

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michelle Ragland	:	
	:	
v.	:	C-2023-3040747
	:	
Pennsylvania American Water Company	:	

ORDER GRANTING CONTINUANCE

On May 2, 2023, Michelle Ragland (Ms. Ragland or Complainant) filed a formal complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Pennsylvania American Water Company (PAWC).¹ In her Complaint, Ms. Ragland alleged that her bill stated that she is the landlord and tenant, and she is experiencing plumbing issues that are not her fault. Ms. Ragland averred that her plumbing issues were “founded by the inspector from the PAWC.” Ms. Ragland requested “documents” to be sent to her landlord “so that the plumbing issues can be addressed,” and a fair payment plan that reflects her water usage and not any usage caused by plumbing issues.

Complainant’s Complaint was served on PAWC on May 18, 2023. On June 7, 2023, PAWC filed an answer to the Complaint. In its answer, PAWC admitted that Complainant’s account reflected a higher-than-normal usage due to leaks at the property, but it denied that it was responsible for internal water leaks at Complainant’s property. PAWC averred that its field service personnel visited Complainant’s property and identified leaks based on consumption patterns at the property. PAWC asserted that Complainant’s account balance is correct and stated that it is willing to provide Complainant with a payment arrangement to address the remaining balance on her account. PAWC requested that the matter be referred to the Commission’s mediation program.

¹ The Formal Complaint is an untimely appeal of a decision issued by the Commission’s Bureau of Consumer Services at BCS Case No. 3894056.

On June 15, 2023, the Commission served an Interim Order directing the parties to hold a resolution conference no later than July 14, 2023. The case did not resolve in mediation.

On February 16, 2024, the Commission served an initial telephonic hearing notice setting a formal call-in telephonic hearing for this matter for April 10, 2024, at 10:00 a.m., and assigning Chad L. Allensworth as the presiding officer. In anticipation of that hearing, Judge Allensworth served a prehearing order on February 16, 2024, setting forth hearing information and the rules that would govern that proceeding. On February 28, 2024, the Commission served a Judge Change notice reassigning the matter to me. The original hearing date and time remained intact. In anticipation of the April 10 hearing, I served a Prehearing Order on February 28, 2024, listing the hearing date and time, my call-in information for the hearing, and the various rules that would govern the proceeding.

On April 8, 2024, Michael Gruin, Esquire, attorney for PAWC, emailed me, copying John Hurtt, Esquire, attorney for Ms. Ragland, to request a continuance of the April 10 hearing on behalf of both parties. Mr. Gruin advised that Mr. Hurtt had been retained by Ms. Ragland to represent her in this matter, and they have confirmed that she has moved to a new address and no longer receives utility service at the address that is the subject of her Complaint. Mr. Gruin further advised that the parties plan to discuss the potential settlement of this matter and requested to postpone the April 10 hearing for approximately 30 to 60 days.

I emailed the parties on April 8, 2024 to advise that the hearing continuance request was granted and that I would serve an Order granting the continuance. I commended the parties on their efforts to potentially resolve this case.

The purpose of this Order is to formalize the granted hearing continuance.

Section 5.483 of the Commission's regulations provides presiding officers with the authority to regulate the course of proceedings. 52 Pa. Code § 5.483(a). Presiding officers are required to conduct fair and impartial hearings and maintain order. 52 Pa. Code § 5.485(a).

As the parties' request is reasonable and may contribute to an amicable resolution of this case, I have granted the continuance request and rescheduled the April 10 hearing to June 6, 2024, at 10:00 a.m. A new hearing notice with the new hearing date and time was served on April 9, 2024. The parties should continue to adhere to the prehearing order served on February 28, 2024.

Lastly, as it is the policy of the Commission to encourage settlements², I again commend the parties on their efforts to potentially resolve this matter. Parties are often more satisfied when they can decide the outcome of the case on their own terms. I ask that the parties please keep me apprised of any progress that they may have with their continued settlement discussions.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the parties' request to continue the April 10, 2024, hearing is granted.
2. That the new hearing date for this case is June 6, 2024, and the hearing will begin at 10:00 a.m. A new hearing notice with the new hearing date and time was served on April 9, 2024.
3. That the parties should continue to adhere to the prehearing order that I served on February 28, 2024.

² 52 Pa. Code § 5.231(a).

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MICHELLE RAGLAND
104 PAYNE AVENUE
KINGSTON PA 18704
570.762.7601
luckie.mis@gmail.com

JOHN HURTT ESQUIRE
33 NORTH MAIN STREET
SUITE 200
PITTSBURGH PENNSYLVANIA 15201
570.237.0744
Jhurtt@northpennlegal.org
(Representing Complainant)

MICHAEL A GRUIN ESQUIRE
STEVENS & LEE
17 NORTH SECOND STREET
16TH FLOOR
HARRISBURG PA 17101
717.255.7365
717.234.1090
michael.gruin@stevenslee.com
Accepts eService
(Representing Pennsylvania-American Water Co.)