

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

America’s Best Value Inn	:	
	:	
v.	:	C-2024-3047802
	:	
Pennsylvania-American Water Company	:	

**INTERIM ORDER  
REQUIRING REPRESENTATION**

On March 25, 2024, America’s Best Value Inn (Complainant or ABVI) filed a Formal Complaint with the Pennsylvania Public Utility Commission (PUC or Commission) against Pennsylvania-American Water Company (PAWC). ABVI alleged the utility threatened to shut of utility service, there were incorrect charges on the bills and there was a reliability, safety or quality problem with the utility service. For Requested Relief, ABVI requested the Commission order PAWC to compensate ABVI or credit to ABVI an allowance based on normal usage.

On April 15, 2024, PAWC filed an Answer in which PAWC generally denied the allegations and contended there had been multiple confirmed leaks at the service address. Further, PAWC averred Complainant must be represented by an attorney, pursuant to 52 Pa. Code §§ 1.21, 1.22. PAWC requested the proceeding should be forwarded to mediation.

On January 29, 2025, the Office of Administrative Law Judge (OALJ) issued a Call-In Telephone Hearing Notice, which scheduled an initial hearing to be conducted on March 18, 2025, with Administrative Law Judge Katrina L. Dunderdale (the ALJ or presiding officer). On January 29, 2025, the presiding officer issued a Prehearing Order which outlined various procedural matters including the requirement to obtain representation if a party is not an individual.

Pursuant to Paragraph No. 7 of the Prehearing Order, any party that is not an individual, including any partnership, corporation, trust, association or governmental agency or subdivision must be represented by an attorney licensed to practice law in Pennsylvania. The Commission's regulations provide that an individual is a natural person and an individual may represent themselves. (52 Pa. Code § 1.22(a)). Only in non-adversarial proceedings, may a person or party be represented by a partner, a bona fide officer of a trust, an employee of an agency, or an appropriate individual including a family member. (52 Pa. Code § 1.21).

However, when a proceeding becomes adversarial, such as when PAWC filed its Answer in response to ABVO's Complaint, a person filing on behalf of another person, or a corporation, trust or association, must be represented by an attorney licensed to practice law in Pennsylvania. (52 Pa. Code §§ 1.22, 1.23). ABVI is not an individual and can only be represented in this proceeding by an attorney.

Accordingly, to participate in this proceeding, ABVI must retain Pennsylvania counsel. (*Cars R Us c/o Holman Copeland v. PGW*, Docket No. C-2008-2033437 (Order entered February 4, 2010)).

THEREFORE,

IT IS ORDERED:

1. That Complainant, America's Best Value Inn, is directed to enter the appearance of an attorney licensed to practice law in the Commonwealth of Pennsylvania in accordance with 52 Pa.Code §§ 1.21-1.25, on or before **February 17, 2025**.

2. That in the event that no attorney enters an appearance on behalf of America's Best Value Inn, the Formal Complaint may be dismissed without a hearing.



**C-2024-3047802 - AMERICAS BEST VALUE INN V. PENNSYLVANIA AMERICAN WATER COMPANY**

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