

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Bureau of Investigation and Enforcement	:	
	:	C-2025-3055930
v.	:	
	:	
A Liberoni, Inc.	:	

**INTERIM ORDER
DENYING MOTION TO CHANGE HEARING TYPE**

Procedural History

On June 25, 2025, the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission) filed a Complaint against A. Liberoni, Inc. (Company or Respondent), alleging the Company committed multiple violations of Section 182 of the Underground Utility Line Protection Law (UULPL or PA One Call Law), Act of October 29, 2024, P.L. 1 106, No. 127, 73 P.S. § 182.8(c)(2), in connection with a gas line strike on a gas line operated by Peoples Gas Company LLC (Peoples Gas) while excavating on October 15, 2024, in the vicinity of 4738 Sylvan Avenue in the City of Pittsburgh, Allegheny County, Pennsylvania. Attached to the Complaint were Exhibits 1-4.

On July 15, 2025, the Company filed an Answer and New Matter.

On July 30, 2025, I&E filed a response to the New Matter.

On August 6, 2025, the Commission issued an Initial Telephonic Hearing Notice, assigning this matter to me and scheduling a telephone hearing for October 1, 2025.

Current Commission policy is that all evidentiary hearings for non-consumer complaint cases, such as the instant matter, must be held in-person to further transparency and accountability.

After reviewing the August 6, 2025, Notice, I determined that the Notice had been issued inconsistent with the Commission's policy. I contacted the appropriate administrative staff in the Office of Administrative Law Judge's Harrisburg office and informed them of the error.

Consequently, on August 7, 2025, the Commission issued an Initial Hearing Type Change Notice, changing the October 1, 2025, hearing from a telephone hearing to an in-person hearing. The date and time of the hearing remained the same.

On August 11, 2025, I issued a Prehearing Order, providing procedural details of the hearing.

On September 18, 2025, I&E filed a Motion to Change Hearing Type to Telephonic (Motion). In support of its Motion, I&E avers its counsel and witness are located in Harrisburg and would need to travel to Pittsburgh for an in-person hearing, incurring costs related to paying for salaries, travel, meals, and lodging. Further, I&E avers the Company is located in Plum, Pennsylvania and Jefferson Hills, PA, and would need to travel to the OALJ office in Pittsburgh if the hearing were to be held in person. I&E argues this places a burden on the parties and the hearing should be held by telephone. Notably, I&E avers it attempted to contact the Company to discuss its position that the hearing should be held by telephone, but was unsuccessful.

The Motion contained a Notice to Plead, directing the Company to file a response within 20 days.

To date, the Company has not filed a response to the Motion. Although the time for the Company to file a response has not yet run, I find it is appropriate to issue this Order now, due to the hearing date of October 1, 2025, which is about one week away.

The Commission has made clear that its policy is that all evidentiary hearings for non-consumer complaint cases, such as the instant matter, must be held in-person to further transparency and accountability. While a presiding officer has the ability to request a waiver of this policy from the Deputy Executive Director of the Commission, the Commission has made clear that convenience of the parties alone is not an acceptable basis upon which to request a waiver.

As such, the Motion is denied.

THEREFORE,

IT IS ORDERED:

1. That the Motion to Change Hearing Type to Telephonic filed by the Bureau of Investigation and Enforcement is denied.
2. That the in-person evidentiary hearing scheduled in the matter of the Bureau of Investigation and Enforcement v. A. Liberoni, Inc., at Docket No. C-2025-3055930 shall convene as scheduled at the Pittsburgh office of the Administrative Law Judge.

Date: September 23, 2025

/s/
Emily I. DeVoe
Administrative Law Judge

C-2025-3055930 – PENNSYLVANIA PUBLIC UTILITY COMMISSION BUREAU OF INVESTIGATION & ENFORCEMENT v. A LIBERONI INC

GRANT ROSUL ESQUIRE
PUBLIC UTILITY COMMISSION
BUREAU OF INVESTIGATION
AND ENFORCEMENT
400 NORTH STREET
3RD FLOOR
HARRISBURG PA 17120
717.783.5243
grosul@pa.gov
Served via eService – September 23, 2025

A LIBERONI INC
459 DAVIDSON ROAD
PLUM PA 15239
Served via USPS First-Class Mail – September 23, 2025

HOWARD F MURPHY ESQUIRE
LAW OFFICE OF HOWARD F MURPHY
426 WRAY LARGE ROAD
PITTSBURGH PA 15025
412.653.6000
hfm@howardfmurphy.com
Served via eService on September 23, 2025
(Counsel for Respondent – A Liberoni Inc.)