

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PROVENTUS HOLDINGS, LLC,

*(Consolidated)*

Docket No. C-2020-3022592

Docket No. C-2020-3023420

Complainant

Docket No. C-2020-3023421

v.

Docket No. C-2020-3023422

Docket No. C-2020-3023423

THE PITTSBURGH WATER AND SEWER  
AUTHORITY,

Docket No. C-2020-3023424

Docket No. C-2020-3023425

Respondent

Docket No. C-2020-3023426

Docket No. C-2020-3023427

Docket No. C-2020-3023429

Docket No. C-2020-3023430

Docket No. C-2020-3023431

Docket No. C-2020-3023433

Docket No. C-2020-3023434

Docket No. C-2020-3023435

Docket No. C-2020-3023438

Docket No. C-2020-3023439

Docket No. C-2020-3023440

Docket No. C-2020-3023442

Docket No. C-2020-3023443

Docket No. C-2020-3023444

Docket No. C-2020-3023445

**COMPLAINANT’S ANSWER TO PRELIMINARY OBJECTIONS**

NOW COMES the Complainant, PROVENTUS HOLDINGS, LLC, by and through its undersigned counsel, and responds to the PWSA’s Preliminary Objections as follows:

1-9. Paragraphs 1-9 of the Preliminary Objections are admitted.

10. Paragraph 10 is admitted in part, insofar as the Complainant has stated that the water bills are “extremely high” and “incorrect”. The remaining allegations are denied, as the Complainant seeks to pay only what is correctly owed.

11-12. Paragraphs 11 and 12 are denied, as the Complainant does not possess the requisite

information to determine the precise amount of the over-charges for each property. The Complainant, as former owner of the properties, has observed that the subject water bills are extremely high and do not reflect what the Complainant believes are the actual usages of water based upon its past experience and knowledge of the properties. The information necessary to properly quantify the amount of the over-charges is in the possession of the PWSA. Under Pennsylvania law, “a more specific pleading should not be required as to matters about which the objecting party has, or should have, as much or better knowledge than the pleader.” Paz v. Com. Dept. of Corrections, 580 A.2d 452, 456 (Pa. Cmwlth. 1990). The pleader is only required to provide sufficient information to enable the defending party to prepare its defense. *Id.*

13. Paragraph 13 is denied for the reasons recited above. By way of further response, the outright dismissal of the Complaints is not an appropriate remedy under the circumstances. If and to the extent that the Complaints are found to lack sufficient specificity (which is denied), the proper remedy would be to allow the Complainant to file more specific Complaints.

14. Paragraph 14 is admitted. By way of further response, the fact that the PWSA has answered many of the Formal Complaints demonstrates that the Complaints contain sufficient information to enable the PWSA to prepare its defenses to the remaining unanswered Complaints.

WHEREFORE, the Complainant requests that the Preliminary Objections be denied.

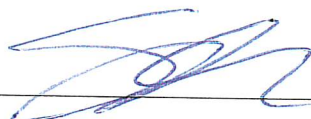
Respectfully submitted,

/s/ John D. Eddy

John D. Eddy, Esquire  
Attorney for Complainant  
Eddy Townsend Gravina & Bendik  
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Pittsburgh, PA 15219

VERIFICATION

I, SEAN WALTERS, state that I am authorized to make this statement on behalf of Complainant, and that the facts set forth in the foregoing Answer to Preliminary Objections are true and correct upon my personal knowledge or upon my information and belief and I make this statement subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

  
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Answer to Preliminary Objections was served upon counsel for the Authority this 4<sup>th</sup> day of February, 2021 by regular U.S. Mail, addressed as follows:

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/s/ John D. Eddy  
John D. Eddy, Esquire