

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement,
Complainant

v.

HTC Associates, Inc.,
A/K/A Hi-Tech Construction Company, Inc.,
Respondent

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Docket No. C-2024-3052351

PREHEARING MEMORANDUM OF HTC ASSOCIATES, INC.,
IMPROPERLY NAMED HTC, ASSOCIATES, INC.,
A/K/A/ HI-TECH CONSTRUCTION COMPANY

NOW COMES the Respondent, HTC Associates, Inc., improperly named HTC Associates, Inc., A/K/A Hi-Tech Construction Company, Inc. and as requested by Administrative Law Judge ("ALJ") Gail M. Chiodo in the Prehearing Conference Order dated March 7, 2025, hereby submits this Prehearing Memorandum for the Conference scheduled for April 2, 2025.

A. Proposed Plan and Schedule of Discovery;

Respondent requests one hundred eighty (180) days from the date of the Prehearing Conference to complete discovery. All written discovery and document production to be completed within the first sixty (60) days, with all depositions completed within one hundred twenty (120) days. Complainant thereafter has thirty (30) days to provide any expert reports with Respondent granted thirty (30) days thereafter to produce responsive expert reports. The matter shall be deemed ready for a hearing anytime after August 1, 2025.

B. Possibility of Settlement;

Respondent is open to the possibility of settlement. To date, counsel for the parties have engaged in settlement discussions and are not very far apart. Respondent remains happy to participate in further discussions.

C. Issues:

Respondents' review of the materials available thus far indicates the following issues:

- Whether the Commission has identified and commenced proceedings against the correct party as the responsible contractor;
- Whether the Commission properly sent notice for the submission of a Alleged Violation Report;
- Whether the Respondent called 911 following the exposure of the buried utility line;
- Whether the buried utility line was damaged and caused a leak as opposed to simply exposed;
- Whether the buried utility line was properly laid with appropriate and required screening;
- Respondent reserves the right to supplement this issues list.

D. Amount of Hearing Time Needed:

Respondent anticipates the hearing to last half a day.

E. Witnesses:

At this time, Respondent is in the process of evaluating whether it will sponsor testimony in this proceeding. In the event that Respondent decides to sponsor testimony, it will inform the parties and the ALJ as soon as possible of the intended witnesses and topics of testimony.

Respondent also intends to participate in this proceeding through the submission of discovery, cross examination of other parties' witnesses, and the submission of briefs, exceptions and reply exceptions, if necessary.

F. Schedule of Submission of Testimony, Hearing and Briefs;

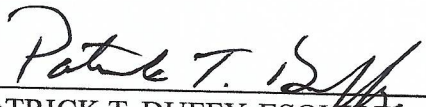
Respondent will cooperate with the ALJ and the parties at the Prehearing Conference to finalize an appropriate procedural schedule in accordance with the Commission's regulations issued by the ALJ.

G. Other Appropriate Matters:

Respondent is not aware of any other matters that need to be addressed at this time.

Respectfully submitted,

DUFFY TRIAL, P.C.

BY: 
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Date: March 24, 2025

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

VIA E-MAIL AND FIRST-CLASS MAIL

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Date: March 24, 2025