

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

|                                     |   |                |
|-------------------------------------|---|----------------|
| Robert Goeke                        | : |                |
|                                     | : |                |
| v.                                  | : | C-2025-3055046 |
|                                     | : |                |
|                                     | : |                |
| Comcast Business Communications LLC | : |                |

**ORDER DENYING EMERGENCY MOTION  
FOR EXTENSION OF TIME TO RESPOND TO OFFICIAL NOTICE**

On May 5, 2025, Robert Goeke (Mr. Goeke or Complainant) filed a Formal Complaint (Complaint) against Comcast Business Communications LLC (Comcast). The Complaint was served on Comcast on May 16, 2025.

On June 5, 2025, Comcast filed a motion for extension of time to respond to the Complaint.

On June 9, 2025, the Secretary’s Bureau issued a letter, granting Comcast an extension of time until July 7, 2025, to file any responsive pleadings.

On July 7, 2025, Comcast filed an answer.

On July 14, 2025, the Commission issued an initial telephonic hearing notice setting a formal call-in telephonic hearing for this matter for Wednesday, August 27, 2025 at 10:00 a.m. and assigned me as the presiding officer. In anticipation of that hearing, I issued a prehearing order on July 14, 2025 setting forth various rules that would govern that proceeding.

On August 13, 2025, Comcast filed a letter requesting a telephone conference in advance of the August 27, 2025 hearing.

On August 27, 2025, the evidentiary hearing convened as scheduled.

On August 28, 2025, the Commission issued a further telephonic hearing notice setting a formal call-in telephonic hearing for this matter for Wednesday, October 22, 2025 at 10:00 a.m. and assigned me as the presiding officer. In anticipation of that hearing, I issued a prehearing order on August 28, 2025 setting forth various rules that would govern that proceeding.

On October 21, 2025, Comcast filed a motion to dismiss the Formal Complaint.

On October 22, 2025, the further evidentiary hearing convened as scheduled.

On November 3, 2025, the undersigned received a response from Mr. Goeke opposing Comcast's motion to dismiss.<sup>1</sup>

On December 3, 2025, I issued a notification to the parties of official notice (official notice or notice of facts). Parties were provided until December 17, 2025, to file objections to the notice or a request that alternative facts be noticed. Parties were also provided to January 7, 2026, to file a response to any objections or requests for alternative facts.

On December 12, 2025, Comcast filed an emergency motion for extension of time to respond to official notice (emergency motion).

On December 15, 2025, Mr. Goeke sent an e-mail to the undersigned and counsel for Comcast, objecting to an extension of time.

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<sup>1</sup> Mr. Goeke's response indicates his response was sent to the Commission's Secretary's Bureau and to Comcast's counsel. However, upon review of Commission's records on November 18, 2025, Mr. Goeke's response had yet to be docketed. Therefore, I directed the Secretary's Bureau to docket the response.

Section 5.483 of the Commission’s regulations provides presiding officers with the authority to regulate the course of proceedings. 52 Pa.Code § 5.483(a). Presiding officers are required to conduct fair and impartial hearings and maintain order. 52 Pa.Code § 5.485(a). Requests for extensions of time may be made upon motion and for good cause. 52 Pa.Code § 1.15(b). The Commission has recognized the Pennsylvania Supreme Court’s definition of good cause as “conduct which is reasonable under all the circumstances, thereby justifying the [c]laimant’s actions.” *Smart Meter Procurement and Installation*, Docket No. M-2009-2092655 (Order entered November 4, 2020); *In re Application of Penn Access Corporation and Digital Direct of Pittsburgh, Inc.*, 1992 Pa. PUC LEXIS 56 (Pa. P.U.C. 1992) (citing *Frumento v. Unemployment Comp. Bd. of Review*, 351 A.2d 631 (Pa. 1976)).

Counsel for Comcast cites multiple pre-existing, time-sensitive obligations; complexity of the issues raised in the official notice; and the upcoming holiday season as reasons for its request. I do not find that these reasons provide good cause to grant the emergency motion. As a party to an actively litigated case, I view this proceeding as also presenting a pre-existing, time-sensitive obligation that demands the attention of the parties when required. As for the complexity of issues, parties were provided two weeks to respond to the official notice. Additionally, all 11 facts directly concern Comcast or its corporate family, and it is unclear why Comcast cannot respond to the official notice within the provided timeframe, especially when the official notice is derived from facts that Comcast itself set forth in its proceeding at Docket No. A-2024-3049237, the Application of Comcast Business Communications, LLC for Approval of the Discontinuance and Abandonment of Telecommunications Services to the Public in the Commonwealth of Pennsylvania. Regarding the holiday season, similar to having pre-existing, time-sensitive obligations, parties are expected to participate in this proceeding when required.

Therefore, Comcast’s emergency motion will be denied, and, consistent with the notice of facts issued on December 3, 2025, if any party objects to the notice or wants alternative facts to be noticed, the party must file its position with the Commission, with a copy to the undersigned and the other party, by December 17, 2025. If any party has a response to these objections and alternatives, the party must file its position with the Commission, with a copy to the undersigned and the other party, by January 7, 2026.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Comcast Business Communications LLC's Emergency Motion for Extension of Time to Respond to Official Notice is denied.

Date: December 15, 2025

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/s/  
John M. Coogan  
Administrative Law Judge

**C-2025-3055046 - ROBERT GOEKE v. COMCAST BUSINESS COMMUNICATIONS  
LLC**

*Revised: August 28, 2025*

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