

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Leroy Bitterman III	:	
	:	
v.	:	F-2024-3051938
	:	
Clearview Electric, Inc.	:	

INTERIM ORDER #1
GRANTING CLEARVIEW ELECTRIC, INC.'S, MOTION FOR CONTINUANCE

Procedural History

On October 30, 2024, Leroy Bitterman III filed a Formal Complaint against Clearview Electric, Inc., with the Pennsylvania Public Utility Commission. In his Complaint, Mr. Bitterman complains of excessive billing from Clearview, and requests a reimbursement of \$1,200 from Clearview.

On November 21, 2024, Clearview filed an Answer with New Matter to the Complaint, denying the material allegations of the Complaint and requesting dismissal of the Complaint.

On December 30, 2024, the Commission issued an Initial Call-In Telephonic Hearing Notice scheduling an evidentiary hearing for February 19, 2025, and assigning this matter to me as Presiding Officer.

Also on December 30, 2024, the Commission issued my Prehearing Order advising the parties of the procedural rules that will govern the evidentiary hearing.

On January 30, 2025, Clearview filed a Motion for Continuance. In its Motion, Clearview requests continuance of the evidentiary hearing due to the following reasons:

- (a) Clearview's personnel and witness for this matter are required to attend a pre-existing mediation in Illinois on February 19-20, 2025.
- (b) Clearview cannot reschedule and must attend the mediation scheduled for February 19-20, 2025 in Illinois.
- (c) Clearview's personnel and witness for this matter are therefore not available to attend the hearing scheduled for February 19, 2025.

Clearview Electric, Inc.'s Motion for Continuance, p. 2.

Clearview represents in its Motion that Mr. Bitterman objects to the Motion. Clearview states that Mr. Bitterman gave Clearview permission to represent his position in its Motion.

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).

After consideration of the Motion and Mr. Bitterman's objection to the Motion, I find that the unavailability of Clearview's personnel and witnesses to be good cause to continue this matter. Therefore, the Motion will be granted in the Ordering paragraphs below.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Clearview Electric, Inc.'s Motion for Continuance, filed on January 30, 2025, in the matter of Leroy Bitterman III v. Clearview Electric, Inc., Docket No. F-2024-3051938, is granted.

2. That the February 19, 2025, evidentiary hearing scheduled in this matter will be continued to another date.

Date: January 31, 2025

/s/
Alphonso Arnold III
Administrative Law Judge

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