



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

April 11, 2025

***Via Electronic Filing***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement v.  
Pennsylvania American Water Company  
Docket No. C-2025-3053783  
**I&E Reply to New Matter**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Reply to New Matter of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission in the above-referenced matter.

Copies are being served on the parties of record in accordance with the attached Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', written over a light blue horizontal line.

Grant Rosul  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 318204  
(717) 783-5243  
[grosul@pa.gov](mailto:grosul@pa.gov)

GR/ac  
Enclosures

cc: Michael L. Swindler, Deputy Chief Prosecutor, I&E-Enforcement (*via email*)  
Robert Horensky, Manager, Safety Division, (*via email*)  
As per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3053783
	:	
Pennsylvania American Water Company	:	
Respondent	:	

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**BUREAU OF INVESTIGATION AND ENFORCEMENT  
REPLY TO NEW MATTER OF  
PENNSYLVANIA AMERICAN WATER COMPANY**

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NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”), Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorney, and files this Reply to New Matter of the Pennsylvania American Water Company (“Respondent”), pursuant to 52 Pa. Code § 5.63(a). The purpose of New Matter in response to a Complaint is to “set forth ... another material fact which is not merely a denial of the averments of the preceding pleading” or to raise affirmative defenses. 52 Pa. Code § 5.62(b). In support thereof, I&E avers as follows:

29. Denied. I&E is without sufficient information to verify the averments in Respondent’s New Matter at Paragraph 29. Strict proof thereof is demanded.

30. Admitted in Part and Denied in Part. It is admitted that the service line that was struck during excavation was made of copper. It is denied insofar as I&E is without

sufficient information to verify the averment that the copper service line was connected to a main line made of transite. Strict proof thereof is demanded.

31. Denied. I&E is without sufficient knowledge to evaluate the averments regarding locating transite pipes. Strict proof thereof is demanded.

32. Admitted in Part and Denied in Part. It is admitted that the quote of the statute is accurate. However, it is denied insofar as it is a statement of law requiring no response.

33. Admitted in Part and Denied in Part. It is admitted that the quote of the case cited is accurate. However, it is denied insofar as it is a statement of law requiring no response.

34. Denied. The averment in Respondent's Paragraph 34 is a statement of law to which no response is required. To the extent that a response is required, it is denied.

35. Denied. The averment in Respondent's Paragraph 35 is a legal argument to which no response is required. To the extent that a response is required, it is denied.

36. Denied. The averment in Respondent's Paragraph 36 is a statement of law to which no response is required. To the extent that a response is required, it is denied.

37. Denied. The averment in Respondent's Paragraph 37 is a legal argument to which no response is required. To the extent that a response is required, it is denied.

38. Denied. The averment in Respondent's Paragraph 38 is a legal argument to which no response is required. To the extent that a response is required, it is denied.

Additionally, I&E is alleging that PAWC did not comply with the requirements of 73 P.S. § 177(5)(i) when it mismarked its line.

**WHEREFORE**, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that the Office of Administrative Law Judge and the Commission reject the New Matter raised by the Pennsylvania American Water Company, dismiss Respondent's Answer, and sustain I&E's Complaint.

Respectfully submitted,



Grant Rosul  
Prosecutor  
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
(717) 783-5243  
[grosul@pa.gov](mailto:grosul@pa.gov)

Date: April 11, 2025

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3053783
	:	
Pennsylvania American Water Company	:	
Respondent	:	

**VERIFICATION**

I, Sara Andrade-Locke, Damage Prevention Supervisor, Damage Prevention Section, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau of Investigation and Enforcement will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: April 11, 2025



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Sara Andrade-Locke  
Damage Prevention Supervisor  
Damage Prevention Section  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3053783
	:	
Pennsylvania American Water Company	:	
Respondent	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**Service by Electronic Mail**

Erin Fure, Esq.  
Director, Corporate Counsel  
Pennsylvania American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055  
[erin.fure@amwater.com](mailto:erin.fure@amwater.com)



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Grant Rosul  
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Dated: April 11, 2025