

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ryan Flynn

v.

Pennsylvania American Water Company

C-2024-3047272

RYAN FLYNN'S MOTION FOR CONTINUANCE

Pursuant to 52 Pa. Code § 5.103 and the Initial Call-In Telephone Hearing Notice dated December 18, 2024, undersigned counsel Paul J. Atencio, on behalf of Ryan Flynn, hereby files this Motion for Continuance of the February 12, 2025 hearing because undersigned counsel has recently entered an appearance for the above-captioned proceeding and requests additional time while the parties continue to work towards a resolution.

On January 31, 2025, undersigned counsel for Mr. Flynn contacted attorney Michael A. Gruin, counsel for Pennsylvania American Water Company ("PAWC"), to discuss Mr. Flynn's need for a continuance of the February 12, 2025 hearing. Mr. Gruin agreed to the request on behalf of PAWC. As such, undersigned counsel, on behalf of Mr. Flynn, requests that Your Honor waive the response time set forth under 52 Pa. Code § 5.103 and grant this motion expeditiously and in advance of the hearing scheduled for February 12, 2025 so that it can be rescheduled at Your Honor's convenience.

In support of this Motion, Mr. Flynn avers as follows:

I. INTRODUCTION AND BACKGROUND

1. On February 16, 2024, Mr. Flynn filed a Formal Complaint against the PAWC with the Pennsylvania Public Utility Commission ("Commission"). In his Complaint, Mr. Flynn

complained of incorrect billing in relation to a mobile home park he owns. The Complaint was served on PAWC on March 12, 2024.

2. On June 24, 2024, the Commission issued a Hearing Notice scheduling this case for an evidentiary hearing on August 6, 2024. The hearing was cancelled after Mr. Gruin asked via email for the hearing to be continued for approximately 60 days so the Parties could continue their settlement discussions. This informal continuance request was granted, and the August 6, 2024 hearing was cancelled and rescheduled for October 8, 2024.

3. In October 2024, the Parties asked for further postponement of the case, so they could continue their settlement discussions. This informal continuance request was granted and the October 8, 2024 hearing was cancelled and rescheduled for December 3, 2024.

4. On November 20, 2024, Lawrence J. Rosen, entered his Notice of Appearance on behalf of Mr. Flynn.

5. On November 27, 2024, Mr. Flynn filed a Motion for Continuance (“First Motion”). In the Motion, Mr. Flynn requested a continuance of the hearing of at least 60 days.

6. On December 18, 2024, Administrative Law Judge Alphonso Arnold III issued the Initial Call-In Telephone Hearing Notice setting the hearing in the above-referenced matter for February 12, 2025.

7. The December 18, 2024 Notice allows any party to request a continuance of the hearing with good cause shown. The Notice also requires that a request for a continuance must be submitted in writing at least five (5) days before the hearing and, to the extent known, state whether the other party agrees to the request.

II. RYAN FLYNN REQUESTS A CONTINUANCE OF THE FEBRUARY 12, 2025 HEARING

8. Mr. Flynn has good cause for requesting a brief continuance of the February 12, 2025 hearing because:

(a) The undersigned counsel recently filed his appearance in the above-referenced proceeding and requests additional time for gathering information.

(b) Mr. Flynn's counsel and PAWC's counsel wish to continue their settlement discussions.

9. On January 31, 2025, pursuant to the Notice, undersigned counsel contacted PAWC's counsel, Mr. Gruin, to determine whether he would agree to a continuance under the above stated circumstances.

10. During the January 31, 2025 call, Mr. Gruin indicated that he agreed to the brief continuance.

III. CONCLUSION

For the foregoing reasons, Mr. Flynn respectfully requests that Your Honor grant Mr. Flynn's request for a continuance of this matter upon good cause shown, as discussed above.

Date: February 3, 2025



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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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Date: February 3, 2025



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