

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joseph & Lorraine Carr

v.

North Heidelberg Sewer Company

Docket Number

C-20055491

2006 FEB 16 PM 12:49  
SECRETARY'S BUREAU

RECEIVED

PREHEARING ORDER NO. 2

On January 3, 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.)

BTL

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 30, 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:

Feb. 14, 2006

Charles E. Rainey, Jr.

Charles E. Rainey, Jr.  
Administrative Law Judge

# OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20055491	Prehearing Held:	YES	NO
Case Name	Joseph & Lorraine Carr v. North Heidelberg	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sewer Company		Testimony Taken:	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date	February 16, 2006	RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ.	Charles E. Rainey, Jr	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	DATE:		
		Bench Decision	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<i>A telephonic hearing is scheduled for 3-30-06. Respondent's request for a continuance was granted.</i>	

RECEIVED

FEB 27 2006

PUBLIC UTILITY COMMISSION  
OPERATIONS BUREAU

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

Name and Telephone Number	Address	Who are you representing?			
<div style="font-size: 2em; font-weight: bold;">DOCUMENT FOLDER</div>					
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">City</td> <td style="width: 33%;">State</td> <td style="width: 33%;">Zip</td> </tr> </table>	City	State	Zip	
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Telephone:	E-mail Address:	Fax Number:			
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City	State	Zip			
Telephone:	E-mail Address:	Fax Number:			

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

*2/21/06*

\_\_\_\_\_  
Reporter's Signature

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



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
March 7, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20055491

(See letter of 1-3-06)

**DOCUMENT  
FOLDER**

Joseph & Lorraine Carr v. North Heidelberg Sewer Company  
Billing dispute.

Hearing Cancellation/Reschedule Notice

This is to inform you that the initial hearing on the above-captioned case previously scheduled for February 16, 2006 has been changed.

Type: Initial in-person/telephone hearing

Date: Thursday, March 30, 2006

Time: 10:00 a.m.

Location: In an available hearing room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130

Presiding: Administrative Law Judge Charles E. Rainey, Jr.  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215.560.2105  
Fax: 215.560.3133

**DOCKETED**  
MAR 16 2006

At the above date and time, the Presiding Officer will contact the parties as follows:

James P. Melia, Esquire                      717-231-5842

Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Rainey  
Susan Licon  
Beth Plantz  
Docket Section  
Calendar File

**OALJ Hearing Report**

Please Check Those Blocks Which Apply

Docket No:	C-20055491	Prehearing Held:	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
Case Name	Joseph & Lorraine Carr v. North Heidelberg	Hearing Held:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewer Company	North Heidelberg Sewer Co.	Testimony Taken:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Location	Philadelphia, PA	Transcript Due:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ALJ	Charles E. Rainey, Jr.	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm	Sargents Court Reporting	Estimated Add'l Days:				
RECEIVED APR 14 2006		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:	5-1-06			
FARMERS CREDIT UNION SECRETARY OF THE BOARD		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:				
PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing.		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS				

**DOCUMENT  
FOLDER**

Name and Telephone Number	Address	Who are you representing?
Joseph & Lorraine Carr Telephone: 610-484-6121	179 Dogwood Dr Bernville PA 19506	Self.
James P. Melia, Esq. Telephone: 717-787-8720	17 North Second Street 18th Floor Harrisburg PA 17101	N. Heidelberg Sewer Company

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

4/12/06

*Jerica Ashman*  
Reporter's Signature

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