
Megan E. Rulli

mrulli@postschell.com
717-612-6012 Direct
717-731-1985 Direct Fax
File #: 208000

November 1, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Kimberly Russell v. Duquesne Light Company
Docket No. C-2024-3050901**

Dear Secretary Chiavetta:

Attached for filing please find a Motion for Continuance on behalf of Duquesne Light Company in the above-referenced proceeding. Copies are being provided as indicated on the Certificate of Service.

Respectfully submitted,



Megan E. Rulli

MER/dmc
Attachments

cc: The Honorable Emily DeVoe (*via email; w/attachments*)
Certificate of Service

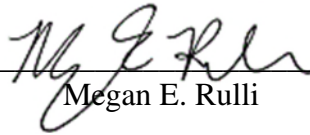
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA EMAIL AND FIRST-CLASS MAIL

Kimberly Russell
577 Orchard Avenue
Apt. 2
Bellevue, PA 15202
Beaglelover79@icloud.com

Date: November 1, 2024


Megan E. Rulli

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Kimberly Russell,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2024-3050901
	:	
Duquesne Light Company,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.342(g)(1), YOU MAY FILE A REPLY TO THE ENCLOSED MOTION WITHIN TWENTY (20) DAYS AFTER THE DATE OF SERVICE. **IN THE INSTANT MOTION, THE COMPANY REQUESTS AN EXPEDITED RESPONSE PERIOD OF 3 CALENDAR DAYS TO FACILITATE A RULING ON THE MOTION IN SUFFICIENT TIME BEFORE THE HEARING.** YOUR REPLY SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR REPLY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

Respectfully submitted,



Megan E. Rulli (ID # 331981)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
mrulli@postschell.com

Date: November 1, 2024

Attorney for Duquesne Light Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Kimberly Russell,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2024-3050901
	:	
Duquesne Light Company,	:	
	:	
Respondent.	:	

**MOTION FOR CONTINUANCE OF
DUQUESNE LIGHT COMPANY**

TO ADMINISTRATIVE LAW JUDGE EMILY DEVOE:

Duquesne Light Company (“Duquesne Light” or “Company”) hereby files this Motion for a Continuance pursuant to Section 5.103 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.103, and requests that the evidentiary hearing scheduled for November 6, 2024, in the above-captioned Complaint proceeding be continued.

Good cause exists to grant a continuance in this matter because the Company’s witness who can testify to the billing issues raised in the Complaint is unavailable on the scheduled date of the hearing due to an ongoing family emergency. Thus, good cause exists to grant the Company’s Motion for Continuance.

In support of the Motion for Continuance, Duquesne Light avers as follows:

I. BACKGROUND

1. Duquesne Light is a “public utility” and an “electric distribution company” as defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 102, 2803.

2. On August 27, 2024, the Company was served with the above-captioned Complaint via Secretarial Letter from the Commission.

3. In the Complaint, the Complainant seeks a new payment arrangement.

4. On September 16, 2024, Duquesne Light filed an Answer to the Complaint, admitting in part and denying in part the factual basis of the Complainant's allegations.

5. On September 24, 2024, the Commission issued an Initial Call-In Telephonic Hearing Notice, scheduling an evidentiary hearing for 1:00 PM on Wednesday, November 6, 2024, before Administrative Law Judge Emily DeVoe (the "ALJ").

6. Also on September 24, 2024, the ALJ issued a Prehearing Order confirming the date and time of the evidentiary hearing.

7. The evidentiary hearing for this matter is scheduled for 1:00 PM on November 6, 2024.

II. REQUEST FOR CONTINUANCE

1. Duquesne Light respectfully requests a continuance of the evidentiary hearing because the Company's witness who can testify to the billing issues raised in the Complaint is unavailable on the scheduled date of the hearing due to an ongoing family emergency.

2. Section 1.15(b) of the Commission's regulations states:

(b) Except as otherwise provided by statute, requests for continuance of hearings or for extension of time in which to perform an act required or allowed to be done at or within a specified time by this title or by order of the Commission or the presiding officer, shall be by motion in writing, timely filed with the Commission, stating the facts on which the application rests, except that during the course of a proceeding, the requests may be made by oral motion in the hearing before the Commission or the presiding officer. Only for good cause shown will requests for continuance be considered. The requests for a continuance should be filed at least 5 days prior to the hearing date.

52 Pa. Code § 1.15(b).

3. In addition, the Prehearing Order issued on September 24, 2024, provides the following:

You may request a continuance of the hearing if you have a good reason. Continuances will be granted only for good cause. To request a continuance, you must submit a written request (a “motion”) at least five (5) days before the hearing. Your motion should be served pursuant to paragraph 5B below. Your motion should include: 1) The case name, number, and hearing date; 2) The reason you are requesting a continuance; and 3) State whether the other party(s) agrees (or if you do not know). If you do not know whether the other party(ies) agrees to the request, state that you do not know.

Prehearing Order, p. 2 (Sept. 24, 2024).

4. Good cause exists to grant a continuance in this matter because the Company’s billing witness is unavailable due to a family emergency.

5. The issues raised in the Complaint concern the history of the Complainant’s account and whether she is entitled to a Commission-issued payment agreement.

6. To respond to the allegations in the Complaint, Duquesne Light plans to call a witness who can testify to the account’s payment, billing, and payment agreement history.

7. However, the Company’s witness is not available on the date of the hearing due to an unavoidable and ongoing family emergency.

8. The Company’s ability to present a defense to the Complainant’s claims would be significantly hindered if the hearing were held on the scheduled date, due to the unavailability of its primary witness.

9. Thus, good cause exists to continue the hearing.

10. Counsel for Duquesne Light has reached out to the Complainant regarding the scheduling conflict and the Company’s need to reschedule the hearing but was unable to reach her. As such, Duquesne Light does not know whether the Complainant opposes this request.

11. For these reasons, Duquesne Light respectfully requests a continuance of the hearing.

CONCLUSION

WHEREFORE, Duquesne Light Company respectfully requests that a continuance of the hearing be granted in the above-captioned proceeding. Further, the Company respectfully requests that the due date for any Answer to the instant Motion be due within three (3) calendar days of its filing, *i.e.*, by November 4, 2024, and that the ruling on the instant Motion be issued by November 5, 2024, considering the hearing is scheduled for November 6, 2024.

Respectfully submitted,



Megan E. Rulli (ID # 331981)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
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Date: November 1, 2024

Attorney for Duquesne Light Company