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COMMONWEALTH OF PENNSYLVANIA  
(Public Utility Commission)

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PAMELA J. ZELAYA, :  
Complainant, : Docket No.:  
vs. : F-2025-3053457  
THE YORK WATER COMPANY, :  
Respondent. :

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Pages 1 through 57 TELEPHONIC HEARING  
Judge's Chambers  
Commonwealth Keystone Bldg.  
400 North Street  
Harrisburg, PA 17120  
Tuesday, June 3, 2025  
Met, pursuant to notice, at 9:57 a.m.

BEFORE: THE HONORABLE MICHAEL MROCZKA  
Special Agent

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APPEARANCES :

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(On Behalf of Respondent)

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1 P R O C E E D I N G S

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3 COURT REPORTER: Okay, on the record at 9:57.

4 JUDGE MICHAEL MROCZKA: Thank you. Good  
5 morning. This is the time and place that the  
6 Pennsylvania Public Utility Commission has set for the  
7 case of Pamela Zelaya vs. The York Water Company at  
8 Docket Number F-2025-3053457.

9 My name is Michael Mroczka. I am a Special  
10 Agent, and I have been assigned to be the presiding  
11 officer over today's case. Today is June 3, 2025, and  
12 the time is currently 9:58 a.m.

13 The Complainant is present for today's hearing.  
14 Also present representing York Water is Attorney  
15 Alexandra -- I'm sorry. My --

16 MS. CHIARUTTINI: Sure, that's okay,  
17 Chiaruttini.

18 JUDGE MROCZKA: Chiaruttini.

19 MS. CHIARUTTINI: Uh-huh.

20 JUDGE MROCZKA: Also present -- and this is for  
21 the Company -- Ms. Savannah Harlacher, Ms. Nicole Bell,  
22 and Ms. Suzanne Becker. Good morning, everyone.

23 MS. HARLACHER: Good morning.

24 MS. BELL: Good morning.

25 JUDGE MROCZKA: All right. Ms. Zelaya, do you

1 have any other witnesses calling in? I forgot to ask off  
2 the record.

3 MS. ZELAYA: No, sir.

4 JUDGE MROCZKA: Okay. And you have received  
5 the documents submitted by the Company, which they intend  
6 to use at the hearing today, correct?

7 MS. ZELAYA: Yes, sir.

8 JUDGE MROCZKA: Okay. And, Attorney  
9 Chiaruttini, have you received the documents submitted by  
10 Ms. Zelaya?

11 MS. CHIARUTTINI: We have.

12 JUDGE MROCZKA: Okay, thank you. And prior to  
13 going on the record, I asked the parties if they were  
14 able to speak and try to come to a resolution in this  
15 matter. The parties informed me that they are not able  
16 to resolve this case. So we are proceeding to a hearing  
17 as scheduled.

18 So at this time, I'm going to explain how the  
19 hearing will proceed. Ms. Zelaya, you filed a complaint.  
20 So you will be presenting your evidence first.  
21 Therefore, I'll give you an opportunity to testify. The  
22 burden of proof is on you to prove your case and to prove  
23 that you are entitled to the relief that you are seeking.

24 If need be, I may interrupt you to ask  
25 questions to ensure that the record is complete in this

1 matter and that I have all of the information I need to  
2 make a decision. Once you are done testifying, York  
3 Water will have the opportunity to cross-examine you,  
4 which means that York Water -- sorry -- which means that  
5 they will ask you questions that they might -- an  
6 opportunity to cross-examine their witnesses.

7 Does anyone have any questions about today's  
8 hearing procedure?

9 MS. ZELAYA: No, sir.

10 MS. CHIARUTTINI: No.

11 JUDGE MROCZKA: All right. Ms. Zelaya, are you  
12 prepared to testify on your behalf this morning?

13 MS. ZELAYA: Yes, sir.

14 JUDGE MROCZKA: All right. Before you begin, I  
15 need to swear you in. So please raise your right hand  
16 and let me know when it is raised.

17 MS. ZELAYA: It's raised.

18 Whereupon,

19 PAMELA J. ZELAYA

20 was called as a witness and, having been duly sworn,  
21 testified as follows:

22 JUDGE MROCZKA: Okay, thank you. Can you  
23 please spell your name for the record?

24 THE WITNESS: First name is Pamela, P-a-m-e-l-  
25 a. Last name is Zelaya, Z as in zebra-e-l-a-y-a.

1 JUDGE MROCZKA: Thank you. And can you please  
2 state your address?

3 THE WITNESS: 501 Benjamin Road, Hanover, PA  
4 17331.

5 JUDGE MROCZKA: All right. Thank you. And is  
6 this the address where you receive service from York  
7 Water?

8 THE WITNESS: Yes, sir.

9 JUDGE MROCZKA: All right. Thank you. And can  
10 you please tell me why you filed the complaint against  
11 York Water and what you would like the Commission to do  
12 for you here today?

13 DIRECT TESTIMONY

14 BY MS. ZELAYA:

15 Well, I mean, I purchased a new home here in  
16 Pennsylvania. I'm from Maryland. I purchased it. It  
17 actually went to settlement on June 18th at 3:00 in the  
18 afternoon, you know. I moved -- I didn't move my  
19 belongings into my home until June of 26, 2024, and when  
20 I moved in, I purchased a washer and dryer. They ran a  
21 cycle, and the water was backing up.

22 So I had sewage issues in the home where I  
23 wasn't able to use the water, flush toilets, any of the  
24 appliances up through -- I think they came and fixed it,  
25 it was July 3rd. They left a stopper, you know, in the

1 plumbing. And then it was 4th of July weekend, and I  
2 went to visit my son, and I was there until June -- July  
3 9th.

4 So I mean, I was really only in the home, based  
5 upon this bill, for like a few weeks. I live alone. I  
6 only -- I have a dog. I don't use water, you know. When  
7 I called York Water when I got the bill and I spoke with  
8 Anna (phonetic), you know, I never mentioned sprinkling  
9 water outside. She's the one that threw that in, that  
10 normally bills raise because people use water outside to  
11 water their grass or, you know, their shrubs or whatever  
12 the case may be. I didn't have a hose at the time.

13 MS. CHIARUTTINI: (Indiscernible) --

14 BY MS. ZELAYA:

15 And I did tell her that -- I did tell her that  
16 I watered my shrubs, but I don't have a sprinkler system.  
17 I wasn't using anything to water my grass. The water was  
18 green when I moved in because it had just been installed  
19 three days before my settlement date, where the builder  
20 was watering the side morning, noon, and night. Like it  
21 was never turned off. So I don't know where the issue  
22 came in with the billing.

23 I mean, as far as the meter reading, I mean,  
24 they had someone come back out after I got the big bill.  
25 The bill was a lot lower. I never saw anybody come out

1 to read my meter. I wish I was here when they came to  
2 read the meter, but I wasn't here.

3 So I have no idea who or when came out here,  
4 but I can't fathom -- the bill is kind of offensive only  
5 being here for two weeks with one person working five  
6 days a week, being out of the house twelve hours a day,  
7 where I have a bill that voluminous is just -- I just  
8 can't wrap my head around why I'm being charged that kind  
9 of money, you know.

10 And I've talked to Alex, the attorney, and she  
11 told me that my water was stolen. She even gave me an  
12 analogy that it's like me buying a patio set, you know,  
13 for my new house, and someone came into my yard and stole  
14 it, you know. Would I take the receipt back to the  
15 store, you know, to ask for my money back?

16 Well, I didn't get the water. The water -- I  
17 didn't use the water. If someone stole it, why am I  
18 being charged for the sewage? Where did the water go? I  
19 just feel like there is an issue with their reading. I  
20 think that this bill should've been probably partially  
21 the builder's bill still.

22 If you look at my bills after that last  
23 reading, my bills have been the same for eight months or  
24 so, anywhere from 1,300 gallons to 1,500 gallons, \$30-  
25 some for water, \$50-some for sewage. It hasn't changed.

1 I don't use voluminous amounts of water. There was no  
2 leaks. I had the builders come and do a thorough check  
3 inside, all around this house, 'cause I was concerned  
4 that there was possibly a leak, and there was no leak. I  
5 had no -- like I said, I had no hoses at the time. I  
6 hadn't even bought those yet.

7 So I just-- you know, she's gonna stick to the  
8 fact that their meter -- whatever came through their  
9 meter is what I'm responsible for, but if someone stole  
10 it, why am I responsible for sewage? It didn't come in  
11 my house. It didn't go out my drains, you know, to be  
12 retreated.

13 So I just feel like there should have been some  
14 consideration there. It doesn't make sense. I just  
15 still think either the meter was faulty or their reading  
16 was off, and I shouldn't be held responsible for this  
17 bill.

18 I've been paying \$100 additional each month to  
19 my bill to keep my water on because I was told that I had  
20 to pay that to keep my water on, but, you know, I've been  
21 told that I shouldn't have been paying that while I'm  
22 disputing this bill either, and I didn't have to pay that  
23 extra \$100 a month until this dispute was over. But out  
24 of good faith, I've paid my bill, and I've paid the extra  
25 \$100.

1           So, you know, I just -- that's where I stand on  
2 this. The exhibits that I have are my bills, which is  
3 Exhibit A, which shows the big bill, the second bill,  
4 which came down drastically, and then the remaining bills  
5 up to date are pretty much the same.

6           Exhibit B just shows proof that I had issues  
7 with the plumbing, you know, from the builder, which took  
8 them a while to get that fixed. They were here several  
9 times. So I wasn't able to use the water. I was  
10 actually, you know, staying at my son's house to shower  
11 and such 'cause I couldn't use water here.

12           And then I have my moving bill, which proves  
13 that I didn't move in until June 26th, and then I just  
14 have a bill from the builder. I asked them if they got a  
15 bill, and they did.

16           And Greta (phonetic) even told me that that  
17 bill was actually low considering when they lay sod. So,  
18 you know, when I talked to Alex, she said it's basically  
19 a typical bill for a builder. So I got two responses on  
20 that.

21           So, you know, like I'm not trying to get away  
22 with not paying my bill, but it just doesn't make sense  
23 why I got a bill for \$1,700, and I didn't get -- I didn't  
24 get the service. I didn't get the product. I didn't use  
25 it, you know.

1           And Anna kept saying, "If you're watering your  
2 grass." I didn't tell Anna that I had a sprinkler  
3 system, and kind of it upsets me that that's an untruth  
4 and that's stated in her answer, that I said that because  
5 I did not. The only thing I said is that I may have  
6 watered my shrubs, and that was it.

7           They had -- it was June 18th --

8           JUDGE MROCZKA: Okay.

9 BY MS. ZELAYA:

10           -- up 'til July, it was a drought. I wasn't  
11 using water like that.

12                           EXAMINATION BY THE COURT

13 BY JUDGE MROCZKA:

14           Q. Okay. And when did you -- your account start  
15 with York Water Company?

16           A. Well, when I bought the -- purchased the home  
17 June 18th, you know, I was told by the builder to contact  
18 all the utilities, you know, 'cause gas and electric. So  
19 I called them and told them the 18th is when I took  
20 ownership, but I didn't go to settlement until like 4:00  
21 in the afternoon, and I didn't even come here. I came  
22 here right before to look at the home and do a  
23 walkthrough, and then I went to the settlement at 4:00.

24           But I didn't move my stuff in for a week later.  
25 Didn't have the mover lined up. I wasn't living here,

1 sleeping here, taking showers here, or anything. I  
2 wasn't there. I was at my son's still.

3 Q. Okay. And you mentioned that the builders or  
4 someone was -- had planted sod and all of that. Was that  
5 before or after June 18th?

6 A. That was before. They planted the -- they put  
7 the sod down several days before my settlement date. So  
8 when I came to, you know, do my walkthrough before the  
9 actual settlement, they had sprinklers all around my  
10 house. Just they were ongoing, I guess because they had  
11 just planted the sod to get the sod to stick. They've  
12 done that to all the houses up here. I've noticed that.

13 So when -- but when I moved in, they took the  
14 hoses and the sprinklers with them. I didn't have hoses  
15 and sprinklers when I moved actually in and started  
16 living here, you know, in July. But the water --

17 Q. Okay.

18 A. But the grass and the green, by the time, you  
19 know, I was here for a few weeks, it was -- I wasn't --  
20 everything was dying at that point 'cause it was a  
21 drought.

22 Q. Okay. So --

23 A. But I didn't use that water, and that's what --  
24 you know, I'm not saying that Alex is a liar or anything  
25 like that, but it just doesn't make sense. There's some

1 issue there with billing or whatever 'cause I didn't use  
2 that water.

3 Q. Okay. So --

4 A. It's not water that I utilized.

5 Q. Okay, so there was a settlement on June 18th,  
6 and at that time, there was still sprinklers hooked up to  
7 your home?

8 A. When I came to -- that's -- I had to come here  
9 at 3:00 to do a walkthrough, and the settlement was in  
10 Gettysburg. So I did the walkthrough at 3:00, and they  
11 were watering the grass that day, but I wasn't -- I  
12 hadn't -- didn't have ownership at that point. But when  
13 I went to the settlement at 4:00, that's when I took  
14 ownership.

15 Q. Okay. So when you took ownership at 4:00, do  
16 you know if they had disconnected the hoses at that  
17 point?

18 A. No, I don't. I didn't come back here. I was  
19 with my son, and I was living with my son at the time  
20 while this house was being built. And I went back with  
21 my son until -- and I had to work, you know, that week,  
22 and then I moved in the following weekend. So I wasn't  
23 really here, you know, and I didn't --

24 Q. Okay.

25 A. -- have cameras up. I have cameras up now, but

1 if I'da had cameras up, I would've been able to, you  
2 know, at that time, but I wasn't thinking like that, you  
3 know. And normally, you know, when I called and I even  
4 said that to Alex, that it would've been nice for them to  
5 tell me that these are issues that they have up here with  
6 water, with new bills, you know. I have no idea that  
7 people steal water -- do you know what I mean? -- or that  
8 the bill was gonna be, you know, \$2,000 if you sprinkle  
9 your grass. I mean, I'm from Maryland. I didn't -- you  
10 know, our bills were different there.

11 Q. Right.

12 A. So, you know, so I had no --

13 Q. So you don't --

14 A. -- idea.

15 Q. So you don't know whether after your closing  
16 and after --

17 A. Yeah, I don't know --

18 Q. -- you had --

19 A. -- when they stopped watering it 'cause I  
20 wasn't here to look, to see, 'cause I wasn't, you know, I  
21 wasn't thinking that I was gonna get that bill and let me  
22 go check. I just went home with my son and worked that  
23 week, and we moved in the following weekend. I moved all  
24 my belongings in, and that's when my washer and dryer was  
25 delivered, the same day.

1           It was a Saturday, and they ran a cycle, and  
2 you would hear like the toilets bubbling. And I knew  
3 what that meant. So they had somebody come and do a  
4 snake. Said they fixed it, and they didn't, and it  
5 happened again. So but when they did figure -- they had  
6 to dig out a big hole out of my yard, and they hadn't  
7 taken the stop off of the plumbing.

8           So I wasn't able to even -- to use water here.  
9 So there wasn't water coming in my home, and I have no  
10 sprinkler system. I don't know where she got that from,  
11 which irritates me because I did not say that to her, you  
12 know. I had a watering jug that I watered the shrubs  
13 because I wanted the shrubs to survive, but that's it.

14           I think anybody that was in my shoes and got  
15 that would feel the same way. I mean, anybody would be  
16 like -- when I got that bill, I thought I was like seeing  
17 things, but from what I'm told, they're used to it, the  
18 water that is.

19           Q.    Okay. All right. Okay. And for your  
20 exhibits, the one marked Exhibit A, that is the -- is  
21 that the bill that you are disputing?

22           A.    Yeah, that's the -- yes, sir.

23           Q.    Okay, the first one. The first page?

24           A.    The very first bill I got was estimated, which  
25 was \$119, and I paid that, which even when I got that

1 bill, it was estimated for 2,500 gallons. And, I mean,  
2 for just one person and me only being here a short time,  
3 I thought that was high, and I just figured, okay, it'll  
4 rectify itself on the next bill.

5 So I just paid it, and then when I got that  
6 bill, I was like what the -- you know. I just couldn't  
7 believe that that was an actual bill, and I'm looking at  
8 sewage, and I'm like \$966 for water that didn't even come  
9 into my house and go out my drains? And I don't -- like  
10 that's just -- I get the whole water meter thing, but  
11 that's just crazy.

12 Q. Okay. And on this bill, the first bill, do you  
13 know what dates the water usage is from?

14 A. Well, the billing period --

15 Q. The large bill.

16 A. -- on the -- yeah, the billing period that's on  
17 this bill, it says 7/24/2024 through 8/26/2024 is what it  
18 says, but when I talked to them, they told me it's really  
19 from the beginning because the first bill was estimated  
20 'cause they really had no --

21 Q. Okay.

22 A. -- reading numbers for the first -- the very  
23 first bill.

24 Q. Okay. Was there any letters or anything  
25 attached to these bills explaining that this was a

1 correction from the previous bill?

2 A. No, all I got was the bills. I did get a -- I  
3 got a letter when I got this bill just stating that they  
4 noticed that my bill was high and for me to give them a  
5 call, which, you know, as soon as I got the bill, I  
6 called them, but there was no letter, you know.

7 And when I called them to talk to them, it's  
8 not that the people were like mean people, but they just  
9 seemed dismissive, as if like to say, "It doesn't matter  
10 what you say to us. If we read your meter and your meter  
11 says a certain thing, you gotta pay the bill." So they  
12 just seemed very dismissive, just -- you know what I  
13 mean?

14 Like in that sense, they weren't -- they  
15 couldn't help me. Put it that way. They couldn't do  
16 anything to help me because they were like, "The meter is  
17 read. So you gotta pay. The only thing we can do is,  
18 you know, give you like a billing -- a monthly billing  
19 payment for that bill."

20 So I had to do some type of -- give them some  
21 information on my mortgage, and they determined that I  
22 need to pay \$100 additional to my monthly bill. So I'm  
23 paying \$200 a month for water and sewage for one person  
24 who works 12 hours a day between driving to work --  
25 driving the hours to and from. I'm only here on the

1 weekends if I'm here.

2 Like that's insane to me right there, but --  
3 and then they're raising the -- they want to raise the  
4 prices. I saw that, too, recently.

5 Q. All right. So --

6 A. But, you know, that's --

7 Q. So how many bathrooms do you have in your home?

8 A. I have two bathrooms, and I only use one. The  
9 one's like next to a guest bedroom that doesn't get used.  
10 It's just me and my dog, and I don't have company. I  
11 don't have guests. My son lives in Switzerland, works in  
12 Switzerland. My daughter's husband's a diplomat, and he  
13 -- they live in Cyprus. So I really don't even have  
14 visitors.

15 So that don't -- like if I had families and  
16 friends, I get that. I raised kids, and I know what it  
17 can cost, you know, with bathing and just stuff like  
18 that. So it would be a different story.

19 I mean, I know several of my neighbors complain  
20 about their bills. They have kids and all that, but they  
21 are water -- they are -- they do have a hose out  
22 sprinkling their grass, and they complain about the bill.  
23 But they haven't got a bill like that. Their bill might  
24 be --

25 Q. Okay.

1           A.    -- several hundred dollars more, but not that  
2 much from watering your grass.

3           Q.    Okay.  And you said that you do not have any  
4 sprinklers?

5           A.    No, I have no sprinklers.  I don't use  
6 sprinklers.  I mean, I just bought hoses this year 'cause  
7 I had a deck installed out back.  I was afraid for the  
8 guy to use the water, you know, because it's just like I  
9 don't want to get another one of those bills, but, you  
10 know, it's -- 'cause I don't want to feel like I can't  
11 live in my house and not use water.

12          Q.    Okay.  And do you have a swimming pool?

13          A.    No, no.  Nn-nnn.

14          Q.    A hot tub?

15          A.    Nope.  I don't even know -- it's a rancher.  
16 It's like a condo but a house if that makes sense.  It's  
17 small.  It's not huge.

18          Q.    Okay.  All right.  And Exhibit B that you  
19 submitted --

20          A.    Mm-hmm.

21          Q.    -- I know a lot of these things aren't -- I  
22 can't really read them.

23          A.    Yeah, it was hard for me to get them to  
24 actually show us pictures.  That's why I tried to blow up  
25 a few of them.  I mean, they're from Stewart (phonetic),

1 and Stewart is -- well, some of them are from Stewart.  
2 Some are actually from the plumber. Stewart is the  
3 project manager for the housing. I mean, I can pull them  
4 up on my phone and read them if you'd like. I mean, I  
5 have them still in my phone, you know.

6 Basically, you know, when I heard the gurgling,  
7 that's when I reached out to him. He was like, "Well,  
8 call the plumber," and the plumber came. That was a  
9 Friday night, late Friday night, and they came and snaked  
10 it and said that they hit something.

11 It was okay, and then, you know, it was -- the  
12 next day, I didn't really use water very much. And then  
13 I think it was like Sunday or something, I got up and got  
14 a shower, and I heard the gurgling again. So I had to  
15 call the plumber, you know, again. He said, "Call them  
16 and get them back out," you know. Someone --

17 Q. Okay.

18 A. -- you know, that's kind of like my proof that  
19 I did have plumbing issues. You know what I mean? It  
20 wasn't like I'm just making that up. I mean, I did. I  
21 wasn't happy about it. It was a brand new house, and I  
22 couldn't even utilize it, so.

23 Q. Okay. And I noticed that like these are a  
24 printout of the pictures from an email. Are you able to  
25 submit the new ones that are just the screenshots?

1           A.    (Indiscernible), I can --

2           Q.    And, of course, I'd give you time to do that,  
3 not immediately.

4           A.    Oh, yeah, yeah, yeah.  You mean the like  
5 originals from my phone, you mean, or --

6           Q.    Yes.

7           A.    Yes, I can probably -- I can send them to you,  
8 sure.  Absolutely.

9           Q.    Okay.  All right, we'll get --

10          A.    I saved everything so that they're all --

11          Q.    -- to that.  We have to see if there's any  
12 objections or anything, but all right.  And then the  
13 Exhibit C, can you explain what this is?

14          A.    It's just kind of -- I'm trying to prove that I  
15 didn't live in this house June -- you know, I didn't move  
16 in until June 26th.  So that's -- this was my invoice  
17 from my moving company after they moved in my stuff.

18          Q.    Okay.

19          A.    That's -- I just presented that to kind of  
20 prove that I didn't move in until that time.

21                JUDGE MROCZKA:  All right, Attorney  
22 Chiaruttini, do you have any objections to the admission  
23 of any of these exhibits?

24                Or, I'm sorry, there's still one more exhibit.

25                MS. CHIARUTTINI:  I mean, I do have objections

1 to relevancy for B, but it's okay to admit. I'm not  
2 gonna object to the admission.

3 JUDGE MROCZKA: Okay. All right, with no  
4 objections having been heard, Complainant's -- or one  
5 second.

6 Actually, scratch that.

7 BY JUDGE MROCZKA:

8 Q. Ms. Zelaya, can you explain what Exhibit D is?

9 A. Exhibit D is just -- 'cause I've been trying to  
10 work with the builder 'cause I've told them about the  
11 issue, complained to them, with respect to the bill, and  
12 I asked them to check their bill. They're supposed to be  
13 sending me a copy of the bill to give me dates -- show  
14 dates and all that, but they haven't done that yet. But  
15 this was the best I could get is that they got a bill,  
16 their final bill, on 8/2, and that they paid the amount  
17 of \$1,342, you know.

18 I've spoke to Alex. She said she wouldn't give  
19 me any information about that bill because she couldn't  
20 'cause it's someone else's bill, which I understand. But  
21 she said it was a normal bill for a builder, but when I  
22 talked to Gretta and Stewart, they were like -- they  
23 think that part of my bill might have been kind of part  
24 of their bill. Put it that way. Not that they're  
25 willing --

1 Q. Okay.

2 A. -- to help me pay for it because, you know,  
3 they're like, you know, we only can go by what the order  
4 says as far as their reading. So it's like everybody's,  
5 you know, wanting to push it somewhere else.

6 JUDGE MROCZKA: All right. Okay. All right,  
7 now, with Exhibit D, Attorney Chiaruttini, do you have  
8 any objection to that being entered into the record?

9 MS. CHIARUTTINI: Again, relevancy, but no  
10 objections to letting it go into the record.

11 JUDGE MROCZKA: Okay, with no objections having  
12 been heard, Complainant's Exhibits A through D are hereby  
13 admitted into the record.

14 (Whereupon, Complainant's  
15 Exhibits A through D were  
16 admitted into evidence.)

17 JUDGE MROCZKA: Ms. Zelaya, is there anything  
18 else that you think is relevant that you would like to  
19 state when I -- that I can consider when I consider your  
20 complaint?

21 THE WITNESS: Not at the moment. No, sir.

22 JUDGE MROCZKA: Okay. All right.

23 Attorney Chiaruttini, do you have any questions  
24 for Ms. Zelaya?

25 MS. CHIARUTTINI: Just a few questions.

CROSS-EXAMINATION

BY MS. CHIARUTTINI:

Q. Ms. Zelaya, you've indicated that you closed on June 18, 2024, correct?

A. Correct.

Q. But you didn't move into the house until June 26th?

A. Correct.

Q. So you weren't present at the property for at least eight days?

A. I wasn't living here. Yes, ma'am. I didn't come here until I moved in here. I was living with my son in Maryland, in Cockeysville. So it was a height, and I had to work that week.

Q. Yeah. And then you also mentioned that July 3rd, your plumbing was fixed, but you didn't actually stay at the house as a primary residence until about July 9th. Is that right?

A. That's correct. It was 4th of July weekend. So I went to my son's to watch his dogs while he was away for the holiday weekend. So yes.

Q. And I know that you had mentioned to me your community is a new community. Is that right?

A. That's right, yep -- well, at the time of this.

Q. Yeah, and did you have a neighbor's house that

1 was being constructed around the same time that your  
2 house was being finished?

3 A. No, the neighbor-right-next-to-me's house was  
4 already done. The one that was next to them further up,  
5 that was kind of in the midst of being completed. Like  
6 once I lived here in July, they were laying their sod.  
7 They moved in like the end of July.

8 But the neighbor right next to me, their house  
9 was done before mine. So there was no -- my house was  
10 the last house like on the block that was done besides  
11 the one that I just mentioned having the sod laid in  
12 July. I was --

13 Q. Okay.

14 A. -- part of phase one is what they called it.  
15 So I was a kind of last house sold in phase one.

16 Q. And you stated that the builder installed sod  
17 two or three days before closing?

18 A. Yes, that's my understanding. Well, I wasn't  
19 here, but that's what I was told.

20 Q. And you also stated the grass was very green by  
21 July 9th, correct?

22 A. When I moved in, the grass was green. Yes, mm-  
23 hmm.

24 Q. And you also stated that June and July of 2024,  
25 we were in a drought?

1           A.    Yeah, I mean, well, I don't know if it was --  
2 yeah, I guess it was. I guess maybe --

3           Q.    Yeah.

4           A.    -- we'd already been in it. By July, it was,  
5 but I wasn't sure about June. We had no rain. I know  
6 that.

7           Q.    And at this time, do you have any proof that  
8 your meter does not work --

9           A.    No, I don't have any --

10          Q.    -- or did not work?

11          A.    -- proof of that. I don't have any proof of  
12 that. How would I be able to prove that? I mean, your  
13 Company offered --

14          Q.    You also stated --

15          A.    -- me to pay them -- excuse me, but your  
16 Company offered me to pay them money to come look at the  
17 meter. Why would I pay your Company to come look at your  
18 own meter to make sure that it's working properly? That  
19 doesn't make sense.

20                I'm supposed to pay somebody to come look at my  
21 meter to make sure that it's working properly? That's my  
22 responsibility? You're the service provider. That's  
23 your responsibility, not mine. Somebody was supposed to  
24 come out --

25          Q.    Your --

1           A.    -- a month later, but once I argued the point,  
2 I never saw anybody. So I'm not even sure if somebody  
3 came out to read my meter. They didn't knock on my door.  
4 You didn't call me and say, "We're having someone else  
5 come out to read your meter." I was never here. So I  
6 have no proof of that either.

7           Q.    Well, we will have testimony related to that  
8 when we put on our direct testimony.

9           A.    Okay, then wait until then.

10          Q.    Your case is dated -- if you could, just answer  
11 my questions when I ask them.

12          A.    Well, I answered -- well, answer me --

13          Q.    Your case is --

14          A.    -- ask me some --

15          JUDGE MROCZKA: Okay.

16          THE WITNESS: -- questions.

17          JUDGE MROCZKA: Ms. Zelaya --

18          MS. CHIARUTTINI: Your complaint --

19          JUDGE MROCZKA: Just --

20          MS. CHIARUTTINI: Sorry.

21          JUDGE MROCZKA: -- let her ask your -- ask the  
22 questions, and you can answer them, okay?

23          MS. CHIARUTTINI: Your complaint, you --

24          JUDGE MROCZKA: Go ahead.

25 BY MS. CHIARUTTINI:

1 Q. -- confirmed, stated that -- sorry.

2 JUDGE MROCZKA: I was just saying go.

3 BY MS. CHIARUTTINI:

4 Q. I'm confirming that your complaint stated that  
5 the builder was watering the lawn constantly. Is that  
6 correct?

7 **A. Yes, I've already said that. Yes, yes.**

8 MS. CHIARUTTINI: All right, I have no further  
9 questions.

10 JUDGE MROCZKA: Okay, thank you.

11 Now, Ms. Zelaya, I have some questions based on  
12 those questions.

13 REEXAMINATION BY THE COURT

14 BY JUDGE MROCZKA:

15 Q. Now, you just agreed that the builder was  
16 watering the lawn constantly. Do you know when that was?

17 **A. Well, I'm saying that based upon what I see  
18 around here. When they lay the sod, they water those --  
19 I can see them just watering. The hoses are on 24/7 on  
20 the new homes.**

21 **And I told you, when I came here, they had  
22 hoses wrapped around my house with the water going, and  
23 they even told me that they were watering the sod to make  
24 sure that it stuck with it being new.**

25 Q. Okay. But you don't -- do you know whether or

1 not they continued to water the sod around your house  
2 after settlement?

3 A. No, I don't -- I didn't come back to the house  
4 after settlement. So no, I have no idea after that  
5 initial time that I came here before I went to  
6 settlement. So no, I don't.

7 JUDGE MROCZKA: Okay. And do you have anything  
8 that you would like to say for redirect regarding the  
9 questions that you were asked by Attorney Chiaruttini --

10 THE WITNESS: No, I don't. I mean, she's  
11 already -- I've already answered the questions, and I've  
12 already stated that in what I was saying to them. So I  
13 don't have any questions for her.

14 JUDGE MROCZKA: Okay, just one more question  
15 from me.

16 BY JUDGE MROCZKA:

17 Q. Do you believe that the bills that you received  
18 after the \$1,698.91 bill, any of the bills that you  
19 received after that are accurate?

20 A. I don't believe the one right after where  
21 supposedly they had someone come out to read the meter,  
22 and that was like -- I don't know -- let me see what it  
23 is, 5,800 or whatever gallons.

24 I don't -- I just find it odd that after  
25 someone came out to read the meter and I got that second

1 bill, which was 5,800 gallons, then, all of the sudden,  
2 my bill is anywhere from, like I said, 1,300 1,400.  
3 Eighteen hundred was the most.

4 So I mean, that one bill and then the bill  
5 after supposedly when someone come to read the meter,  
6 they just seemed high. It just doesn't make sense.

7 JUDGE MROCZKA: Okay. Attorney Chiaruttini, do  
8 you have any questions based on my questions?

9 RECROSS-EXAMINATION

10 BY MS. CHIARUTTINI:

11 Q. I just want to clarify. Ms. Zelaya, you do not  
12 -- you believe that your current bills that you are  
13 receiving are pretty consistent, correct?

14 A. Yes, I do.

15 Q. And you don't dispute them or question them.  
16 Is that correct?

17 A. The current bills? No, uh-uh. No, I've been  
18 paying them.

19 Q. Okay.

20 A. Yeah, that's --

21 Q. Okay.

22 A. -- they're normally the -- they're basically  
23 the same. They're -- they fluctuate a few bucks here and  
24 there, but they've been pretty much consistent. As far  
25 as the amount and the amount of usage, they've been

1 **consistent --**

2 Q. Okay, thank you.

3 **A. -- consistent for the most recent bill.**

4 MS. CHIARUTTINI: I have nothing further.

5 JUDGE MROCZKA: All right, thank you.

6 And, Ms. Zelaya, based on that question, do you  
7 have anything you'd like to say at this point?

8 MS. ZELAYA: No, sir.

9 JUDGE MROCZKA: Thank you. And do you have any  
10 other witnesses to call?

11 MS. ZELAYA: No, sir.

12 JUDGE MROCZKA: All right. So with that, we  
13 will move on to the utility.

14 Do you have any witnesses to call, Attorney  
15 Chiaruttini?

16 MS. CHIARUTTINI: Yes, we have -- right, we are  
17 calling Savannah Harlacher. She is York Water's one and  
18 only witness for this matter.

19 JUDGE MROCZKA: Okay, thank you.

20 Savannah, if you could please raise your right  
21 hand and let me know when it is raised.

22 MS. HARLACHER: It's raised.

23 Whereupon,

24 SAVANNAH HARLACHER,

25 was called as a witness and, having been duly sworn,

1 testified as follows:

2 JUDGE MROCZKA: All right, thank you.

3 Go ahead, Attorney Chiaruttini.

4 MS. CHIARUTTINI: Thank you.

5 DIRECT EXAMINATION

6 BY MS. CHIARUTTINI:

7 Q. Can you please state and spell your name for  
8 the record?

9 A. My name is Savannah Harlacher. My first name  
10 is spelled S-a-v-a-n-n-a-h, and my last name is spelled  
11 H-a-r-l-a-c-h-e-r.

12 Q. Where are you currently employed?

13 A. I'm currently employed with The York Water  
14 Company.

15 Q. How long have you been employed with The York  
16 Water Company?

17 A. I have been employed here for over six years.

18 Q. Can you state your current job title and  
19 describe your job duties?

20 A. I am the Customer Service Manager. My job  
21 duties include assisting and directing the day-to-day  
22 operations within customer service and meter-reading  
23 departments.

24 Q. Are you familiar with Ms. Zelaya's complaint?

25 A. Yes.

1 Q. Are you familiar with Ms. Zelaya's accounts  
2 here at York Water?

3 **A. Yes.**

4 Q. What is the account address subject of Ms.  
5 Zelaya's complaint?

6 **A. The address is 501 Benjamin Road, Hanover, PA  
7 17331, located in York County.**

8 Q. Can you explain what account she has with York  
9 Water for that address?

10 **A. The York Water Company provides both water and  
11 wastewater services to Ms. Zelaya residence at 501  
12 Benjamin Road. She receives one bill that includes both  
13 services.**

14 Q. Are you familiar with the billing history for  
15 Ms. Zelaya's account and York Water's administration of  
16 this account?

17 **A. Yes, I have reviewed the records, and I'm  
18 familiar with the details.**

19 Q. Can you state what you know about the event  
20 subject of the customer's complaint?

21 **A. Yes.**

22 Q. Do you have Company records that documents the  
23 request for initiation of service?

24 **A. Yes, we have the Application for Water Service  
25 submitted by Ms. Zelaya.**

1 MS. CHIARUTTINI: Your Honor, I present Exhibit  
2 A to the Hearing Examiner and to the witness.

3 BY MS. CHIARUTTINI:

4 Q. I'm handing you York Water Exhibit A as marked  
5 and provided to the Hearing Examiner and the Complainant.  
6 Do you recognize this document?

7 A. Yes.

8 Q. What is this document?

9 A. **This is the York Water Application for Water  
10 Services that was filled out and submitted to York Water  
11 by Ms. Zelaya.**

12 Q. Is this a regularly-kept business record at  
13 York Water Company?

14 A. Yes.

15 MS. CHIARUTTINI: Your Honor, I request that  
16 the Hearing Examiner enter York Water's Exhibit A into  
17 evidence at this time.

18 JUDGE MROCZKA: Ms. Zelaya, what Attorney  
19 Chiaruttini has asked me to do is admit Exhibit A, which  
20 is referenced in the witness' testimony, into the record  
21 in this case. What that means is I could use these  
22 documents as a reference when I write my decision.

23 You have the opportunity to tell me if there's  
24 any reason these documents should not be admitted into  
25 the record.

1 Do you have any objection to the Company's  
2 Exhibit A being admitted into the record?

3 MS. ZELAYA: No, sir.

4 JUDGE MROCZKA: No objection being heard, the  
5 Company's Exhibit A is hereby admitted into the record.

6 (Whereupon, The York Water  
7 Company's Exhibit A was admitted  
8 into evidence.)

9 MS. CHIARUTTINI: Thank you.

10 BY MS. CHIARUTTINI:

11 Q. I'm gonna ask you to refer to Exhibit A in a  
12 minute.

13 Prior to Ms. Zelaya, was the water and  
14 wastewater account at 501 Benjamin Road in a different  
15 name?

16 **A. Yes, it was in the name of DRB Homes for less**  
17 **than three weeks.**

18 Q. Is it your understanding in reviewing Company  
19 records that DRB Homes' account was paid and closed?

20 **A. Yes.**

21 Q. Okay, I'm gonna ask you to now turn to admitted  
22 York Water Exhibit A. Can you walk us through what this  
23 Request for Water Service Application record indicates?

24 **A. Yes, Ms. Zelaya contacted The York Water**  
25 **Company to begin services at 501 Benjamin Road on June**

1 13, 2024, as indicated by dated submitted on this  
2 document.

3 Per her application, she requested an effective  
4 date to be June 18, 2024. She indicated she would be the  
5 owner on that start date. Her application here does note  
6 the address of 501 Benjamin Road as the property address.  
7 Additional information was asked and answered by Ms.  
8 Zelaya for her application as well.

9 Q. Do you have a Company record that documents the  
10 first meter reading?

11 A. Yes, we have a work order directing our field  
12 team to read the meter on the start date and obtain a  
13 reading.

14 Q. What was the start date?

15 A. The start date was June 18, 2024.

16 MS. CHIARUTTINI: Your Honor, I present York  
17 Water Exhibit B to the Hearing Examiner and to the  
18 witness at this time.

19 BY MS. CHIARUTTINI:

20 Q. I'm handing you York Water Exhibit B as marked  
21 and provided to the Hearing Examiner and the Complainant.  
22 Do you recognize this document?

23 A. Yes.

24 Q. What is it?

25 A. This is the work order that indicates the

1 request to start service for Ms. Zelaya on June 18, 2024,  
2 and the reading that was obtained.

3 Q. Is this a regularly-kept business record of The  
4 York Water Company?

5 A. Yes, it is.

6 MS. CHIARUTTINI: Your Honor, I request that  
7 the Hearing Examiner enter York Water's Exhibit B into  
8 evidence at this time.

9 JUDGE MROCZKA: Ms. Zelaya, do you have any  
10 objections to this document being entered into the  
11 record?

12 MS. ZELAYA: No, sir.

13 JUDGE MROCZKA: All right, with no exceptions,  
14 the Company's Exhibit B is hereby admitted into the  
15 record.

16 (Whereupon, The York Water  
17 Company's Exhibit B was admitted  
18 into evidence.)

19 MS. CHIARUTTINI: Thank you.

20 BY MS. CHIARUTTINI:

21 Q. Does this record indicate that that start date  
22 was collected at that address?

23 A. Yes.

24 Q. Please walk us through this on this exhibit.

25 A. This exhibit is listed as a start read, as

1 noted on the top right-hand side of the document. This  
2 document also indicates the name of our customer as  
3 Pamela Zelaya. The address is also listed on the right  
4 side as 501 Benjamin Road.

5 The date and reading are listed under work  
6 order description, both which are used to initiate  
7 billing. Other details that the Company uses are listed  
8 on this document as well.

9 Q. Okay, please continue with the facts as you  
10 know them.

11 A. So per Ms. Zelaya's Formal Complaint filing,  
12 she has stated that she did not move into the residence  
13 until June 26, 2024. She indicated that she had an  
14 internal blockage that prevented her from using water  
15 until July 3, 2024.

16 The York Water Company issued its first bill to  
17 Ms. Zelaya for water and wastewater services between June  
18 18, 2024, and the July 24, 2024, which was based upon its  
19 estimated residential usage of 2,500 gallons for the  
20 meter reading date of July 24, 2024.

21 Q. Okay, I'm gonna interrupt you. So that was for  
22 the first month?

23 A. Correct. The next month, according to our  
24 records, The York Water Company read her meter on August  
25 25, 2024. That read was listed as the numbers 126700.

1 York Water issued a bill to Ms. Zelaya for the gallons of  
2 69,600 of water used. That usage would include water  
3 used since June 18, 2024, not previously accounted for in  
4 the first estimated bill.

5 Q. So York Water assumed that 2,500 gallons of  
6 water were used at that -- in that first month. Is that  
7 correct?

8 A. Correct.

9 Q. How much water actually passed through the  
10 meter between June 18th and August 26th?

11 A. The total gallons passed was 72,100 gallons  
12 between June 18, 2024, and August 26, 2024. The way this  
13 was calculated was based upon the two readings that were  
14 taken. The June 18, 2024, reading was 54600. The  
15 reading on August 26, 2024, was listed as 126700. When  
16 you subtract those two readings, you come to the 72,100  
17 gallons total that have passed through the meter between  
18 June 18th and August 26th.

19 Q. So you took the start read and subtracted it  
20 from the total read that you picked up on August 26th?

21 A. Correct.

22 Q. Okay, if you could please continue.

23 A. The water and wastewater bill that was issued  
24 in August of 2024 totaled to \$1,698.91. This is the  
25 balance in which the Complainant is challenging in this

1 **filing.**

2 Q. So the basis of this complaint is for water  
3 that passed through the customer's meter after her  
4 service initiation date of June 18, 2024, correct?

5 **A. Yes.**

6 Q. Does York Water have any indication that the  
7 meter is not working properly?

8 **A. No.**

9 Q. How old is the meter at this residence?

10 **A. According to our records, the meter was**  
11 **installed on May 31, 2024, for the builder. So at the**  
12 **time in question, it was about one-to-three months old.**

13 Q. Does York Water have confidence in the accuracy  
14 of the meter at this residence today?

15 **A. Yes, the Company has obtained actual water**  
16 **meter readings for all bills since the bill in question**  
17 **of August 2024. Those subsequent readings have**  
18 **consistently reflected relatively low, single-family**  
19 **residential monthly usage.**

20 Q. What has been the average use of water since  
21 September 24th -- I'm sorry -- September of 2024 at this  
22 residence?

23 **A. Yes, according to our records, Ms. Zelaya's**  
24 **average monthly usage since September of 2024 has been**  
25 **around 1,400 gallons.**

1 Q. Per month?

2 **A. Per month, correct.**

3 Q. Is it your understanding that the customer's  
4 house was new when she purchased it?

5 **A. Yes.**

6 Q. (Indiscernible) the lawn was being watered?

7 **A. Yes, Ms. Zelaya stated in her Formal Complaint**  
8 **filing the landscaping crew laid the sod and that they**  
9 **were watering the sod nonstop throughout the day and**  
10 **night for days to make sure the sod stuck.**

11 Q. Is it also your understanding that Ms. Zelaya  
12 was not present at the subject property for portions of  
13 the time between June 18th and August 26, 2024?

14 **A. Yes, based upon her filings.**

15 Q. Is the usage volume you see on this account  
16 during the subject time frame very typical of seasonal  
17 watering of grass and lawns?

18 **A. Yes, if sod is being watered for days or weeks**  
19 **at a time, that could definitely result in the usage**  
20 **volume we see on her account.**

21 Q. Has the customer been on a payment plan to pay  
22 off this balance?

23 **A. Yes.**

24 Q. What amount was she supposed to be paying  
25 monthly in addition to the current charges?

1           **A.    The additional flat fee per month is \$100.**

2           Q.    Can you review her payment history in this  
3 regard?

4           **A.    Yes.**

5                   MS. CHIARUTTINI:  I present York Water Exhibit  
6 C for the Hearing Examiner and to the witness at this  
7 time.

8 BY MS. CHIARUTTINI:

9           Q.    I'm handing you York Water Exhibit C as marked  
10 and provided to the Hearing Examiner and the Complainant.  
11 Do you recognize this document?

12           **A.    Yes.**

13           Q.    What is it?

14           **A.    This is an account summary prepared for this  
15 matter in regards to Ms. Zelaya's account.  It's from our  
16 database.**

17           Q.    When was this account summary prepared?

18           **A.    This was prepared on May 28, 2025.**

19           Q.    Where did you obtain this information from?

20           **A.    This information is on her customer account  
21 with York Water.**

22           Q.    Was there any activity on the account since  
23 that date?

24           **A.    Yes, we noticed that one additional payment was  
25 made by Ms. Zelaya on May 29, 2025.  Additionally,**

1 another invoice has been generated. With the invoice and  
2 the payments that were submitted recently, the new  
3 account balance and due date changed. Now, the total  
4 balance is \$1,046.45 now due on June 24, 2025.

5 Q. Okay, can you tell me what this summary shows?

6 A. Yes, this account statement details a variety  
7 of information focusing on her usage and her payment  
8 histories. Again, this was created on May 28, 2025.

9 As you can see on the column I've labeled CONS,  
10 this is her consumption for her bills. As previously  
11 stated, it is approximately 1,400 gallons per month since  
12 that September reading of 2024.

13 The column labeled PYMTS further to the right  
14 also indicates her payments. She has made eight payments  
15 towards her account balance.

16 Again, as of May 28, 2025, we do know that an  
17 additional payment has been made but is not reflected on  
18 this document. So there would be a total of nine  
19 payments towards her account.

20 Q. Thank you.

21 MS. CHIARUTTINI: I request that the Hearing  
22 Examiner enter York Water's Exhibit C into evidence at  
23 this time.

24 JUDGE MROCZKA: Ms. Zelaya, any objections to  
25 York Water's Exhibit C?

1 MS. ZELAYA: No, sir.

2 JUDGE MROCZKA: All right, with no objections,  
3 York Water's Exhibit C is hereby admitted into the  
4 record.

5 (Whereupon, The York Water  
6 Company's Exhibit C was admitted  
7 into evidence.)

8 MS. CHIARUTTINI: Thank you.

9 BY MS. CHIARUTTINI:

10 Q. Ms. Harlacher do you have any final comments?

11 A. Yes, just want to note that The York Water  
12 Company cannot prove what happened to the water once it  
13 passed through the meter of who used it. We do know the  
14 volume of finished product that did pass through the  
15 meter and was delivered to the customer's residence.  
16 This is what Ms. Zelaya has been charged for and nothing  
17 over.

18 MS. CHIARUTTINI: I have nothing further for  
19 Ms. Harlacher.

20 JUDGE MROCZKA: Okay, thank you.

21 Ms. Zelaya, do you have any questions for Ms.  
22 Harlacher?

23 MS. ZELAYA: No, sir.

24 JUDGE MROCZKA: All right, I have a couple  
25 questions.

EXAMINATION BY THE COURT

BY JUDGE MROCZKA:

Q. Ms. Harlacher, what dates -- and I know you said this -- you somewhat stated this earlier, but what dates does -- the read date of 8/26/2024 on the account statement, what dates does that cover?

A. The reading was taken on August 26, 2024. So the reading before that would've been July 24, 2024, and that was the estimated reading that was taken.

Q. Okay, so why was --

A. So that's --

Q. -- the July -- so I'm not quite -- so 8/26/2024 also covers the July 2024 bill date because the July one was estimated?

A. Okay, yes, I understand. So because the bill was estimated from that July reading, the reading that was taken in August would've accounted for anything unbilled and not accounted for in the previously billed bill that goes to Ms. Zelaya.

Q. Okay. And for what reason was -- the July 2024 -- or July 24, 2024, bill, what reason was that estimated?

A. The reading wasn't obtained that day. There could have been a number of reasons for that. However, an estimated reading was taken on that date for her first

1 **bill.**

2 Q. Okay, so her first bill was an estimated bill.  
3 All right.

4 **A. Correct.**

5 Q. Okay. And what kind of meter is used? Is this  
6 a smart meter?

7 **A. She has a T-10 E-CODER. That's the type of**  
8 **meter that's located at her property.**

9 Q. Okay, and how is the meter read?

10 **A. We read the radiofrequency in a drive-by**  
11 **system.**

12 Q. Okay, so in July 24, 2024, was the  
13 radiofrequency not working, or was it just not read?

14 **A. We attempt to read every address. According to**  
15 **the schedule, the radiofrequency was not obtained that**  
16 **day.**

17 Q. Okay. And does the meter hold the usage per  
18 day? Are you able to provide that?

19 **A. We are not able to obtain that information. We**  
20 **do not know the daily usage. We just know the start**  
21 **reading that was taken and then the actual readings since**  
22 **the August reading.**

23 Q. Okay. And are you able to -- is York Water  
24 able to find out the usage on certain days?

25 **A. No, we, unfortunately, are not able to obtain**

1 that information.

2 Q. Can you tell me what date the prior -- for BRB  
3 homes (sic), what date their account ended or was closed?

4 A. Their account ended on June 18, 2024. That's  
5 the same day in which Ms. Zelaya's started.

6 Q. And what date did their account start?

7 A. Their account would've started when their meter  
8 was set. So that would've been the May date that was  
9 indicated.

10 Q. Thank you. Okay, so would May 31, 2024, does  
11 that sound correct?

12 A. That sounds correct.

13 Q. All right, and what was the reading when the  
14 account closed on June 18, 2024?

15 A. The reading for DRB Homes would've been the  
16 same reading obtained for Ms. Zelaya from June 18, 2024.  
17 That reading is 54600.

18 Q. So that is 54,600 gallons?

19 A. Correct. That would be the adjusted reading,  
20 correct.

21 Q. All right. And that is for three weeks?

22 A. Yes.

23 Q. Or less than three weeks? Okay.

24 A. Correct. Okay, and how does that work when a -  
25 - one bill is ended and another one is started? So like

1 on June 18, 2024, did somebody go out and read the meter  
2 that day?

3 A. Correct. A field technician was assigned to  
4 visit the property. We obtain a reading via, again, the  
5 radiofrequency. There's no need to enter the home to  
6 obtain a reading. So the reading that was received on  
7 June 18th would have ended the previous customer's  
8 account and, therefore, also started Ms. Zelaya's  
9 account.

10 MS. CHIARUTTINI: Your Honor, that's --

11 JUDGE MROCZKA: Okay.

12 MS. CHIARUTTINI: -- Exhibit B.

13 JUDGE MROCZKA: Right.

14 BY JUDGE MROCZKA:

15 Q. And I looked at Exhibit B. How many pages do  
16 you have for Exhibit B?

17 A. Just the one page. It's a work order to start  
18 Ms. Zelaya's account.

19 Q. Okay. And where on Exhibit B does it stated  
20 the meter reading of 54,600?

21 A. Yes, under work order description, it's listed  
22 there as use reading, and the numbers are listed right  
23 there as 005467 --

24 Q. Oh, okay.

25 A. -- 27.

1 Q. Okay, I gotcha. Thank you. So that's 54,672?

2 A. We bill in hundreds of gallons. So that's  
3 where this become 54,600.

4 Q. Okay, so you round down?

5 A. Correct.

6 Q. Okay, and then does that get added on to the  
7 next bill, the difference?

8 A. The usage is based on hundreds of gallons.  
9 That's how we bill. So the next reading, again, however  
10 that is adjusted to be in the hundreds of gallons, that  
11 would then be calculated in the next billing.

12 MS. CHIARUTTINI: So can you clarify, the meter  
13 is reading how much water is crossing it. So that  
14 reading number will increase continuously as water  
15 crosses it?

16 THE WITNESS: Correct. As water passes through  
17 the meter, the numbers would increase.

18 MS. CHIARUTTINI: And so the volume used from  
19 the prior reading is essentially the current reading  
20 minus the prior reading?

21 THE WITNESS: Correct.

22 JUDGE MROCZKA: Right, okay.

23 BY JUDGE MROCZKA:

24 Q. All right, so just to be clear, because the  
25 read date of 7/24/2024 was a estimated reading, you

1 cannot know whether any of the 69,500 or 600 gallons was  
2 used prior to 7/24/2024?

3 **A. We know that the usage between June 18, 2024,**  
4 **and August 26, 2024, totaled that 72,100 gallons. That**  
5 **all occurred between those two dates of time.**

6 Q. Okay, but you don't know whether any of that  
7 occurred between 6/18/2024 and 7/24/2024?

8 **A. Correct.**

9 Q. And you have no way to get that information or  
10 keep track of that information?

11 **A. No, we do not.**

12 JUDGE MROCZKA: All right, Ms. Zelaya, do you  
13 have any questions for the witness based on my questions?

14 MS. ZELAYA: No, sir.

15 JUDGE MROCZKA: Okay. Attorney Chiaruttini, do  
16 you have any redirect?

17 MS. CHIARUTTINI: No, I do not. Thank you.

18 JUDGE MROCZKA: Thank you. And Attorney  
19 Chiaruttini, do you have any other witnesses? I believe  
20 you said you do not.

21 MS. CHIARUTTINI: We do not. Our direct  
22 testimony is complete.

23 JUDGE MROCZKA: All right. Thank you.

24 So at this point, we're gonna move on to  
25 closing arguments.

1 Ms. Zelaya, if there's anything now that you  
2 would like to tell me before we conclude the hearing,  
3 this is the opportunity to do so.

4 If you could please just quickly restate your  
5 case and explain what you are asking the Public Utility  
6 Commission to do for you, that would be great. This is  
7 your opportunity to do so.

8 CLOSING ARGUMENT

9 BY MS. ZELAYA:

10 Well, as I've stated, you know, I said I moved  
11 into a brand new home. I purchased a brand new home on a  
12 certain date, and I didn't move in until the 26th. I  
13 wasn't actually physically living here until after July  
14 4th weekend.

15 I had a plumbing issue. So with the sewage, I  
16 had no water coming in my house, going through the  
17 drains. I did not water my grass on a regular basis  
18 every day or anything like that. I had no hoses. I  
19 can't fathom where the water went. If it came through my  
20 home, I have no idea.

21 I don't believe anyone stole my water. I just  
22 feel like either the meter wasn't functioning properly or  
23 wasn't read properly, you know, or it's part of the  
24 builder's bill. That's just kind of how I feel.

25 I don't -- it just doesn't make sense how one

1 person can generate that much of a water usage and  
2 especially the wastewater. Charging me \$1,000 for water  
3 that didn't even come into my home and go out to be, you  
4 know, treated.

5 So that's -- I can't wrap my head around that.  
6 I understand the way the bill's structured, you know, after  
7 the fact, but I just -- I have a hard time paying that  
8 bill each month just knowing that I'm paying for  
9 something that I didn't get.

10 So I'd just like some consideration in a sense  
11 of, you know, maybe minimizing the bill. I have paid  
12 quite a bit of money toward that bill. So I'd just like  
13 to have some resolution, maybe a reduction or a refund.  
14 That's what I'm looking for.

15 JUDGE MROCZKA: Okay, thank you.

16 Attorney Chiaruttini, anything for closing?

17 MS. CHIARUTTINI: Sure. You threw me off  
18 because I've never been in a hearing where we've had to  
19 do a closing argument. So but thank you.

20 JUDGE MROCZKA: No problem.

21 CLOSING ARGUMENT

22 BY MS. CHIARUTTINI:

23 You know, York Water's tariff has us authorized  
24 and required to charge for sewer service based on water  
25 use that passes through the meter, which has resulted in

1 part in some of this high bill. They're kind of related  
2 issues generating, I think, Ms. Zelaya's concerns.

3 York Water did a start read on 6/18 in person,  
4 as demonstrated in work order -- the work order, which is  
5 Exhibit B. It's a known value. There was no indication  
6 that the meter was not working or is not working. The  
7 meter was practically new. We have not done any  
8 maintenance on that meter. There is no evidence that  
9 it's faulty.

10 The estimated read is a valid way of doing  
11 billing. It was interim, but when the actual read was  
12 taken in August, the amount of water was confirmed, as it  
13 had gone through the meter sometime after the closing  
14 date of June 18, 2024.

15 York Water Company treated and delivered  
16 potable water to this residence. It crossed the meter.  
17 We do not know where it went or who used it or when it  
18 was used during that period of time, but we delivered the  
19 product.

20 And we have been in compliance with our tariff  
21 in that we have offered a payment plan. Ms. Zelaya has  
22 paid on her payment plan, and we appreciate that. But it  
23 is clear to us that water passed the meter. It was used  
24 by somebody, or it leaked, and that product has to be  
25 paid for.

1 JUDGE MROCZKA: Okay, thank you.

2 Okay, so at this time, we are ready to conclude  
3 the hearing. So what is going to happen next is the  
4 record will close once I receive the transcript for  
5 today's hearing.

6 After that, I will have 90 days to write a  
7 decision, which will either grant or deny the complaint.  
8 And when the decision is finished, it will be served on  
9 the parties.

10 Along with the decision, there will be  
11 instructions for filing exceptions with the Commission.  
12 Exceptions are a party's opportunity to notify the  
13 Commission in writing that they feel I have made an error  
14 somewhere in my decision.

15 If exceptions are filed, this case will be  
16 reviewed by a panel of Commissioners, who will review all  
17 of the evidence as well as my decision and will issue a  
18 final opinion and order.

19 When they do that, you receive a copy of that  
20 order. The entry date of that order would be your  
21 indication that a final determination on your -- on the  
22 complaint has been made by the Commission, and the  
23 parties will be expected to abide by the terms of that  
24 order.

25 Does anyone have any questions?

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MS. ZELAYA: No, sir.

MS. CHIARUTTINI: No, Your Honor.

JUDGE MROCZKA: Thank you. All right, thank you.

So at this time, the hearing is adjourned, and as I said, the record will close once I receive the transcript. And we are now off the record.

COURT REPORTER: Off the record at 11:05.

(Whereupon, at 11:05 a.m., the proceeding was adjourned.)

C E R T I F I C A T E

I hereby certify, as the reporter, that the foregoing proceedings were taken by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

CRC SALOMON COURT REPORTING  
2201 Old Court Road  
Baltimore, Maryland 21208

BY: *Edward Rudow*  
Edward Rudow *Jmr*  
Court Reporter

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