

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Kayleen Herbstritt	:	
	:	
v.	:	C-2024-3052370
	:	
Pennsylvania-American Water Company	:	

**FIRST INTERIM ORDER  
GRANTING RESPONDENT’S REQUEST FOR HEARING CONTINUANCE**

On November 22, 2024, Complainant Kayleen Herbstritt (Ms. Herbstritt) filed a Formal Complaint with the Pennsylvania Public Utility Commission (Commission) against Respondent Pennsylvania-American Water Company (PAWC). Ms. Herbstritt alleges, “Bill is incredibly high. New company just bought the borough’s water utility & they’ve combined our water & sewer and have tripled our bills.” Complaint ¶ 4. For relief, Ms. Herbstritt requests, “Separate water & sewer again or disallow them from charging so much. This is a monopoly situation. We can’t drill a well in the borough & there is no other way to get running water to our house.” Complaint ¶ 5.

On December 23, 2024, PAWC filed an Answer. In part, PAWC asserts the following:

The Company denies that it charges excessive rates for wastewater service. The Company provides water and wastewater service according to the rates, rules and regulations in its water and wastewater tariffs. The Company’s tariffs were authorized by the Commission in *Pa. Pub. Util. Comm’n v. Pennsylvania-American Water Co.*, Docket No. R-2023-3043190 (Opinion and Order entered on July 22, 2024).

Answer ¶ 4. For relief, PAWC requests dismissal of the Complaint.

On December 26, 2024, by Initial Call-In Telephonic Hearing Notice, the Parties were informed that a telephone hearing was scheduled before me on Thursday, February 27, 2025, at 10:00 a.m. On February 17, 2025, counsel for PAWC requested a continuance of the hearing due to a scheduling conflict. PAWC's counsel stated that Ms. Herbstritt did not object to the continuance.

Although PAWC's email requesting a hearing continuance does not conform to the requirements of a formal motion under Section 1.15(b) of the Commission's regulations, waiver of this requirement is permitted. Under Section 1.2, 52 Pa. Code § 1.2, a presiding officer at any stage of an action or proceeding may waive a requirement of a rule when necessary or appropriate if waiver does not adversely affect the substantive right of a party. Such are the circumstances in this case. PAWC's email dated February 17, 2024, is treated as a motion for continuance of the scheduled hearing.

After due consideration, I find that the motion states good cause to warrant a continuance. Thus, the motion will be granted in the ordering paragraphs below. A notice rescheduling the initial telephone hearing will be issued to the Parties.

The parties are encouraged to talk with each other to resolve this matter or a portion thereof. It is the Commission's policy to encourage settlements. 52 Pa. Code §5.231.

THEREFORE,

IT IS ORDERED:

1. That the motion of Respondent Pennsylvania-American Water Company for a continuance of the Initial Call-In Telephonic Hearing scheduled in this proceeding for Thursday, February 27, 2025, is granted.
2. That the Scheduling Staff of the Office of Administrative Law Judge shall reschedule the Initial Call-In Telephonic Hearing in the case of Kayleen Herbstritt v.

Pennsylvania-American Water Company at Docket No. C-2024-3052370 and so notify the Parties in writing.

Date: February 19, 2025

  
Conrad A. Johnson  
Administrative Law Judge

**C-2024-3052370 - KAYLEEN HERBSTTRITT v. PENNSYLVANIA-AMERICAN WATER COMPANY**

*Revised 1/17/25*

KAYLEEN HERBSTTRITT  
14 S TIONESTA AVENUE  
KANE PA 16735

**814.596.8069**

[kaytruden@gmail.com](mailto:kaytruden@gmail.com)

**Served via eService – Served 2/19/2025**

TERESA K HARROLD COUNSEL  
PENNSYLVANIA AMERICAN WATER COMPANY  
852 WESLEY DRIVE  
MECHANICSBURG PA 17055

**717.550.1562**

**717.303.8381**

[teresa.harrold@amwater.com](mailto:teresa.harrold@amwater.com)

**Served via eService – Served 2/19/2025**

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](mailto:michael.gruin@stevenslee.com)

**Served via eService – Served 2/19/2025**

*(Counsel for Pennsylvania-American Water Company)*