

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

John B. Doherty

v.

Aqua Pennsylvania, Inc.

Docket Number

C-20065732

2006 FEB 27 AM 9:22
PENNSYLVANIA
PUBLIC
UTILITY
COMMISSION
SECRETARY'S BUREAU

PREHEARING ORDER

On February 10, 2006, I was assigned to preside over this case. The purpose of this order is to bring to the attention of all parties certain procedural rules, observance of which will serve to "secure the just, speedy and inexpensive determination" of this proceeding. 1 Pa. Code §1.2(a). The parties are directed to comply with the following requirements:

1. Proceedings before the Commission are governed by, inter alia, 52 Pa. Code §1.15, which provides:

§1.15. Extensions of time.

....

(b) Except as otherwise provided by statute, requests for continuance of hearings or for extension of time in which to perform an act required or allowed to be done at or within a specified time by this title or by order of the Commission or the presiding officer, shall be by motion in writing, timely filed with the Commission, stating the facts on which the application rests, except that during the course of a proceeding, the requests may be made by oral motion in the hearing before the Commission or the presiding officer. Only for good cause shown, will requests for continuance be considered. The requests should be submitted at least 5 days prior to the hearing date. (Emphasis added.)

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MAR 10 2006

In accordance with the foregoing, absent a timely request for continuance for good cause (i.e., no later than 5 days before the scheduled hearing on March 28, 2006), all parties to this proceeding shall be prepared to participate in the scheduled hearing.

2. Parties are required to send to the other parties copies of any correspondence sent to me, and to so indicate in their correspondence that the other parties were sent copies.

3. IF YOU WISH TO OFFER INTO EVIDENCE AT THE HEARING MATERIAL IN THE FORM OF DOCUMENTS (LETTERS, BILLS, CANCELLED CHECKS AND THE LIKE), YOU MUST SEND THREE (3) COPIES OF ALL EXHIBITS YOU INTEND TO PRESENT TO MY OFFICE, AND ONE (1) COPY TO EACH PARTY OF RECORD AT LEAST THREE (3) DAYS PRIOR TO THE HEARING

4. YOU MUST ARRANGE TO HAVE THOSE WHO INTEND TO TESTIFY AS WITNESSES ON YOUR BEHALF PRESENT WITH YOU AT THE TIME SET FOR THE HEARING.

5. **COMPLAINANT:** Please be aware that you have the burden of proof in this proceeding, and must show by a preponderance of the evidence that respondent has violated the Public Utility Code or a regulation or order of the Commission, and that you are entitled to the relief requested in the Complaint. If this burden is not satisfied, the Complaint must be denied as a matter of law. Pursuant to 52 Pa. Code §§1.21 and 1.22, if you are an individual, you may be represented by an attorney or you may represent yourself. If this is an adversarial proceeding and you are a partnership, corporation, trust, association or governmental agency or subdivision, you must be represented by an attorney.

6. Please be aware that there often is a delay in my receiving documents filed in Harrisburg. Therefore, serve me directly with any documents that you file in this proceeding.

7. I will emphasize that if you are not available for the hearing and a continuance has not been granted, I will conduct the hearing without you. If you are the

complainant, that may mean that the complaint will be dismissed. If you are the respondent, the complaint may be sustained and sanctions imposed, if appropriate, based on the record adduced.

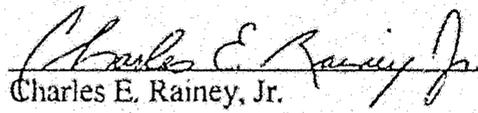
8. PLEASE BE AWARE THAT ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

9. The parties are encouraged to informally discuss any of the matters involved in this case prior to the scheduled hearing.

ORDER

The parties shall comply with procedural rules and regulations discussed herein.

Date: February 21, 2006


Charles E. Rainey, Jr.
Administrative Law Judge

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20065732		YES	NO
Case Name:	John B. Doherty v. Aqua Pennsylvania, Inc.	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	March 28, 2006	Estimated Add'l Days:		
ALJ:	Charles E. Rainey, Jr.	RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Precision Reporting	DATE:	4-28-06	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS		

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 SECRETARY OF COURTS

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PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?						
John B. Doherty	214 Lee Circle	Pro Se						
	<table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td>Bryn Mawr</td> <td>PA</td> <td>19010</td> </tr> </table>	City	State	Zip	Bryn Mawr	PA	19010	
City	State	Zip						
Bryn Mawr	PA	19010						
Telephone: 610-525-4189	E-mail Address:	Fax Number:						
Frances P. Orth, Esq.	762 W. Lancaster Ave.	Aqua PA, Inc.						
	<table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td>Bryn Mawr</td> <td>PA</td> <td>19010</td> </tr> </table>	City	State	Zip	Bryn Mawr	PA	19010	
City	State	Zip						
Bryn Mawr	PA	19010						
Telephone: 610-645- 4426	E-mail Address:	Fax Number:						
1126								
	<table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	City	State	Zip				
City	State	Zip						
Telephone:	E-mail Address:	Fax Number:						

Check this box if additional parties or attendees appear on back of form.

4/30/06 *elp.*

Michael Mottet
Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.