

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Louis Matzel and Jodi Asay	:	
	:	
v.	:	C-2023-3045163
	:	
Pennsylvania-American Water Company	:	

**FOURTH POST-HEARING ORDER**  
Filing of Briefs

On December 27, 2023, Louis Matzel and Jodi Asay (Complainants, Mr. Matzel or Ms. Asay) filed the Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Pennsylvania American Water Company (PAWC). In the Complaint, Complainants alleged “dangerously” high water pressure led to the damage of the water service line at the service address. Complainants requested PAWC place a pressure-reducing valve on the supply side of the service line. Complainants further requested reimbursement in the amount of \$12,336, which is comprised of charges on their water leak bill above their average usage of 2,500 gallons per month; and reimbursement for an excavation bill, the replacement of the service line, and damage to the fence and landscaping at the service address.

An initial hearing was conducted on June 5, 2024, with Administrative Law Judge Charece Collins presiding. At that hearing, Complainant Ms. Asay testified in addition to PAWC’s witness, Mr. Kasey White. Near the end of the hearing, the parties entered into settlement discussions and requested time to continue settlement discussions to see if a final agreement could be reached. ALJ Collins ordered the record to remain open while the parties explored the possibility of settlement.

On July 1, 2024, ALJ Collins issued the Order Modifying Procedural Schedule which commemorated the discussions at the hearing and required the parties to provide a status

update on or before August 2, 2024. On August 19, 2024, ALJ Collins issued the Order #2 Modifying the Procedural Schedule in response to communication from the parties, requesting an extension of time in which to pursue settlement. ALJ Collins extended the time in which the parties could pursue settlement to August 31, 2024, and required the parties to submit a status update on or before that date.

On August 27, 2024, the OALJ issued a notice to the parties and re-assigned the proceeding to ALJ Katrina L. Dunderdale. On August 30, 2024, Complainants filed a request for a hearing, citing engineering difficulties arising during the settlement discussion stage. Complainants requested a hearing to better remediate any possible solutions to the problems.

On October 29, 2024, ALJ Dunderdale conducted a telephonic conference at which Complainant Ms. Asay and Respondent's counsel appeared. The parties engaged in a robust discussion of the factual scenario at the service address, the attempts made by the parties to find a resolution and how best to proceed herein. After discussion, the presiding officer indicated an order would be issued after the conference that would direct the parties to meet at the service address to test the water pressure at the main line, on the service line and inside the residence. Further, the parties agreed Complainants should provide a concise list of what actions Complainants requested from the Commission.

By order dated October 30, 2024, the presiding officer issued the Third Post-Hearing Order which indicated a briefing order would be issued after providing the parties with an opportunity to conduct a home visit, provide a status report and require Complainant to supply the presiding officer with a concise and specific indication of what Complainants request from the Commission. These steps were taken by the parties and, by a filing received from Complainants on November 27, 2024, the presiding officer is in receipt of the Complainants' specific list. Accordingly, as specified in the Third Post-Hearing Order dated October 30, 2024, the parties will be directed to submit main briefs and, if appropriate, reply briefs in the Ordering Paragraphs below.

THEREFORE,

IT IS ORDERED:

1. The parties are granted leave to file a written brief or statement provided the brief or statement is filed and served on or before the close of business on **Friday, December 27, 2024**.

2. The original hard copy of the written brief must be filed with the Secretary, in accordance with 52 Pa. Code §5.502(a), with an electronic copy provided to the presiding officer and the other party no later than **4:00 p.m. on December 27, 2022**. A party may provide an electronic copy in place of a hard copy, provided a party has signed up for the Commission's eFiling system (accessible online on the Commission's website) and the electronic copy is provided on or before the due date.

3. All briefs shall comply with the requirements of 52 Pa. Code §5.501 and §5.502, and in addition to the mandatory contents set forth in 52 Pa. Code §5.501(a), all main briefs, regardless of length, should contain:

a. A concise statement by Complainants, or counter-statement by Respondent, of the case;

b. Proposed Findings of Fact, with reference to the pages of the record or exhibits where the evidence relied upon by the filing party appears;

c. An argument preceded by a summary. The party with the burden of proof – Louis Matzel and Jodi Asay – shall address completely, to the extent possible, every issue raised by the relief they seek and the evidence provided at hearing;

d. Proposed ordering paragraphs specifically identifying the relief sought; and

e. A conclusion with requested relief.

4. Any brief not filed and served on or before the date fixed will not be accepted for filing, except by special permission of the Commission or the presiding Administrative Law Judge pursuant to 52 Pa. Code §5.502(c).

5. After **Friday, December 27, 2024**, the record in Docket No. C-2023-3045163 will be closed and the Initial Decision in this case will be prepared and issued.

Date: December 9, 2024

\_\_\_\_\_/s/\_\_\_\_\_  
Katrina L. Dunderdale  
Administrative Law Judge

**C-2023-3045163 - LOUIS MATZEL & JODI ASAY v. PENNSYLVANIA-AMERICAN WATER COMPANY**

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