

Carl R. Shultz
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October 12, 2018

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Natalie Leon, Jaime Wagner, Louise Sell, Christopher Cratsley, and James Rauber v.
Pittsburgh Water and Sewer Authority – Docket No. C-2018-3000961
Letter Report On Related Litigation

Dear Secretary Chiavetta:

This letter constitutes the report directed by Paragraph 3 of the First Interim Order Staying Proceeding (dated September 21, 2018), in the above-mentioned complaint proceeding.

The related litigation before the Court of Common Pleas of Allegheny County (“Court”) at Docket No. SA-17-886 is proceeding under the schedule established in the Order issued on July 16, 2018. That Order (which is attached together with a copy of the docket entries as of October 11, 2018) set the deadlines for parties to file briefs and scheduled an oral argument for November 19, 2018. Following argument, the Court will decide the appeal filed by The Pittsburgh Water and Sewer Authority (“PWSA” or “Authority”) (without a jury on the record certified by the Allegheny County Health Department). *See* 2 Pa.C.S. § 754(b).

PWSA will provide an update to this report (a) if the Court amends or extends the schedule established in said Order and (b) when the Court enters a final order in the appeal at Docket No. SA-17-886.

Copies of this Letter Report are being served in accordance with the attached Certificate of Service.

Sincerely,



Carl R. Shultz

CRS/jls
Enclosure

cc: Hon. Mark A. Hoyer, ALJ w/enc.
Cert. of Service w/enc.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

PITTSBURGH WATER AND SEWER
AUTHORITY,

Appellant,

v.

ALLEGHENY COUNTY HEALTH
DEPARTMENT,

Appellee.

CIVIL DIVISION

No.: SA17-000886

**ORDER OF COURT BY:
ROBERT J. COLVILLE**

COPIES TO:

Mark F. Nowak, Esquire
Danny P. Cerrone, Jr., Esquire
Samuel A. Hornak, Esquire
CLARK HILL PLC
One Oxford Centre, 14th Floor
301 Grant Street
Pittsburgh, PA 15219

Michael A. Parker, Esquire
Vijyalakshmi Patel, Esquire
Allegheny County Health Department
301 39th Street, Building No. 7
Pittsburgh, PA. 15201-1811

FILED

2018 JUL 16 PM 3:21

COURT CLERK

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

PITTSBURGH WATER AND SEWER AUTHORITY,)	CIVIL DIVISION
)	
Appellant,)	No.: SA17-000886
)	
v.)	
)	
ALLEGHENY COUNTY HEALTH DEPARTMENT,)	
)	
Appellee.)	

ORDER OF COURT

AND NOW, this 16th day of July, 2018, following a status conference with counsel for the parties, and interested intervenors, it is hereby ordered as follows: All principal briefs shall be filed within thirty (30) days. All reply briefs to principal briefs shall be filed within sixty (60) days. All sur-reply briefs shall be filed within ninety (90) days.

The Court intends to entertain oral argument on November 19, 2018 at 10:00 a.m. for approximately one hour.

Counsel for PWSA is to ensure that this Order is served upon all parties and intervenors.

BY THE COURT:



Robert J. Colville J.

SA-17-000886 In Re: Pittsburgh Water and Sewer Authority

Filing Date: 10/20/2017
 Filing Time: 11:22:48
 Related Cases:
 Consolidated Cases:
 Judge: Colville Robert J.
 Amount In Dispute: \$0

Case Type: Water Authority Appeal
 Court Type: Arbitration
 Current Status: Reply Brief
 Jury Requested: No

Parties Count: 14

--Litigants--

Search

LName	FName	MI	Type	Address	Initial Service Completion	Attorney
Cratsley	Christopher	J	Intervenor	No Default Address Available	--	--
Schanck	Patricia		Intervenor	No Default Address Available	--	--
Wagner	Jalme		Intervenor	No Default Address Available	--	--
Sell	Louise	M	Intervenor	No Default Address Available	--	--
Leon	Natalie		Intervenor	No Default Address Available	--	--
Rauber	James		Intervenor	No Default Address Available	--	--
Pittsburgh Water & Sewer Authority			Appellant	1200 Penn Avenue Penn Liberty Plaza I Pittsburgh PA 15222	--	--
Allegheny County Health Department			Appellee	1700 East Carson Street Maul Building Pittsburgh PA 15203	--	--

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--Attorney--

Search

LName	FName	MI	Type	Address	Phone
Patel	Vijya		Defendant's Attorney	ACHD 301 39th Street Pittsburgh PA 15201	4125782653
Nowak	Mark	F	Attorney	Clark Hill PLC 301 Grant Street Pittsburgh PA 15219-1425	4123947711

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--Non Litigants--

Search

LName	FName	MI	Type	Address	Phone
Colville	Robert	J.	Judge	1009 Duquesne Boulevard Duquesne PA 15110-1403	
Colville	Robert	J.	Judge	No Default Address Available	
Colville	Robert	J.	Judge	No Default Address Available	
Allegheny County Department of Court Records			Department of Court Records	414 Grant Street Pittsburgh PA 15219	

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Docket Entries Count: 14

Filing Date	Docket Type	Docket Text	Filing Party	Redacted Document
9/14/2018	Reply Brief	In support of Notice of Appeal	Pittsburgh Water & Sewer Authority	Document 14
7/26/2018	Record	amendment to existing record.	Allegheny County Health Department	Document 13
7/16/2018	Order of Court	Dated 07/16/2018 All principal briefs shall be filed within 30 days. See order for specifics. Colville, J. copies sent 07/16/2018.	Robert Colville J.	Document 12
6/13/2018	Order of Court	Dated 06/13/2018 Status conference currently scheduled in the above matter for July 10, 2018 is cancelled and is rescheduled to July 16, 2018 at 10:30 AM. See for specifics. Colville, J. notices sent 06/13/2018.	Robert Colville J.	Document 11
4/25/2018	Brief in Opposition	to appellant Pittsburgh Water & Sewer Authority's notice of Appeal.	Allegheny County Health Department	Document 10
4/24/2018	Order of Court	Dated: 04/24/2018 Caption in this matter is amended to read: Pittsburgh Water and Sewer Authority, Appellant vs. Allegheny County Health Department Appellee Natalie Leon, Louise M. Sell, Jaime Wagner, Patricia Schanck, Christopher J. Cratsley and James Rauber, Intervenor. Colville, J. notices sent 04/24/2018	Robert Colville J.	Document 9
4/20/2018	Motion	to Amend Case Caption	Allegheny County Health Department	Document 8
3/23/2018	Brief in Support	Of notice of appeal	Pittsburgh Water & Sewer Authority	Document 7
2/14/2018	Order of Court	Dated 2/13/18. It is hereby ordered that PWSA's opening brief is due 3/23/18. Allegheny County Health Department's brief is due 4/25/18. PWSA sur-reply brief is due 5/25/18. ACHD's brief is due 6/26/18. A status conference between the parties and before Judge Colville is scheduled for 7/10/18 at 9am in courtroom 815 of the City-County Building. Judge Colville, see order. Copies sent 2/20/18.	Robert Colville J.	Document 6
1/5/2018	Order of Court	Dated 01/05/18. A status conference is scheduled for Tuesday February 13, 2018 at 10:00 a.m. in Courtroom 815 City County Building. Colville, J See Order for Specifics Copies Sent 01/05/18	Robert Colville J.	Document 5
12/5/2017	Order of Court	Dated 12/04/17. Status Conference is scheduled for Thursday, January 4, 2018 at 12:30 p.m. in courtroom 815 City County Building. Colville, J See Order for Specifics Copies Sent	Robert Colville J.	Document 4
11/13/2017	Record		Allegheny County Health Department	Document 3
10/20/2017	Writ of Certiorari	Issued and sent on 10/23/2017.	Allegheny County Department of Court Records	Document 2
10/20/2017	Statutory Appeal		Pittsburgh Water & Sewer Authority	Document 1

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Event Schedule Count: 0

Search

Event Scheduled	Event Date & Time	Room Number	Judge/Hearing Officer
No matching records found			

Services Complete Service History Count: 0

Search

Desc	Name	Service Address	Person Served	Served By	Service Date	Service Time	Status
No matching records found							

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the foregoing **Letter Report on Related Litigation** upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and/or First Class Mail

Natalie Leon
2805 Homehurst Ave.
Pittsburgh, PA 15234

Emmanuel S. Anthou, Esquire
142A McClelland Road
Cannonsburg, PA 15317

Jaime Wagner
2901 Homehurst Ave.
Pittsburgh, PA 15234

Louise Sell
2913 Homehurst Ave.
Pittsburgh, PA 15234

Christopher Cratsley
2915 Homehurst Ave.
Pittsburgh, PA 15234

James Rauber
1801 Byrnwick Drive
Pittsburgh, PA 15243

Patricia Schanck
2807 Homehurst Ave.
Pittsburgh, PA 15234

Date: October 12, 2018



Carl R. Shultz, Esquire
Attorneys for
The Pittsburgh Water and Sewer Authority