information or clarification from us in this matter.

Thank you for your consideration.

Sincerely,



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



Tania M. Slaweki,
Co-Complainant, pro se

Dated: April 15, 2024

CERTIFICATE OF SERVICE

I certify that I have this day served a true copy of our **PETITION TO RE-OPEN THE PROCEEDING FOR THE PURPOSE OF TAKING ADDITIONAL EVIDENCE** 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.

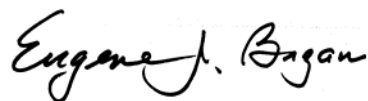
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Dated: April 15, 2024



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