



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

September 18, 2025

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
A. Liberoni, Inc.
Docket No. C-2025-3055930
I&E Motion to Change Hearing Type to Telephonic

Dear Secretary Homsher:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion for Telephonic Testimony of Witnesses in the above-referenced proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', is written over a light blue horizontal line.

Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

GR/ac
Enclosures

cc: Administrative Law Judge Emily I. DeVoe (via email – edevoe@pa.gov)
Kayla Loukas, Legal Assistant (via email – kloukas@pa.gov)
Allison C. Kaster, Director, I&E (via email – akaster@pa.gov)
Carrie B. Wright, Deputy Chief Prosecutor (via email – carwright@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3055930
	:	
A. Liberoni, Inc.,	:	
Respondent	:	

NOTICE TO PLEAD

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) has filed a Motion for Telephonic Testimony of Witnesses in the above-captioned matter, pursuant to the Commission’s regulations at 52 Pa. Code § 5.103. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with 52 Pa. Code § 5.61.

Your Answer must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Additionally, you must serve a copy on the undersigned prosecutor.



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
grosul@pa.gov

Dated: September 18, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3055930
	:	
A. Liberoni, Inc.,	:	
Respondent	:	

MOTION TO CHANGE HEARING TYPE TO TELEPHONIC

TO ADMINISTRATIVE LAW JUDGE EMILY I. DEVOE:

Now comes the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorney, and files this Motion to Change Hearing Type to Telephonic (“Motion”) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E commenced this action on June 25, 2025, by filing a Formal Complaint.
2. The Formal Complaint alleged that Respondent violated the Underground Utility Line Protection Law, also known as the PA One Call Law, in that Respondent failed to hold a preconstruction meeting, failed to exercise due care and to take all reasonable steps necessary to avoid injury to or otherwise interfere with facility owners’ lines, and failed to call emergency services when a line strike results in a gas leak.
3. The Formal Complaint seeks a \$3,500 administrative penalty.
4. Respondent filed an Answer and New Matter on July 15, 2025, denying any violations and raising several defenses to the allegations contained in I&E’s complaint.
5. On July 30, 2025, I&E filed its Reply to New Matter.
6. On August 6, 2025, an Initial Telephonic Hearing Notice was issued, scheduling a hearing in this matter to be held telephonically on Wednesday, October 1, 2025, at 10:00 am.

7. On August 7, 2025, an Initial Hearing Type Change Notice was issued, converting the October 1, 2025, telephonic hearing to an **in-person** hearing to be held in Pittsburgh, Pennsylvania.

8. In the presentation of its case, I&E intends to call Sara Locke, Supervisor of the Damage Prevention Section of the Bureau of Investigation and Enforcement, (“Supervisor Locke”) as a witness.

9. Supervisor Locke is located in Harrisburg and works out of the Commission’s Harrisburg headquarters.

10. Undersigned counsel is located in Harrisburg and based out of the Commission’s Harrisburg office.

11. Although Respondent and Respondent’s counsel are based in Plum, Pennsylvania, and Jefferson Hills, Pennsylvania, they would still need to travel to downtown Pittsburgh for an in-person hearing.

12. The trip from Harrisburg to Pittsburgh is approximately 3 hours and 30 minutes one way and approximately 7 hours round trip.

13. The Commonwealth will be responsible for paying the salaries of undersigned counsel and Supervisor Locke while they travel in addition to their travel expenses, lodging, and meals.

14. Holding the October 1, 2025, hearing in-person in Pittsburgh would require at least a half day for travel to Pittsburgh on the day before the hearing and a full day to conduct the hearing and return to Harrisburg for undersigned counsel and Supervisor Locke.

15. In contrast, holding the hearing telephonically would require no more than one to two hours of Commission staff time and no travel expenses.

16. In light of the burden placed on the parties, I&E respectfully requests that the October 1, 2025, hearing be re-designated as a telephonic hearing for the convenience of the parties, the witnesses, and in the name of conserving the Commission's resources and staff time.

17. I&E contacted Respondent's counsel via email on August 29, 2025, and again by telephone and left a voicemail message on September 12, 2025.

18. I&E intended to discuss with Respondent's counsel the contents of the instant motion to hold the hearing telephonically as well as the potential to settle this matter prior to the hearing.

19. However, as of the date of this motion, I&E has not heard back from Respondent's counsel.

20. Pursuant to 52 Pa. Code § 5.483(a), a presiding officer has the authority to regulate the course of the proceeding.

WHEREFORE, I&E respectfully requests that the presiding officer grant I&E's Motion to Change Hearing Type to Telephonic for the October 1, 2025, hearing.

Respectfully submitted,



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

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Bureau of Investigation and Enforcement
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Date: September 18, 2025

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Bureau of Investigation and Enforcement,	:	
Complainant	:	
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	:	
A. Liberoni, Inc.,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Motion to Change Hearing Type**, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served via Electronic and First-Class Mail

Howard F. Murphy, Esq.
Law Office of Howard F. Murphy
426 Wray Large Road
Jefferson Hills, PA 15025
hfm@howardfmurphy.com
Counsel for A. Liberoni, Inc.



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Dated: September 18, 2025