

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Orpheus and Kimberly Hanley	:	
	:	
v.	:	C-2024-3051044
	:	
FirstEnergy Pennsylvania Electric Company	:	

**ORDER**  
**DENYING COMPLAINANTS’ MOTION FOR CONTINUANCE**

*Procedural History*

On September 5, 2024, Orpheus and Kimberly Hanley (“Complainants”) filed a Formal Complaint against FirstEnergy Pennsylvania Electric Company (“Respondent”) with the Pennsylvania Public Utility Commission (“Commission”). In their Complaint, Complainants alleged that Respondent was threatening to terminate their service for their refusal of smart meter installation. Complainants asserted that they have appealed a prior smart meter case to the Commonwealth Court of Pennsylvania and argued that Respondent should not be attempting to install a smart meter at their service address during the pendency of the appeal.

An evidentiary hearing is scheduled to be held in this case for January 9, 2025.

On December 30, 2024, Complainants filed a Motion to Request for Continuance (“Motion”). In their Motion, Complainants request continuance of the hearing during the pendency of their appeal of the Commission’s decision at Docket No. C-2023-3041147 before the Pennsylvania Supreme Court.<sup>1</sup>

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<sup>1</sup> In their Motion, Complainants provide the docket number of their Petition for Review before the Commonwealth Court of Pennsylvania, 865 C.D. 2024.

For the reasons discussed below, Complainants' Motion will be denied and the evidentiary hearing will be held as scheduled.

*Discussion*

Motions for continuances are governed by the following Commission regulation:

(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).

I do not find that good cause exists to grant the Motion.

In their Motion, Complainants request continuance of the hearing until the resolution of their appeal before the Pennsylvania Supreme Court. Complainants note that their appeal stems from the Commission's decision at C-2023-3041147. In the Commission's Opinion and Order at that docket, the Commission dismissed Complainants' Complaint challenging the installation of a smart meter at Complainants' service. Complainants in their Motion did not provide a reason as to why having an active appeal before the Pennsylvania Supreme Court should lead to a delay in this Formal Complaint proceeding, especially in light of the fact that Complainants did not indicate that they have sought and were granted a stay or *supersedeas* of the Commission's Opinion and Order.

The Motion will be denied in the Ordering paragraphs below, and the January 9, 2025, evidentiary hearing will be held as scheduled.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Motion to Request for Continuance, filed by Orpheus and Kimberly Hanley on December 30, 2024, in the matter of Orpheus and Kimberly Hanley v. FirstEnergy Pennsylvania Electric Company, Docket No. C-2024-3051044, is denied.

Date: January 3, 2025

/s/  
\_\_\_\_\_  
Alphonso Arnold III  
Administrative Law Judge

**C-2024-3051044 - ORPHEUS & KIMBERLY HANLEY v. FIRSTENERGY  
PENNSYLVANIA ELECTRIC COMPANY**

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