

## **Legal Brief to Withdraw Complaint Without Prejudice**

**Case Title:** Beechcrest MHP LLC v. PPL Electric Utilities Corporation

**Docket No.:** C-2024-3048875

### **Introduction:**

This brief is submitted on behalf of Beechcrest MHP LLC ("Complainant") to formally request the withdrawal of the Complaint filed against PPL Electric Utilities Corporation ("Respondent" or "PPL Electric") without prejudice. This withdrawal is sought to allow for potential resolution of the issues outside of formal Commission proceedings and to preserve the Complainant's right to refile if necessary.

### **Request to Withdraw Complaint Without Prejudice:**

#### **1. Background:**

- The Complaint filed by Beechcrest MHP LLC concerns alleged damages and regulatory non-compliance by PPL Electric in relation to utility work that impacted the Complainant's property, specifically a sewer line.
- The Complainant seeks to address these issues through alternative dispute resolution mechanisms or further negotiation with PPL Electric to potentially reach a satisfactory resolution without further Commission intervention.

#### **2. Legal Basis for Withdrawal Without Prejudice:**

- Under 52 Pa. Code § 5.94(a), a party may withdraw a pleading without prejudice at any time before the conclusion of the hearing on the merits by filing a notice of withdrawal with the Commission.
- Withdrawing the Complaint without prejudice will allow the Complainant to preserve the right to refile the Complaint if the issues are not resolved through alternative means.

#### **3. Justification:**

- The Complainant believes that withdrawal without prejudice is in the best interest of both parties and the Commission, as it may lead to a more efficient resolution of the dispute.
- This action does not preclude the Complainant from pursuing the matter further if necessary and ensures that the issues can be brought back before the Commission if a satisfactory resolution is not achieved through other means.

### **Conclusion:**

For the foregoing reasons, Beechcrest MHP LLC respectfully requests that the Commission grant the withdrawal of the Complaint without prejudice. This will facilitate potential alternative dispute resolution efforts and preserve the Complainant's right to refile the Complaint if necessary.

**Respectfully submitted,**

Peter Kraft, Manager  
Beechcrest MHP LLC  
11 Katherines Way

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pete@mhpinv.com  
June 6, 2024

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**Verification:**

I, Peter Kraft, being the Manager at Beechcrest MHP LLC, hereby verify that the statements made herein are true and correct to the best of my knowledge, information, and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

**Date: June 6, 2024**

***Peter Kraft***

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**Certificate of Service:**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following parties in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party):

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**Date: June 6, 2024**

***Peter Kraft***

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This legal brief is structured to formally request the withdrawal of the Complaint filed by Beechcrest MHP LLC without prejudice, allowing for potential resolution of the dispute outside of the Commission's proceedings while preserving the right to refile if necessary.