

Lauren M. Burge
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September 30, 2022

Via Electronic Filing

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

Re: John Kerr Musgrave, IV v. Pittsburgh Water and Sewer Authority
Docket No. C-2020-3020714

Dear Secretary Chiavetta:

This letter constitutes the Status Report of The Pittsburgh Water and Sewer Authority (“PWSA”) as required by the September 15, 2022 Interim Order Holding Motion in Limine in Abeyance Until Status Conference, Ordering Meet and Confer, and Directing Status Report in the above-referenced matter.

Since the September 15, 2022 Interim Order was issued, the following have occurred:

- On September 23, 2022, PWSA provided the Complainant with a revised draft of the Joint Stipulation of Facts reflecting certain items discussed during the Status Conference held on September 14, 2022;
- On September 28, 2022, the Complainant and PWSA counsel held a telephone call to discuss the draft Joint Stipulation of Facts;
- PWSA counsel and the Complainant further conferred via email and telephone on September 28, 29, and 30, 2022 regarding the Joint Stipulation of Facts; and
- The parties reached an agreement on the Joint Stipulation of Facts, which was filed with the Commission and served on Administrative Law Judge Emily I. DeVoe on September 30, 2022.

Additionally, PWSA’s July 15, 2022 Motion in Limine regarding the Complainant’s proposed witness list and proposed testimony has been held in abeyance until at least September 30, 2022 pursuant to the September 15, 2022 Interim Order. It is PWSA’s understanding that Mr. Musgrave does not intend to remove any witnesses from his proposed witness list, and in fact has

indicated that he will be expanding his list to include additional witnesses. This is in addition to the approximately 40 witnesses included on his original witness list. Further, this comes after PWSA has expended considerable time and resources attempting to reach an agreement on factual stipulations, the purpose of which was to reduce the amount of witness testimony required at the hearing. As a result, PWSA will not withdraw its July 15, 2022 Motion in Limine, and reserves the right to submit further objections to the additional witnesses identified by the Complainant after PWSA has reviewed his revised witness list.

Thank you for your time and attention to this matter. Copies of this Status Report are being served in accordance with the attached Certificate of Service.

Sincerely,

/s/ Lauren M. Burge

Lauren M. Burge

cc: Cert. of Service

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of PWSA's Status Report upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email Only

John Kerr Musgrave, IV
6059 Bunkerhill Street
Pittsburgh, PA 15206-1155
jmusky@earthlink.net

Hon. Emily I. DeVoe
Administrative Law Judge
PA Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222
edevoe@pa.gov

Dated: September 30, 2022

Lauren M. Burge

Lauren M. Burge, Esq.