
Garrett P. Lent

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File #: 182321

June 20, 2023

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: William Ferguson v. Aqua Pennsylvania Wastewater, Inc.
Docket No. C-2023-3041184**

Dear Secretary Chiavetta:

On June 8, 2023, Aqua Pennsylvania Wastewater, Inc., (“Aqua PA WW” or the “Company”) was served with the formal complaint of William Ferguson (“Complainant”) at Docket No. C-2023-3041184 (the “Complaint”). The accompanying notice issued by the Pennsylvania Public Utility Commission (“Commission”) referenced Docket No. R-2021-30327386 and also stated that “[w]ithin ten (10) days from the above date of service, you may either satisfy or answer this complaint in accordance with the provisions of 52 Pa Code, §6.61(d).” Section 5.61(d) of the Commission’s regulations in turn provides that:

For complaints which are docketed with Commission-instituted rate proceedings, an answer may be filed within 10 days of date of service. However, an answer is not required, except as may be directed by the Commission or the presiding officer.

52 Pa. Code § 5.61(d) (emphasis added). Based upon the content of the Complaint and the notice issued by the Commission, it is clear that the above-captioned Complaint concerns a Commission-instituted rate proceeding.

While an answer to the Complaint is not required, Aqua PA WW intends to file responsive pleadings to the Complaint. The Commission’s regulations permit a party to request an extension of time to perform an act required or allowed to be done at or within a specified time for good cause. 52 Pa. Code § 1.15(a)(1).

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Good cause exists to grant an extension of time to file responsive pleadings to the Complaint, because the Complaint concerns a Commission-instituted rate proceeding and an answer is not required. Importantly, Aqua PA WW previously filed a letter dated September 8, 2021, with the Commission at Docket No. R-2021-30327386, that stated: “If the Commission believes that answers should be filed to any specific complaints and hereafter directs Aqua PA [WW] to do so, we request that the Company be provided 20 days from the date of such directive to file answers to such complaints.” In addition, the Complaint (including its attached exhibits) is approximately 45 pages long, and additional time is needed to prepare an answer due to the length of the Complaint. Therefore, good cause exists to grant Aqua PA WW additional time to file responsive pleadings to the Complaint.

Furthermore, Complainant will not be prejudiced by the granting of an extension of time to file; no hearings have been scheduled in this matter. In addition, Aqua PA WW is only requesting an extension of time to file responsive pleadings that is commensurate with the time in which an answer to a formal complaint is required to be filed pursuant to 52 Pa. Code § 5.61(a).

Therefore, Aqua PA WW respectfully requests that it be provided twenty (20) days from the date of service of the Complaint (i.e., June 28, 2023) to file responsive pleadings to the Complaint.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Garrett P. Lent". The signature is written in a cursive style with a large initial "G".

Garrett P. Lent

GPL/kl
Enclosures

cc: Certificate of Service

CERTIFICATE OF SERVICE

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

VIA E-MAIL AND FIRST-CLASS MAIL

William Ferguson
313 Hyde Park Road
Landenberg, PA 19350
zzzferg@gmail.com

Dated: June 20, 2023


Garrett P. Lent