

October 4, 2021

Via Electronic Filing

Rosemary Chiavetta, Esquire
Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2021-3026391
Donald Osinski v. Aqua Pennsylvania Wastewater, Inc.
Unopposed Motion for Continuance of Aqua**

Dear Secretary Chiavetta:

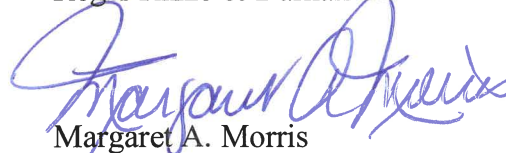
Attached for filing is the Unopposed Motion of Aqua Pennsylvania Wastewater, Inc. for a Continuance of the Call-in Telephonic Hearing scheduled for November 3, 2021 at 10:00 am before the Honorable F. Joseph Brady.

A copy of the Motion for Continuance has been provided to the Complainant in the manner indicated on the enclosed Certificate of Service.

If there are any questions, please feel free to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co
Enclosure

cc: The Hon. F. Joseph Brady, PA Public Utility Commission [w/encl.]
Mary McFall Hopper, Esquire, Aqua Pennsylvania, Inc. [w/encl.]
Donald Osinski [w/encl.]

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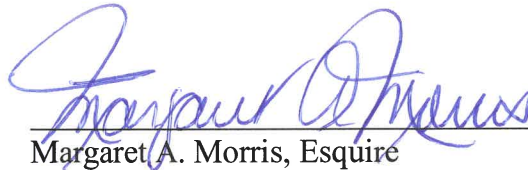
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following persons on the attached service list, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Via Electronic Mail

Donald Osinski
Dosinski1075@gmail.com

Dated: October 4, 2021


Margaret A. Morris, Esquire

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DONALD OSINSKI :
 :
 v. : Docket No. C-2021-3026391
 :
 AQUA PENNSYLVANIA WASTEWATER, INC. :

NOTICE TO PLEAD

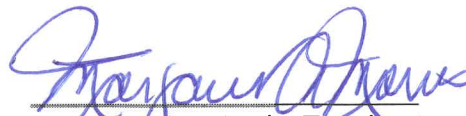
Pursuant to 52 Pa. Code § 5.103, you are hereby notified that if you do not file a written response answering the enclosed Motion for Continuance of Aqua Pennsylvania Wastewater, Inc. **within five (5) days from service of this notice**, the facts set forth by Aqua Pennsylvania Wastewater, Inc. in the Motion for Continuance may be deemed to be true, whereby requiring no other proof. All pleadings, such as a Answer to Motion for Continuance, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for Aqua Pennsylvania Wastewater, Inc., Margaret A. Morris, Esq., and the Honorable F. Joseph Brady, the Administrative Law Judge presiding over the issue.

File with:
Rosemary Chiavetta, Esquire
Secretary
Pennsylvania Public Utility Commission
rchiavetta@pa.gov

With a copy to:
Margaret A. Morris, Esquire
Reger Rizzo & Darnall LLP
mmorris@regerlaw.com

The Hon. F. Joseph Brady
fbrady@pa.gov

Date: October 4, 2021



Margaret A. Morris, Esquire
Attorney ID No. 75048
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (tel.)
mmorris@regerlaw.com

Counsel for Aqua Pennsylvania Wastewater, Inc.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DONALD OSINSKI

v.

AQUA PENNSYLVANIA WASTEWATER, INC. :

:
:
:
:
:

Docket No. C-2021-3026391

**UNOPPOSED MOTION FOR CONTINUANCE
OF AQUA PENNSYLVANIA WASTEWATER, INC.**

Aqua Pennsylvania Wastewater, Inc. (Aqua), by and through its attorneys, Reger Rizzo & Darnall LLP, and pursuant to 52 Pa. Code § 1.15, hereby moves that the Honorable F. Joseph Brady (Judge Brady) of the Pennsylvania Public Utility Commission (Commission) issue an order continuing the Call-in Telephonic Hearing scheduled for November 3, 2021 (Hearing) as Counsel for Aqua Pennsylvania Wastewater, Inc., Margaret A. Morris, Esquire is scheduled for hearing in a separate matter on the same day.

In support thereof, Aqua avers as follows:

1. Donald Osinski (Complainant) filed a Formal Complaint, dated May 6, 2021, against Aqua alleging that there are incorrect charges on his bill for wastewater service provided to 331 Camp Stead Circle, Blakeslee, Pennsylvania (Service Location).
2. On June 29, 2021, Aqua efiled an Answer and New Matter denying the material allegations therein. Aqua requested the matter be assigned to the Commission's Mediation Unit.
3. By Interim Order, dated August 3, 2021, Aqua was directed to contact the Complainant to hold a conference about resolving the case.
4. On August 27, 2021, the parties had a conference call about resolving the case.

5. On September 23, 2021, the parties had a mediation call with Mediator Homsher. At the conclusion of the mediation call it was decided that the matter should be set for hearing.

6. By Notice, dated September 23, 2021, a Call-In Telephonic Hearing was scheduled for Wednesday, November 3, 2021, before Judge Brady.

7. On September 28, 2021, Margaret A. Morris, Esquire efiled her Notice of Appearance on behalf of Aqua.

8. On September 30, 2021, the undersigned counsel spoke with the Complainant who stated he did not oppose the requested continuance.

9. 52 Pa. Code § 1.15 (b) states:

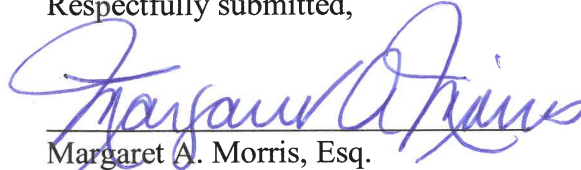
(b) Except as otherwise provided by statute, requests for continuance of hearings or for extension of time in which to perform an act required or allowed to be done at or within a specified time by this title or by order of the Commission or the presiding officer, shall be by motion in writing, timely filed with the Commission, stating the facts on which the application rests, except that during the course of a proceeding, the requests may be made by oral motion in the hearing before the Commission or the presiding officer. Only for good cause shown will requests for continuance be considered. The requests for a continuance should be filed at least 5 days prior to the hearing date.

10. The unavailability of Aqua's Counsel constitutes good cause consistent with Commission regulation.

11. Aqua respectfully requests the Call-In Telephonic Hearing be rescheduled for a date after November 3, 2021.

WHEREFORE, for good cause shown, Aqua Pennsylvania Wastewater, Inc., requests that Judge Brady grant its Unopposed Motion for Continuance of the scheduled November 3, 2021 Call-In Telephonic Hearing.

Respectfully submitted,



Margaret A. Morris, Esq.

Attorney ID No. 75048

Reger Rizzo & Darnall LLP

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Philadelphia, PA 19104

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Date: October 4, 2021

Counsel for Aqua Pennsylvania Wastewater, Inc.