



CITY OF PHILADELPHIA

LAW DEPARTMENT

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VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement v. Philadelphia Water Department; Docket No. C-2024-3045798

Dear Secretary Chiavetta:

Enclosed, for electronic filing please find the City of Philadelphia's¹ Motion for Extension of Time in the above referenced matter. A copy is being served in accordance with the attached Certificate of Service.

Should you have any questions, please let me know.

Very truly yours,
/s/ Alexandra Athanasiadis
Alexandra Athanasiadis
Deputy City Solicitor

¹ Pursuant to 53 PS Section 16257, operating departments of the City of Philadelphia are not separate legal entities, and as such are not amenable to suit. As such, the Complaint and all allegations against the Philadelphia Water Department will be deemed against the City of Philadelphia.

CITY OF PHILADELPHIA LAW DEPARTMENT
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PENNSYLVANIA PUBLIC UTILITY COMMISSION BUREAU OF INVESTIGATION AND ENFORCEMENT : **DOCKET NUMBER: C-2024-3045798**

v.

PHILADELPHIA WATER DEPARTMENT

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MOTION FOR EXTENSION OF TIME TO ANSWER OR RESPOND TO COMPLAINT

Pursuant to 52 Pa. Code §§1.15 and 5.103 the City of Philadelphia (“City”) ² files this Motion to request a thirty (30) day of extension of the deadline to file its Answer or other response to the Formal Complaint filed by the Bureau of Investigation & Enforcement (“I&E”) and discuss potential settlement. Counsel for the City has conferred with counsel for I&E regarding this request, and counsel does not object and consents to the requested extension. In support of its Motion, the City avers as follows:

1. On February 1, 2024, the City was served with a Formal Complaint (“Complaint”) filed by I&E, which alleged several violations of the regulations of the Pennsylvania Public Utility Commission (“Commission”).
2. Pursuant to 52 Pa. Code § 5.61, the City’s Answer, Preliminary Objections or other response to the Complaint are due within twenty (20) days of service, which would make the response due on February 21, 2024.
3. The Complaint includes several allegations relating to multiple alleged violations to Commission regulations. Considering the allegations and significant fines sought, the City respectfully requests additional time to thoroughly investigate the allegations of the Complaint to properly respond as well as evaluate potential settlement and resolution.
4. The City has conferred with I&E regarding the allegations of the Complaint and need for additional time to investigate the allegations and provide a response, and I&E has indicated that it does not object and consents to this request for a 30-day extension to file a response to the Complaint until March 22, 2024.
5. The City respectfully submits that this request for an extension of time satisfies the requirements of 52 Pa. Code §1.15 and is being made for good cause in that the period for answering the Complaint has not yet expired, no party will be prejudiced by the grant of the extension, an extension of time will allow for a

² Pursuant to 53 PS Section 16257, operating departments of the City of Philadelphia are not separate legal entities, and as such are not amenable to suit. All allegations against the Philadelphia Water Department will be deemed against the City of Philadelphia.

more complete investigation of the allegations of the Complaint to ensure a thorough response to the Complaint as well as evaluate potential settlement and resolution.

REQUEST FOR RELIEF

WHEREFORE, for all the reasons stated herein, the City respectfully requests the issuance of an Order or Secretarial Letter granting this Motion and extending the deadline for the filing of an Answer or response to the Complaint until March 22, 2024.

Respectfully submitted,

Renee Garcia,
Acting City Solicitor

Kristin K. Bray
First Deputy City Solicitor

Ji Y. Jun
Chief Deputy City Solicitor

Kevin Birriel
Divisional Deputy City Solicitor

BY: /s/ Alexandra Athanasiadis
Alexandra Athanasiadis
Deputy City Solicitor
Attorney for Defendant
City of Philadelphia

Date: February 8, 2024

CITY OF PHILADELPHIA LAW DEPARTMENT
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PENNSYLVANIA PUBLIC UTILITY : **DOCKET NUMBER: C-2024-3045798**
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INVESTIGATION
AND ENFORCEMENT

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PHILADELPHIA WATER
DEPARTMENT

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Extension of Time to Answer or Respond to Complaint was served via email, certified mail and/or electronic filing on the following:

Grant Rosul
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
grosul@pa.gov

BY: /s/ Alexandra Athanasiadis
Alexandra Athanasiadis, Esquire
Deputy City Solicitor
Attorney for Defendant
City of Philadelphia