



# CITY OF PHILADELPHIA

## LAW DEPARTMENT

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## **VIA ELECTRONIC FILING**

February 14, 2024

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's<sup>1</sup> Amended 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

**Cc:** Grant Rosul, Prosecutor Bureau of Investigation and Enforcement

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<sup>1</sup> 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**  
ALEXANDRA ATHANASIADIS, ESQUIRE  
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**PENNSYLVANIA PUBLIC UTILITY                   :   DOCKET NUMBER: C-2024-3045798**  
**COMMISSION BUREAU OF**  
**INVESTIGATION**  
**AND ENFORCEMENT**

v.

**PHILADELPHIA WATER**  
**DEPARTMENT**

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**AMENDED 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”) <sup>2</sup> 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 8, 2024, the City filed a Motion for an Extension of Time to Answer or Respond to Complaint.
2. In that Motion the City averred that it was served on February 1, 2024, with a Formal Complaint (“Complaint”) filed by I&E, which alleged several violations of the regulations of the Pennsylvania Public Utility Commission (“Commission”) as that was the date of receipt of the physical Complaint.
3. The date of service listed on the physical copy of the Complaint is listed as January 26, 2024, though the City did not receive the physical copy of the Complaint until February 1, 2024.
4. 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 calculated from January 26, 2024, makes the response due on February 15, 2024.
5. 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.

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<sup>2</sup> 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.

6. 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 16, 2024.
7. 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 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 16, 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 14, 2024

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Amended 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*