

BRIAN FEINBERG

1210 Mirabeau Lane
Gladwyne, PA 19035
brianfeinberg@comcast.net
610-585-2679

February 15th, 2024.

Attn: Rosemary Chiavetta, Esquire
Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2024-3045512
Brian Feinberg v. Aqua, Pennsylvania, Inc.
Reply to New Matter**

Dear Rosemary,

Below is the response to the new matter filed in the above captioned proceedings.

A copy of response to the new matter has been e-mailed to Margaret Morris, esq.

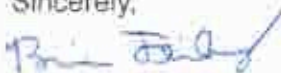
Response to New Matter: DENIED

Cite section 1312 of the Code, 66 Pa. C.S.

Section 1312 - Refunds

(a) **General rule.**—If, in any proceeding involving rates, the commission shall determine that any rate received by a public utility was unjust or unreasonable, or was in violation of any regulation or order of the commission, or was in excess of the applicable rate contained in an existing and effective tariff of such public utility, the commission shall have the power and authority to make an order requiring the public utility to refund the amount of any excess paid by any patron, in consequence of such unlawful collection, within **four years** prior to the date of the filing of the complaint, together with interest at the legal rate from the date of each such excessive payment. In making a determination under this section, the commission need not find that the rate complained of was extortionate or oppressive. Any order of the commission awarding a refund shall be made for and on behalf of all patrons subject to the same rate of the public utility. The commission shall state in any refund order the exact amount to be paid, the reasonable time within which payment shall be made, and shall make findings upon pertinent questions of fact.

Sincerely,



Brian Feinberg

cc: Margaret Morris, Esquire

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document has been served to the following person (s), in the manner indicated, in accordance with the requirements of 52 Pa. Code & 1.54 (relating to service by a participant)

Via Electronic Mail

Margaret Morris
mmorris@regerlaw.com

Dated February 15th, 2024



Brian Feinberg