*Via electronic service only due to Emergency Order at M-2020-3019262*

**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

John Kerr Musgrave IV :

: C-2020-3020714

v. :

:

Pittsburgh Water and Sewer Authority :

**PREHEARING CONFERENCE ORDER**

AND NOW, this **23rd day of March 2021**, it is hereby ORDERED:

1. **DATE AND TIME OF PREHEARING CONFERENCE.** A prehearing conference will be held in this case on:

**Wednesday, April 7, 2021**, beginning at 10:00 a.m.

To participate in the prehearing conference, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name, press the # key, and then the telephone system will connect you to the conference. If you have any witnesses you want to have present during the conference who are participating from a separate phone, you must provide them with the telephone number and PIN Number.

Toll-free Bridge Number: 1-877-653-9972

PIN Number: 29149724

**FAILURE TO APPEAR**: You may lose the case if you do not take part in this conference and present evidence on the issues raised. Your case may be dismissed “with prejudice” which means that you will be barred from filing another complaint raising the same claim(s) and issue(s) presented in the dismissed complaint.

1. **CONTINUANCES.** You may request a continuance of the conference if you have a good reason. Continuances will be granted only for good cause. To request a continuance, you must submit a written request (a “motion”) at least five (5) days before the hearing. Your motion

should include:

1. The case name, case number, and conference date;
2. The reason you are requesting a continuance; and
3. State whether the other party(s) agrees to the request (or if you do not know).

You must submit the motion to me at:

Administrative Law Judge Emily I. DeVoe

Email address: [edevoe@pa.gov](mailto:edevoe@pa.gov)

You must submit the motion to the other party(s) at their email address.

1. **REPRESENTATION.** If you are an individual, you may represent yourself or you may

have an attorney represent you. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*.[[1]](#footnote-1) And, unless you are an attorney, you may not represent someone else.

1. **BURDEN OF PROOF.**  The Complainant (the one filing the Complaint) bears the burden

of proof and must present evidence sufficient to demonstrate that the utility has violated the Public Utility Code, or a regulation or order of the PUC.[[2]](#footnote-2)

1. **CONTACT INFORMATION.** If your e-mail address or telephone number changes

during the course of the proceeding, you must immediately update OALJ by calling 717-787-1399.

1. **ACCOMMODATION.**  Any party who needs an accommodation for a disability in

order to participate in this conference process may request one. Please call the PUC scheduling office at least five (5) business days prior to your conference to submit your request.

If you require an interpreter to participate in the conference, we will have an interpreter present. Please call the scheduling office at the PUC at least ten (10) business days prior to your conference to submit your request.

Scheduling Office: (717) 787-1399

The AT&T Relay Service number for persons who are deaf or hearing-impaired is:

1-800-654-5988.

1. **BILLING COMPLAINT**. If you are claiming that there are incorrect charges on your

utility bill, then you must be prepared to provide the dates that are important and an explanation about any amounts or charges that you believe are not correct.

1. **VIOLATIONS.** A finding of a violation of a PUC Order, regulation or statute may

result in the imposition of a civil penalty consistent with 66 Pa.C.S. § 3301 or other provision of the Public Utility Code.

**9. CONFERENCE PROCEDURES.** Although the conference is being conducted telephonically for the convenience of the parties, it is still a formal proceeding and will be conducted in accordance with the PUC’s Rules of Practice and Procedure at 52 Pa.Code Chapters 1, 3, and 5.

Please be sure to participate from a location, and using a phone, where background noise will be minimized, and the reception is clear.

**10. FURTHER INFORMATION.** A guide to participating in a Formal Complaint proceeding is available on the PUC’s website at: <https://www.puc.pa.gov/complaints/formal-complaints>**.**

/s/

Emily I. DeVoe

Administrative Law Judge

**C-2020-3020714 - JOHN KERR MUSGRAVE, IV v. THE PITTSBURGH WATER AND SEWER AUTHORITY**JOHN KERR MUSGRAVE IV 6059 BUNKERHILL STREETPITTSBURGH PA 15206-1155**412.661.2374**  
Accepts eServiceSHANNON BARKLEY ESQUIREPWSAPENN LIBERTY PLAZA I1200 PENN AVENUE 2ND FLOORPITTSBURGH PA 15222**412.676.6685**Accepts eServiceLAUREN M BURGE ESQUIREECKERT SEAMANS CHERIN & MELLOTT LLC600 GRANT STREET 44TH FLOORPITTSBURGH PA 15219**412.566.2146**Accepts eService

1. 52 Pa.Code §§ 1.21 & 1.22. [↑](#footnote-ref-1)
2. 66 Pa.C.S. §332(a). [↑](#footnote-ref-2)