



Aaron M. Ponzo
Attorney at Law
Admitted in PA, WV

412-392-5506
Fax: 888-811-7144
aponzo@dmclaw.com

December 31, 2025

VIA ELECTRONIC-FILING

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

RE: Docket No. C-2025-3058115
John Fulton v. CNX Resources Corporation
Our File No. 0059006.0445764

Dear Secretary Homsher:

Enclosed for filing please find a Motion for Extension of Time on behalf of CNX Resources.

Thank you for your attention to this matter.

Very truly yours,

/s/ Aaron M. Ponzo

Aaron M. Ponzo

AMP/eie
Enclosure

Cc: As per Certificate of Service

34893118.1

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN FULTON, :
 :
 Complainant, : Docket No.: C-2025-3058115
 :
 vs. :
 :
 CNX RESOURCES CORPORATION :
 :
 Respondents. :

NOTICE TO PLEAD

TAKE NOTICE that pursuant to 52 Pa. Code §1.15 and §5.103, Respondent CNX Resources Corporation (“CNX”) has filed a **Motion for Extension of Time** in the above-captioned matter. Pursuant to 52 Pa. Code § 5.103(c), you are hereby notified to file with the Commission and serve upon the undersigned and all parties a written response within twenty (20) days from the date of service of the Motion.

DICKIE, McCAMEY & CHILCOTE, P.C.

By: /s/Aaron M. Ponzo
Aaron M. Ponzo, Esquire
PA I.D. 203584

Attorneys for Respondent,
CNX Resources Corporation.

Dated: December 31, 2025

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN FULTON, :
 :
 Complainant, : Docket No.: C-2025-3058115
 :
 vs. :
 :
 CNX RESOURCES CORPORATION :
 :
 Respondents. :

MOTION FOR EXTENSION OF TIME

NOW COMES Respondent, CNX Resources Corporation (“CNX”) by and through its undersigned counsel, and files the within Motion for Extension of Time, averring as follows:

1. Complainant John Fulton (“Mr. Fulton”) filed a Formal Complaint with the Public Utility Commission (“PUC” or “Commission”) against CNX on October 14, 2025.
2. According to the Commission’s docket, the Complaint was served via electronic service on October 24, 2025.
3. The Commission’s regulations provide that the time for filing an Answer and Preliminary Objections in response to a Complaint is within 20 days after the date of service. *See* 52 Pa. Code §§5.61(a), 5.101(d).
4. CNX’s time within which to file an Answer and Preliminary Objections was on or before November 13, 2025.
5. By hearing notice dated December 8, 2025, this matter was assigned to Administrative Law Judge Mary D. Long and scheduled for an initial telephonic hearing for January 29, 2026, at 10:00 a.m.
6. On December 10, 2025, ALJ Long issued an Interim Order Requiring Representation directing CNX to cause an attorney licensed to practice law in the

Commonwealth of Pennsylvania to appear on its behalf in accordance with 52 Pa. Code §§1.21-1.25, on or before Monday January 6, 2026.

7. The undersigned counsel for CNX filed a Notice of Appearance on behalf of CNX on December 31, 2025.

8. CNX's Answer and Preliminary Objections to the Complaint were filed on the same date, contemporaneously with this Motion.

9. CNX is respectfully requesting an extension of time to file its Answer and Preliminary Objections, such that its Answer and Preliminary Objections are deemed to be timely on the date they were filed.

10. The Commission's regulations allow for the extension of time within which an act is required or allowed upon motion made by the party seeking an extension. *See* 52 Pa. Code § 1.15(a)(1).

11. If the motion is made after the expiration of the specified period, reasonable ground for the failure to act must be shown. *Id.*

12. Here, the Commission's docket reflects that the Complaint was served via eService on October 24, 2025.

13. CNX received the Complaint but it was not accompanied by a Notice to Plead or other directive for CNX to take action within a specified time period.

14. Thus, reasonable ground exists for the failure to act.

15. Following receipt of the Interim Order Requiring Representation issued by ALJ Long on December 10, 2025, CNX retained counsel to appear on its behalf and to file the necessary pleadings in response to the Complaint.

16. The undersigned counsel for CNX has now appeared on CNX's behalf and filed an Answer and Preliminary Objections to the Complaint, all well in advance of the initial telephonic hearing.

17. Moreover, "[t]he Commission or presiding officer at any stage of an action or proceeding may disregard an error or defect of procedure which does not affect the substantial rights of the parties." 52 Pa. Code § 1.2(a); *Info Connections, Inc. v. Pa. Pub. Util. Comm'n*, 630 A.2d 498, 501 (Pa. Commw. Ct. 1993). And the regulations "shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding[.]" *Id.*

18. Mr. Fulton is not prejudiced, and his rights are not substantively affected, by the requested extension of time for CNX to respond to the Complaint.

WHEREFORE, Respondent, CNX Resources Corporation, respectfully requests that its Motion for Extension of Time be granted.

Respectfully Submitted,

DICKIE, McCAMEY & CHILCOTE, P.C.

By: /s/Aaron M. Ponzo
Aaron M. Ponzo, Esquire
PA I.D. 203584
aponzo@dmclaw.com

Four Gateway Plaza
444 Liberty Avenue, Suite 1000
Pittsburgh, PA 15222
Phone: (412) 281-7272
Fax: (888) 811-7144

Counsel for Respondent,
CNX Resources Corporation

CERTIFICATE OF SERVICE

I, Aaron M. Ponzo, Esquire, hereby certify that a true and correct copy of the foregoing **Motion for Extension of Time** has been served this 31st day of December, 2025 to the following persons and in the manner listed below:

<p><u>Via Email</u> Mary D. Long Administrative Law Judge PA Public Utility Commission 301 Fifth Avenue, Suite 220 Pittsburgh, PA 15222 <i>MALong@Pa.Gov</i></p>	<p><u>Via First Class Mail:</u> John Fulton 176 Salina Ext. Road Avonmore, PA 15618</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------

DICKIE, McCAMEY & CHILCOTE, P.C.

By: /s/ Aaron M. Ponzo
Aaron M. Ponzo, Esquire