

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**SANDRA LEWIS, A/K/A
SANDRA SHERRED**

Complainant

v.

Docket No. C-2020-3016742

**PITTSBURGH WATER AND SEWER
AUTHORITY**

Respondent

SANDRA LEWIS ANSWER TO PRELIMINARY OBJECTIONS

AND NOW Pursuant to 52 Pa, Code § 5.101(f), comes the Plaintiff Sandra Lewis A/K/A Sandra Sherred, by and through her attorneys, John P. Corcoran, Jr., Esquire, and Jones, Gregg, Creehan & Geracee, LLP, and files the following Answer to Preliminary Objections filed by Pittsburgh Water and Sewer Authority (PWSA), and in support thereof states the following:

1. Defendants have raised issues regarding the jurisdiction of the Pennsylvania Public Utility Commission (PUC) as a stay to civil litigation. Plaintiff has adequately demonstrated to the Court of Common Pleas of Allegheny County that requesting injunctive relief from the PUC is the quickest way to ensure that Plaintiff's property could be returned to normal through remediation of the stormwater pipe on her property.
2. Plaintiff is demanding that the stormwater pipe on her property be removed or remediated so as to avoid any future damages stemming from the storm water runoff that flows from the poorly constructed piping system.

3. Defendants do not address the request for injunctive relief in their Preliminary Objections; thus, it can be inferred that they admit injunctive relief is an equitable remedy for the Plaintiff.
4. Defendants contend that the claims and issues related to property damage, diminution of property value and/or monetary compensation, as well as those related to the award of attorneys' fees should be dismissed. Upon review of the case law, as per the Amended Complaint, Plaintiff agrees to withdraw the requests for attorneys' fees at this time but may re-evaluate their necessity at a later date.

Respectfully submitted:

JONES, GREGG, CREEHAN & GERACE, LLP

BY: _____

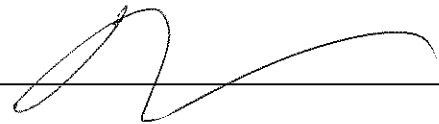

JOHN P. CORCORAN, JR., ESQUIRE
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **ANSWER TO PRELIMINARY OBJECTIONS** has been furnished, via e-service, this 28th day of May, 2020.

JONES, GREGG, CREEHAN & GERACE, LLP

BY:

A handwritten signature in black ink, appearing to read 'John P. Corcoran, Jr.', is written over a horizontal line.

JOHN P. CORCORAN, JR., ESQUIRE
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by:

JONES, GREGG, CREEHAN & GERACE, LLP

BY: _____


JOHN P. CORCORAN, JR., ESQUIRE
ATTORNEY FOR PLAINTIFF