

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKET NO. C-2025-3056064

Brett Marvel, Complainant

v.

Aqua Pennsylvania Wastewater, Inc., Respondent

REPLY TO ANSWER AND NEW MATTER OF AQUA PENNSYLVANIA WASTEWATER, INC.

Complainant Brett Marvel respectfully submits this reply to the Answer and New Matter filed by Aqua Pennsylvania Wastewater, Inc. (“Aqua” or “Respondent”) on July 11, 2025.

This response addresses Aqua’s assertion that because its 2025 Rate Zone 1 Tariff was lawfully approved by the Commission, and because Complainant did not object during the initial rate-setting process, the matter should be dismissed. Complainant disputes that the legal approval of the tariff shields Aqua from valid concerns about fairness, affordability, or the real-world impact of the rate as applied.

REPLY TO NEW MATTER

Paragraph 12 – Denied.

Complainant acknowledges that Aqua is billing in accordance with the 2025 Rate Zone 1 Tariff, but disputes that this fact alone makes the rate structure reasonable or equitable. The Complainant asserts that the flat rate now exceeds \$101 monthly, or \$1,200 annually, for basic residential wastewater service, with no meaningful explanation for the scale of the increase. The rate creates a disproportionate financial burden for the service rendered. Complainant notes that the flat rate for sewer has gone from under \$30 monthly to over \$101 monthly within a five year period, an increase of over 236%. Complainant notes that the flat rate creates a situation where Aqua can increase fees indefinitely, without accounting for actual usage or adding services. The flat-rate structure fails to account for meaningful differences in household size and usage. The Complainant, as part of a household of four, may be charged the same as households of six or eight, despite producing less wastewater and placing a lower demand on the system. This lack of proportionality results in an inequitable burden on moderate-use customers such as the Complainant.

Paragraph 13 – Denied.

While Aqua correctly cites the legal standing of approved tariffs, Pennsylvania law also recognizes that tariffs can be challenged when their application becomes unreasonable or produces unjust outcomes. Complainant asserts that:

- The magnitude of increases, without corresponding service changes or upgrades, supports a claim that the tariff—as applied—is excessive.
- The language in rate notices was technical, vague, and did not clearly communicate that customers would face hundreds of dollars in new charges each year.
- Aqua references historical legal precedent to claim immunity from challenge, but fails to acknowledge that PUC complaints exist to allow customers to contest real-world effects that only become clear after implementation.
- The risk of further annual rate hikes, compounded with no adjustment mechanisms currently available to flat-rate customers, creates a situation where Aqua may continue to impose growing costs without accountability or individualized justification.

Additionally, Aqua previously offered a refund mechanism based on customer-installed metering, but this program appears to have been discontinued. No such option is publicly available at the time of this filing.

CONCLUSION

Complainant respectfully requests that the Pennsylvania Public Utility Commission:

1. Reject Aqua's New Matter, which seeks to shield its rate structure from scrutiny based solely on procedural approval;
2. Permit this complaint to proceed to a full hearing so the Commission can assess the real-world effect of Aqua's flat-rate sewer billing on customers like the Complainant;
3. Consider the risk of continued unjustified rate increases, lack of transparency, and the absence of customer control or relief mechanisms under the current system.

Respectfully submitted,

Brett Marvel

14 Oak Ln Royersford PA 19468

610-476-9031

July 17, 2025