

August 25, 2018

*Via Electronic Filing*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

In re: Docket No. C-2020-3021136  
James Regan v. Suez Water Pennsylvania Inc.

Dear Secretary Chiavetta:

We are counsel for Suez Water Pennsylvania Inc. in the above matter and are submitting, via electronic filing, the Company's Motion for Judgment on the Pleadings. A copy of the Motion is being served in accordance with the certificate of service attached to it.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By



Thomas T. Niesen

cc: Certificate of Service (w/encl.)  
Judith A. McCoy Jordan (via email, w/encl.)

**Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JAMES REGAN,**

**Complainant**

v.

**SUEZ WATER PENNSYLVANIA INC.,**

**Respondent**

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**Docket No. C-2020-3021136**

**NOTICE**

NOTICE is hereby given that an Answer or other responsive pleading shall be filed with the Public Utility Commission within 20 days of service of the following Motion for Judgment on the Pleadings. A copy of the Answer or other responsive pleading also should be sent to Counsel for Suez Water Pennsylvania Inc.

By 

Thomas T. Niesen, Esq. (PA ID # 31379)

THOMAS, NIESEN & THOMAS, LLC

212 Locust Street, Suite 302

Harrisburg, PA 17101

Tel: 717-255-7600

*Attorney for Respondent*

*Suez Water Pennsylvania Inc.*

Date of Service: August 25, 2020

**Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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<b>JAMES REGAN,</b>	:	
<b>Complainant</b>	:	
	:	
v.	:	<b>Docket No. C-2020-3021136</b>
	:	
<b>SUEZ WATER PENNSYLVANIA INC.,</b>	:	
<b>Respondent</b>	:	

**MOTION OF SUEZ WATER PENNSYLVANIA INC. FOR  
JUDGMENT ON THE PLEADINGS**

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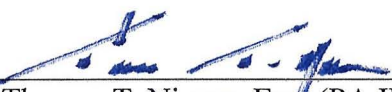
AND NOW, comes Suez Water Pennsylvania Inc. (“SUEZ” or “Respondent”), by its attorneys, and, pursuant to 52 Pa. Code § 5.102, moves for judgment on the pleadings and dismissal of this Complaint. In support thereof, SEUZ submits as follows:

1. This proceeding concerns the Complaint of James Reagan (“Complainant”).
2. Complainant initially named Overbrook Water Company (“Overbrook”) as Respondent, struck Overbrook and named SUEZ as Respondent.
3. Complainant complains of boil water advisories in 2018 and 2019. SUEZ is not responsible for the alleged service deficiencies.
4. Complainant has not alleged any basis upon which SUEZ could be responsible for the alleged service deficiencies.
5. Complainant does not aver that he is, or was, a SUEZ customer. Complainant is not a SUEZ customer.
6. SUEZ and Overbrook are parties to an Agreement of Sale whereby SUEZ will purchase the Overbrook water system.

7. The Public Utility Commission approved the transaction by Order entered June 18, 2020, at A-2019-3014990, but closing has not occurred.

WHEREFORE, for the reasons set forth above, Suez Water Pennsylvania Inc. requests that the Pennsylvania Public Utility Commission grant this motion for judgment on the pleadings and dismiss the Complaint of James Regan at Docket No. C-2020-3021136.

Respectfully submitted,

By   
Thomas T. Niesen, Esq. (PA ID # 31379)  
THOMAS, NIESEN & THOMAS, LLC  
212 Locust Street, Suite 302  
Harrisburg, PA 17101  
Tel: 717-255-7600  
*Attorney for Respondent*  
*Suez Water Pennsylvania Inc.*

DATED: August 25, 2020

**Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**JAMES REGAN,**

**Complainant**

v.

**SUEZ WATER PENNSYLVANIA INC.,**

**Respondent**

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**Docket No. C-2020-3021136**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 25<sup>th</sup> day of August 2020, served a true and correct copy of the foregoing Motion for Judgment on the Pleadings upon the persons and in the manner set forth below:

**FIRST CLASS MAIL, POSTAGE PREPAID**

James Regan  
328 North Pioneer Avenue  
Dallas, PA 18612



Thomas T. Niesen (PA ID # 31379)