

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALLEGHENY CEMETERY,  
a Pennsylvania nonprofit,

THE HOMEWOOD CEMETERY,  
a Pennsylvania nonprofit, and

SMITHFIELD CEMETERY,  
a Pennsylvania nonprofit.

PUC Docket No. C-2022-3036595

Complainants,

vs.

PITTSBURGH WATER & SEWER AUTHORITY,  
Respondent.

**MOTION TO CONTINUE HEARING DATE**

AND NOW, comes the Complainants, ALLEGHENY CEMETERY, a Pennsylvania nonprofit (“Allegheny Cemetery”), THE HOMEWOOD CEMETERY, a Pennsylvania nonprofit (“Homewood Cemetery”), and SMITHFIELD CEMETERY, a Pennsylvania nonprofit (“Smithfield Cemetery”) (collectively referred to as “Complainants”), by and through its attorneys, JONATHAN M. KAMIN, ESQUIRE, DAVID A. WOLF, ESQUIRE, DEBORAH R. ERBSTEIN, ESQUIRE, and the law firm of GOLDBERG, KAMIN & GARVIN, LLP and files the following Motion to Continue Hearing Date and in support thereof states as follows:

1. The Pleadings in this matter are now complete upon the filing of the Complainants’ Reply to New Matter on December 16, 2022.

2. The Complainants believe and therefore have alleged in their Complaint that the Pittsburgh Water & Sewer (“PWSA”) has incorrectly calculated the stormwater runoff which forms the basis of the PWSA invoices for 2022.

3. In addition the Complainants believe and therefore have alleged that the PWSA rates, as reflected on the Complainants 2022 PWSA invoices, are not just and reasonable and therefore, are in violation of 66 Pa.C.S.A §3101.

4. In order to adequately present evidence, in support of Complainants' position, at time of a hearing, it is necessary for the Complainants to conduct discovery related to the issues raised in the Complaint and PWSA's responses thereto.

5. Concurrently with the filing of the within Motion, the Complainants served Interrogatories and Request for Production of Documents (First Set) upon PWSA.

6. Depending on PWSA's responses, additional written discovery and/or depositions may be necessary.

7. On December 20, 2022, the Commission entered an Order scheduling a Hearing on February 2, 2023 at 10:00 am.

8. The aforesaid Hearing date does not provide sufficient time for Complainants to conduct discovery.

9. The Complainant will be prejudiced if they are not afforded a reasonable amount of time to conduct discovery.

10. It unknown to Complainant whether PWSA consents to the within Motion.

WHEREFORE, the Complainants respectfully request that the Commission enter an Order that generally continues the Hearing currently scheduled for February 2, 2023, issue a Case Management Order, addressing discovery deadlines and grant such other and further relief as the Commission deems necessary and just.

Respectfully submitted,  
GOLDBERG, KAMIN & GARVIN, LLP

/s/ David A. Wolf

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ATTORNEYS FOR COMPLAINANTS,  
THE ALLEGHENY CEMETERY, THE  
HOMWOOD CEMETERY AND THE  
SMITHFIELD CEMETERY

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of December, 2022, I served the foregoing MOTION TO CONTINUE HEARING DATE by E-mail mail, addressed as follows:

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*/s/ David A. Wolf*

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