

Docket Number: 2417

PENNSYLVANIA POWER & LIGHT

Andrew P. Foster, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Thomas Y. Au, Assistant Counsel

**February 27, 1997**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$145,627.00

---

**March 10, 1997**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT April 9, 1997.

---

**March 17, 1997**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 14, 1997.

---

**March 18, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 13, 1997.

---

**March 28, 1997**

Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Defendant's Brief due 4/30/97. Plaintiff's Response and Brief due 5/30/97.

---

**April 30, 1997**

Defendant's Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

---

**May 7, 1997**

Plaintiff's Response and Brief filed to Defendant's Preliminary Objections. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

---

**June 5, 1997**

Reply Brief of the Department of Environmental Protection filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

---

**June 18, 1997**

Sur Reply Brief of Defendant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

---

**December 8, 1997**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 8th day of December , 1997, it is hereby **ORDERED** and **DECREED** that the Preliminary Objections of the Defendant, Commonwealth of Pennsylvania, Department Environmental Protection, to the Claim of the Plaintiff, Pennsylvania Power and Light Company, in the nature of a claim of lack of jurisdiction are hereby **DENIED**. Defendant is hereby **ORDERED** to file a responsive pleading to the within action within thirty (30) days of the date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

---

**December 15, 1997**

Acceptance of Service of Opinion and Order dated December 8, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 10, 1997.

---

**January 5, 1998**

Entry of Appearance of Thomas Y. Au and Charles B. Haws filed on behalf of Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

---

**January 5, 1998**

Defendant's Motion for Continuance filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

---

**January 14, 1998**

The Board rendered the following Order: **"AND NOW**, this 14th day of January, 1998, it is **ORDERED** and **DECREED** that the Defendant, Commonwealth of Pennsylvania, Department of Environmental Protection, has until February 23, 1998 to file their Response to Plaintiff's Claim." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

---

**January 23, 1998**

Acceptance of Service of Order dated January 14, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 20, 1998.

---

**February 19, 1998**

Motion for Continuance filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

---

**February 27, 1998**

Letter forwarded to parties granting Defendant's Motion for Continuance. Defendant's Response to Plaintiff's Claim due on/or before April 23, 1998.

---

**May 26, 1998**

Letter forwarded to parties requesting status. Response due from parties June 26, 1998.

---

**May 27, 1998**

Letter received via fax advising that the parties are in settlement negotiations.

---

**November 2, 1998**

Praecipe to Settle, Discontinue and End filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

---

**November 18, 1998**

The Board rendered the following Order: "**AND NOW**, this 18th day of November, 1998, upon receipt of a Praecipe to Settle, Discontinue and End, requesting that the above-captioned matter be marked "settled, discontinued, and ended", executed by Andrew P. Foster, Esquire, on behalf of Plaintiff, Pennsylvania Power & Light Company, and docketed with this Board under date of November 2, 1998, it is **ORDERED AND DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice.'" Copy forwarded to attorney for Plaintiff and attorney for Defendant.

---

**November 25, 1998**

Acceptance of Service of Order dated November 18, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 24, 1998.

---

**December 10, 1998**

Acceptance of Service of Order dated November 18, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 24, 1998.