BEFORE THE

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Robert M. Mattu :

:

v. :C-2016-2547322

:

West Penn Power Company :

**PREHEARING ORDER**

An initial telephonic hearing in this case is scheduled for Monday, July 25, 2016, at 10:00 a.m. To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the hearing. If you have any witnesses you want to have present during the hearing, you must provide them with the telephone number and PIN number.

Toll-free Bridge Number: 1-855-750-1027

PIN Number: 050995

**You must call into the hearing on the scheduled day and time. If you fail to do so, your case will be dismissed. You will not be called by the Administrative Law Judge.**

The parties also are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates

must be sent to me and all parties of record. The correct address is:

Pennsylvania Public Utility Commission

Office of Administrative Law Judge

Piatt Place, Suite 220

301 Fifth Avenue

Pittsburgh, PA 15222

Telephone: (412) 565-3550

Fax: (412) 565-5692

**Changes are granted only in rare situations where good cause exists.**

1. If you intend to present any documents or exhibits for my consideration at the hearing, you must send three (3) copies of each document to me, and one (1) copy of each document to every other party in this case. Your documents or exhibits must be received by me and every other party one (1) week before the scheduled hearing. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of its filing. If you send me any correspondence or document, you must also send a copy of that correspondence or document to every other party. For your convenience, a copy of the Commission’s current service list of all parties to this proceeding is enclosed with this Order.
2. **Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will contact the customer at least one (1) week before the scheduled hearing to talk about a possible settlement of this case.** Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.
3. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, limited liability company, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code §1.24(b).
4. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days’ notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.
5. Any party may conduct discovery to learn the factual basis of another party’s position in this case. However, 52 Pa. Code §5.331(b) provides, in relevant part, that “[a] party shall initiate discovery as early in the proceedings as reasonably possible.” Additionally, 52 Pa. Code §5.322 provides, in relevant part, that “parties are encouraged to exchange information on an informal basis.” All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa. Code §5.361) and sanctions for abuse of the discovery process (52 Pa. Code §§5.371 & 5.372).
6. The Complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the Respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the Complainant is entitled to the relief requested in the complaint. 66 Pa. C.S. §332(a).

**8. YOU MAY LOSE THIS CASE, IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED. 52 Pa. Code §5.245.**

9. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal legal proceeding and will be conducted in accordance with the Commission’s Rules of Practice and Procedure. 52 Pa. Code §§1.1, *et seq*.

10. If you, or anyone you plan to call as a witness on your behalf, have a limited ability to speak or understand English or are deaf or hearing-impaired, a qualified interpreter can be provided upon your request. If you want an interpreter, please contact the

Scheduling Office at least ten (10) days before the scheduled Prehearing Conference or Hearing to make your request.

Scheduling Office: (717) 787-1399

AT&T Relay Service number for persons who are deaf or hearing-impaired:

1‑800‑654‑5988.

Date: July 7, 2016 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Katrina L. Dunderdale

Administrative Law Judge

**C-2016-2547322 - ROBERT M MATTU v. WEST PENN POWER COMPANY**

*(Revised 7/6/16)*

ROBERT M MATTU310 SCHENLEY ROADLEECHBURG PA 15656**724.295.2807**MARGARET A MORRIS ESQUIRE

REGER RIZZO & DARNALL LLP

CIRA CENTRE 13TH FLOOR

2929 ARCH STREET

PHILADELPHIA PA 19104

**215.495.6524**

***Accepts E-Service***

*Represents West Penn Power Company*