

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN MUSGRAVE IV

Complainant

vs.

THE PITTSBURGH WATER AND SEWER AUTHORITY

Respondent

DOCKET NUMBER C-2020-3020714

APPLICATION FOR SUBPOENAS

Counsel of Record for this Party:

**John K. Musgrave IV
6059 Bunkerhill Street
Pittsburgh, PA 15206
(412)853-1666
jmusky@earthlink.net**

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JOHN MUSGRAVE IV

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PITTSBURGH WATER AND SEWER AUTHORITY

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Respondent

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APPLICATION FOR SUBPOENAS

Andrew McFarland and Rebecca Price

6049 Bunkerhill Street

Pgh., PA 15206

(Fact / Lay Witness)

Expected Testimony: There was a water line break in their yard in the spring / winter of 2015 which PWSA repaired.

Brooke McCartney and Justin Crowley

6045 Bunkerhill Street

Pgh. PA 15206

(Fact / Lay Witness)

Expected Testimony: There was a break in the party line under the street on March 20, 2017 between 6041 and 6045 Bunkerhill which PWSA repaired. There was a break in the party line on 2/13/18 at 6045 Bunkerhill which RDN Plumbing was hired by the homeowners to repair. The crocks for 6053, 6055, and 6059 Bunkerhill are located on the property of 6045 Bunkerhill beside their driveway.

Dell and Kathy Ziegler
6041 Bunkerhill Street
Pgh, PA 15206
(Fact / Lay Witness)

Expected Testimony: There was a break in the party line under the street on March 20, 2017 between 6041 and 6045 which PWSA repaired.

Tracy Smith
Open Records Officer
PWSA
1200 Penn Avenue
Pgh., PA 15222
(Expert Witness)

Expected Testimony: Documents pertaining to the private vs. public nature of the water line at the end of Bunkerhill were mailed to John Musgrave in 2018. Included in these documents were two from the City of Pittsburgh Department of Public Works Bureau of Water: one being an "Application and Contract for Water Supply" (Form P-160 10-28, stamp dated December 31, 1928) and another being an "Order to Driller / Report of Driller" (stamp dated January 7, 1929).
Subpoena Duces Tecum: Please bring all documents pertaining to the private vs. public nature of the water line at the end of Bunkerhill, who paid for and repaired past breaks on the water line, when and by whom the water line was replaced, and who is responsible to maintain the water line.

Rich Obermeier
Director of Field Services
PWSA
1200 Penn Avenue
Pgh., PA 15222
(Expert Witness)

Expected Testimony: John Musgrave, upon your request, bought and connected hoses from the hydrant at the end of Bunkerhill to the homes of 6035, 6055, and 6059 Bunkerhill so that these dwellings could have water.

Jeffrey Czochara
Plumbing Inspector
Allegheny County Health Department
Plumbing Section SA#1
Clack Health Center Building #5
3901 Penn Avenue
Pgh., PA 15224
(Expert Witness)

Expected Testimony: He inspected 6059 Bunkerhill on 2/5/18 concerning the party water line break. He can report on whether permits were filed and inspections were done by the Allegheny County Health Department for the work performed at the end of Bunkerhill on the water lines.

Subpoena Duces Tecum: Please bring the permits granted and inspection reports by the Allegheny County Health Department and any other documents pertaining to work performed on the water lines at the end of Bunkerhill Street from the year 1700 until today.

Beverly Services (Plumbing)
3044 Industrial Blvd.
Bethal Park, PA 15102
(Expert Witness)

Expected Testimony: They can testify that they tried to repair the water line break under the street at 6041 Bunkerhill on 7/27/20, but that they had to abandon the project due to the deteriorated condition of the water line. They will testify that the repair of the 7 breaks on the main line prior to the break on the party line on 7/27/20 may have hastened the demise of the party line. One, the repairs of the main line caused vibration at the juncture of the main line to the party line. Two, the repairs to the main line required the water in the main to be turned on and off which created pressure surges in the party line.

Michael Facchiano Contracting

Steve Anderjack

Project Manager

801 McNeilly Road #4

Pgh., PA 15226

(Expert Witness)

Expected Testimony: He can testify that approximately 12 feet of curb was destroyed by their heavy machinery when they dug through the rock garden at 6059 Bunkerhill Street to dig a trench to the old curb stop. He can testify that they dug a 3-foot wide trench in the asphalt road from 6041 Bunkerhill to the curb stop in the rock garden of 6059 Bunkerhill and that this trench is now covered by gravel which is slippery to bikers and pedestrians. He can testify that the street was repaved in front of 6041 Bunkerhill, but not the rest of the street that extends from 6045 to 6055 Bunkerhill. He can testify that that he quoted a price for repaving the street from 6045 to 6055 Bunkerhill to owners of 6053, 6055, and 6059 Bunkerhill before the water line trenches were dug; but after the water line trenches were dug, the price was raised significantly.

Notice: A response or objection to this application for subpoenas shall be filed with the Commission or Administrative Law Judge within 10 days of service of the application.

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code Section 1.54.

Dated this 28th day of November, 2022

John K. Musgrave IV

John K. Musgrave IV

Pro Se Complainant John K. Musgrave IV agrees to serve as Pro Se counsel for himself:

John K. Musgrave IV
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(412)853-1666
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Pittsburgh Water and Sewer Authority
Karen O. Moury, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street
Harrisburg, PA 17101
(717)237-6036
kmoury@eckertseamans.com
Accepts eService

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

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
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Pittsburgh Water and Sewer Authority
Lauren M. Burge, Esquire
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Accepts eService

Andrew McFarland and Rebecca Price
6049 Bunkerhill Street
Pittsburgh, PA 15206
Service by 1st class mail

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