**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission : R-2018-3003141

Office of Consumer Advocate : C-2018-3003732

:

v. :

:

Borough of Indiana :

**INTERIM ORDER**

**SETTING LITIGATION SCHEDULE**

On June 28, 2018, the Borough of Indiana (Borough) filed Supplement No. 11 to Sewer - Pa. P.U.C. No. 1, to become effective September 1, 2018. The Borough, by filing this tariff supplement, seeks Commission approval to implement rate changes that would increase the level of rates that it charges for providing service to its customers.

By notice dated August 28, 2018, a prehearing conference was scheduled for September 5, 2018, and this matter was assigned to me for disposition. A prehearing conference order was issued which, among other things, directed the parties to file prehearing memoranda. By email dated August 29, 2018, the Borough notified the Commission that it would participate in the Commission’s mediation process.

Prehearing memoranda were filed by the parties as directed. The prehearing conference convened as scheduled. Counsel for the Borough, BIE, and OCA appeared. Following the prehearing conference, a prehearing order was issued on September 5, 2018, which, among other things, provided for a further prehearing conference following a period for mediation and agreed-upon modifications to the Commission’s discovery rules.

A further prehearing conference was held as scheduled on October 31, 2018. Counsel for each party appeared. The parties agreed on a litigation schedule which is set forth below.

THEREFORE,

IT IS ORDERED:

1. That the litigation schedule shall be as follows:

|  |  |
| --- | --- |
| Date | Event |
| November 2, 2018 | Service of Company written direct testimony |
| November 30, 2018 | Service of other parties’ written direct testimony |
| December 19, 2018 | Service of written rebuttal testimony |
| January 10, 2019 | Service of written surrebuttal testimony |
| January 14, 2019 | Service of rejoinder outline |
| January 22, 2019 | **Service of witness matrix – due in hand by noon** |
| January 23-24, 2019 | Technical evidentiary hearings in Harrisburg |
| February 6, 2019 | Filing and service of main briefs |
| February 15, 2019 | Filing and service of reply briefs or submission of joint settlement petition executed by representatives of parties thereto, together with all parties’ statements in support of joint petition/settlement |

2. That in the event the parties achieve a settlement, they shall notify me no later than **noon on January 22, 2019**. The first day of hearing shall be convened as scheduled.

3. All briefs **must** conform to the “Instructions for Briefs” attached as Appendix A and made a part of the September 5, 2018 Prehearing Order. **Rate Case Tables** were electronically provided to the parties on September 5, 2018. These Tables **must** be used by Indiana Borough and all parties in this proceeding. A party’s failure to follow these instructions in the smallest detail will result in non‑consideration of that party’s position, regardless of where the record may support it or the position of any other party to this proceeding. Your anticipated cooperation will be appreciated.

4. All provisions of the Prehearing Order entered on September 5, 2018, remain in effect.

Date: November 1, 2018 /s/

Mary D. Long

Administrative Law Judge

**R-2018-3003141 - PENNSYLVANIA PUBLIC UTILITY COMMISSION v. BOROUGH OF INDIANA**

**C-2018-3003732 – OFFICE OF CONSUMER ADVOCATE v. BOROUGH OF INDIANA**

*Revised 10/29/18*

ERIKA L MCLAIN ESQUIRE

BUREAU OF INVESTIGATION & ENFORCEMENT

PO BOX 3265

HARRISBURG PA 17105-3265

**717.783.6170**

***ACCEPTS E-SERVICE***

CHRISTINE M HOOVER ESQUIRE

HARRISON W BREITMAN ESQUIRE

OFFICE OF CONSUMER ADVOCATE

FORUM PLACE 5TH FLOOR

555 WALNUT STREET

HARRISBURG PA 17101-1923

**717.783.5048**

***ACCEPTS E-SERVICE***

NEVA L STOTLER ESQUIRE

CAFARDI FERGUSON WYRICK WEIS STOTLER LLC

2605 NICHOLSON ROAD

SUITE 2201

SEWICKLEY PA 15143

**412.515.8900**

***ACCEPTS E-SERVICE***

*Representing Borough of Indiana*

DAVID P ZAMBITO ESQUIREJONATHAN NASE ESQUIRECOZEN O'CONNOR17 NORTH SECOND ST SUITE 1410HARRISBURG PA 17101**717-703-5892717-773-4191**

***ACCEPTS E-SERVICE***

*Representing Borough of Indiana*