

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Mark Mazza	:	
	:	
v.	:	C-2024-3047180
	:	
Aqua Pennsylvania, Inc.	:	

**ORDER DENYING COMPLAINANT’S THIRD REQUEST
FOR A CONTINUANCE OF THE HEARING**

This matter was originally set for a hearing on May 29, 2024. Mark Mazza (Mr. Mazza or Complainant), with no objection from Aqua Pennsylvania, Inc. (Aqua or Respondent) requested a continuance. On May 16, 2024, the attorney for the Respondent, Maragret A. Morris, Esq., advised Administrative Law Judge (ALJ) Darlene Heep of the Complainant’s request and the hearing scheduled for May 29, 2024 was continued to July 2, 2024.

On June 28, 2024, the Complainant requested another continuance, contending that there are outstanding discovery issues and that he had a family vacation scheduled. By Order issued June 28, 2024, ALJ Heep granted Mr. Mazza’s second request for continuance; however, to avoid further delay, ALJ Heep ordered that no further continuances will be granted to the Complainant in this matter.¹

By email dated November 13, 2024, Mr. Mazza requested a third continuance of the hearing scheduled for November 21, 2024, averring that he had not received the Hearing Notice and Prehearing Order for the November 21, 2024 hearing, and that discovery issues with Aqua remain outstanding.

¹ By Judge Change Notice dated September 3, 2024, the matter was assigned to me in anticipation of ALJ Heep’s retirement.

By email dated November 15, 2024, counsel for Aqua objected to Mr. Mazza's request for a continuance.

According to Commission records, on September 5, 2024 the Commission issued a Hearing Cancellation/Reschedule Notice informing the parties that the further telephonic hearing in this matter scheduled for November 12, 2024, would be cancelled and rescheduled for November 21, 2024. On October 23, 2024, I issued a Prehearing Order reminding the parties of the new time and date for the further hearing. Both the September 5, 2024 Notice and the October 23, 2024 Prehearing Order were served on the Complainant via USPS First Class Mail at the address he provided in his Formal Complaint. Neither one of these documents were returned to the Commission as undeliverable by the United States Postal Service and are deemed to have been delivered to the Complainant.

Mr. Mazza filed the present Complaint against Aqua on March 4, 2024. In the six months since the filing of the Complaint, he has had ample opportunity to conduct discovery and prepare for the scheduled hearing. In addition, Mr. Mazza has been notified since June 28, 2024, that no additional requests for continuances will be granted to him. This case cannot be delayed any further. If Mr. Mazza is unprepared to prosecute his Complaint at this time, he is free to withdraw his present Complaint against Aqua and refile when he is better able to prosecute his claims.

In view of the above, Mr. Mazza's latest request for a continuance of the scheduled hearing is denied. The further telephone hearing will take place as scheduled on November 21, 2024, at 10:00 a.m. To participate in the telephone hearing the parties are required to dial in into the hearing using the following:

Toll-free Bridge Number: **866.560.8322**

PIN Number: **36676820**

The parties will not be contacted by the presiding ALJ.

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Accepts and served by eService on November 20, 2024
(Counsel represents Aqua Pennsylvania Inc)