

STEVENS & LEE
LAWYERS & CONSULTANTS

17 North Second Street
16th Floor
Harrisburg, PA 17101
(717) 234-1090 Fax (717) 234-1099
www.stevenslee.com

Direct Dial: (717) 255-7365
Email: mag@stevenslee.com
Direct Fax: (610) 988-0852

January 28, 2015

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

RE: Birchwood MHC, LLC v. Pennsylvania-American Water Company
Docket No. C-2014-2447060


Dear Secretary Chiavetta:

Enclosed for filing on behalf of Pennsylvania-American Water Company is a Motion for Continuance of Hearing in the above-captioned matter. A copy has been served on the Complainant in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Best Regards,

STEVENS & LEE



Michael A. Gruin

Enclosure

cc: Administrative Law Judge Mark Hoyer (via electronic mail and First Class US Mail)
Certificate of Service

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BIRCHWOOD MHC, LLC	:	
Complainant	:	
	:	
v.	:	Docket No. C-2014-2447060
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

**PENNSYLVANIA-AMERICAN WATER COMPANY'S
MOTION FOR A CONTINUANCE**

AND NOW, Pennsylvania-American Water Company (“Respondent” or “Company”), by and through its attorneys Stevens & Lee, P.C., hereby files this Motion pursuant to 52 Pa Code § 1.15 to request a continuance of the hearing scheduled for February 5, 2015 in this matter, for the reasons set forth below:

1. On October 10, 2014 the Company was served with a Formal Complaint (“Complaint”) filed by the Birchwood MHC, LLC (Complainant) against the Company.
2. The Complaint makes allegations of erroneous billing by the Company and failure to act in accordance with the Commission’s regulations.
3. On October 30, 2014, the Company filed its Answer and New Matter to the Complaint, in which it denied the allegations of the Complaint.
4. On November 20, 2014, Complainant filed its Answer to New Matter.
5. The Company and the Complainant have engaged in several settlement discussions and have informally exchanged information in an attempt to resolve the Complaint.

6. A Prehearing Order was issued in this matter on January 6, 2015, scheduling this matter for a telephonic hearing on February 5, 2015 before Administrative Law Judge Mark Hoyer.

7. At this time, the Company is still investigating the allegations made by the Complainant and the facts underlying the Complaint, and the parties are continuing to engage in settlement discussions.

8. The Company believes that it is very likely that the Complaint will be satisfied.

9. Pennsylvania-American Water Company respectfully requests that the hearing be postponed to allow the parties to continue settlement discussions to fully and finally resolve the Complaint, and to allow the Company to complete its investigation related to the Complaint and adequately prepare for the hearing, in the event a hearing is necessary.

10. The Company has sought the concurrence of the Complainant for this request for a continuance. As of the time of filing this Motion, the Complainant has not indicated concurrence to the request.

REQUEST FOR RELIEF

WHEREFORE, for all of the reasons stated herein, Respondent Pennsylvania-American Water Company respectfully requests that the hearing in this matter be continued and rescheduled for a hearing date in April 2015.

Respectfully submitted,


Michael A. Gruin, (I.D. No. 78625)
STEVENS & LEE
17 N. 2nd St., 16th Fl
Harrisburg, PA 17101
Tel. (717) 255-7365
Fax (610) 988-0852
COUNSEL FOR PENNSYLVANIA
AMERICAN WATER COMPANY

DATE: January 28, 2015

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

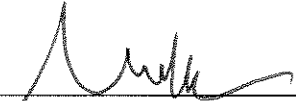
BIRCHWOOD MHC, LLC	:	
Complainant	:	
	:	
v.	:	Docket No. C-2014-2447060
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Motion for Continuance upon the party listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

VIA First Class U.S. Mail

Matthew A. Gioffre, Esq.
Michael L. Solomon, Esq.
Cohen, Seglias, Pallas, Greenhall, & Furman, PC
United Plaza, 19th Floor
30 South 17th Street
Philadelphia, PA 19103



Michael A. Gruin

DATED: January 28, 2015