

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Monongahela Power Company,
Plaintiff**

vs) No. 14-C-7 (Brooke County)

**Citizens Telecommunications Company
of West Virginia, doing business as
Frontier Communications of West Virginia;
and Frontier Communications Corporation,
Defendants**

AND

**The Potomac Edison Company,
Plaintiff**

vs.) No. 14-C-28 (Berkeley County)

**Citizens Telecommunications Company
of West Virginia, doing business as
Frontier Communications of West Virginia;
and Frontier Communications Corporation,
Defendants**

AND

**The Potomac Edison Company,
Plaintiff**

vs.) No. 14-C-29 (Berkeley County)

**Frontier Communications of West Virginia
and Frontier Communications Corporation,
Defendants**

On a prior day, the Chief Justice of the Supreme Court of Appeals received a motion to refer *Monongahela Power Company v. Citizens Telecommunications Company of West*

Virginia, et al., Brooke County Civil Action No. 14-C-7, to the Business Court Division ("Division") pursuant to Rule 29 of the West Virginia Trial Court Rules.

Upon reviewing the motion to refer, the Chief Justice has determined that the motion should be granted and the case should be referred to the Division.

The Chief Justice has been advised that two cases currently pending in the Circuit Court of Berkeley County, *The Potomac Edison Co. v. Citizens TeleCommunications Co. of W.Va. and Frontier Communications Corporation*, Berkeley County Civil Action No. 14-C-28, and *The Potomac Edison Co. v. Frontier W.Va. Inc. and Frontier Communications Corporation*, Berkeley County Civil Action No. 14-C-29, have identical principal claims as those in Brooke County Civil Action No. 14-C-7 and that motions to refer to the Division have been filed therein. The Chief Justice has therefore determined that these cases should be referred to the Division.

It is hereby ORDERED that the motions to refer to the Division are granted, and that Brooke County Civil Action No. 14-C-7 and Berkeley County Civil Action Nos. 14-C-28 and 14-C-29, shall be and they hereby are consolidated for referral to the Division.

It is hereby ORDERED that this order shall be transmitted to the Honorable Christopher C. Wilkes for assignment of a presiding judge and resolution judge for all further proceedings in the actions. Any matters pending and any rulings in the circuit courts are stayed pending further order by the Division on all pending motions in the actions, and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that any members of the Division assigned to this matter by Judge Wilkes are authorized pursuant to Article VIII § 3 of the West Virginia Constitution and TCR 29.07(b) to preside over the above-referenced case in Brooke County.

It is finally ORDERED that a copy of this ORDER be transmitted to the Central Office of the Division; the Honorable Christopher C. Wilkes; the Honorable David J. Sims, Judge of the First Judicial Circuit; the Honorable Gray Silver III, Judge of the Twenty-Third Judicial Circuit; the Honorable John C. Yoder, Judge of the Twenty-Third Judicial Circuit; and to the Clerks of the Circuit Court of Brooke and Berkeley County, who are to provide copies of the same to all parties of record or their counsel.

ENTERED: July 15, 2014



ROBIN JEAN DAVIS
Chief Justice