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*Counsel for Complainant,
Ryan Flynn*

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RYAN FLYNN o/b/o	:	
LIQUID MANAGEMENT	:	Docket No. C-2024-3047272
	:	
Complainant	:	
v.	:	
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
	:	
Respondent	:	

ANSWER TO RESPONDENT’S NEW MATTER BY COMPLAINANT RYAN FLYNN

AND NOW, comes the Complainant, Ryann Flynn o/b/o Liquid Management, by and through his undersigned counsel, Atencio Hall, PLLC and Paul J. Atencio, Esq., who files the following Answer to New Matter filed on behalf of Respondent:

31. Ryan Flynn hereby incorporates by reference his underlying Amended Complaint as if the same were set forth herein in length.

32. Admitted.

33. Admitted. By way of further Answer, while Complainant Ryan Flynn and Meadowbrook Mobile Home Park became customers of PAWC for wastewater services in

December of 2019.

34. Admitted.

35. Denied. Upon reasonable investigation, Complainant is without sufficient knowledge information to form a belief regarding any and all instances of non-compliance with DEP discharge limits that may have occurred between the DEP and the prior owner of Meadowbrook Mobile Home Park, and thus, this averment is denied. Strict proof is demanded at the time of hearing.

36. Admitted in part; denied in part. It is admitted that Complainant had discussions with Fairview Township Municipal Authority regarding wastewater services. The complaint is, however, without sufficient knowledge or information as to the approximate cost of tapping into the Fairview Township Municipal Authority's wastewater system.

37. Admitted in part; denied in part. It is admitted only that the DEP records and correspondence attached to PAWC's New Matter are written documents which speak for themselves. Any mischaracterization, partial reading, and/or impressible legal conclusions drawn from said document is specifically denied.

38. Denied. Upon reasonable investigation, Complainant is without sufficient knowledge information to form a belief regarding PAWC's acquisition of the Fairview Township Municipal Authority wastewater system, and thus, this averment is denied.

39. Denied. Complainant is without knowledge as to PAWC's projects and facility construction.

40. Denied insofar as George Krichten is not, nor has ever been, the operator of Meadowbrook Mobile Home Park. By way of further answer, PAWC has never provided water

consumption services to Meadowbrook.

41. Admitted in part; denied in part. It is admitted only that the letter attached to PAWC's New Matter as Exhibit 1 is a written document which speaks for itself. Any mischaracterization, partial reading, and/or impressible legal conclusions drawn from said document is specifically denied.

42. Admitted in part; denied in part. It is admitted only that the letter attached to PAWC's New Matter as Exhibit 1 is a written document which speaks for itself. Any mischaracterization, partial reading, and/or impressible legal conclusions drawn from said document is specifically denied.

43. Denied. The foregoing is a legal conclusion to which no response is required, and thus, it is denied. To the extent it is determined to be an averment of fact, it is also denied.

44. Denied. The foregoing is a legal conclusion to which no response is required, and thus, it is denied. To the extent it is determined to be an averment of fact, it is also denied.

45. Admitted in part; denied in part. It is admitted only that the letter attached to PAWC's New Matter as Exhibit 4 is a written document which speaks for itself. Any mischaracterization, partial reading, and/or impressible legal conclusions drawn from said document is specifically denied. By way for further response, the non-residential "metered" rates reflected in said Exhibits are inapplicable to Meadowbrook Mobile Home Park under the plain language of the Tarriff, which defines "unmetered charges" as "a flat rate fee for customers **not metered for water consumption.**"

46. The foregoing is a legal conclusion to which no response is required. To the extent it is determined to be an averment of fact, it is admitted that the rates charged by PAWC to the

Meadowbrook Mobile Home Park for wastewater service is governed by a tariff. To the extent implied in PAWC's averment, it is strictly denied that PAWC followed its tariff with respect to the rates and billing it imposed on Complainant.

47. Admitted.

48. Admitted.

49. Admitted.

50. Denied. By way of further response, PAWC bears full or partial responsibility for the failure of the check flow valves due to its failure to follow its tariff and its unjust enrichment resulting therefrom.

51. Denied. The foregoing is a legal conclusion to which no response is required, and thus, it is denied. To the extent it is determined to be an averment of fact, it is also denied.

52. Denied. Complainant is without sufficient knowledge or information pertaining to the foregoing. Strict proof is demanded at the time of hearing.

53. Denied. Complainant is without sufficient knowledge or information pertaining to the foregoing. Strict proof is demanded at the time of hearing.

54. Denied. The foregoing is a legal conclusion to which no response is required, and thus, it is denied. To the extent it is determined to be an averment of fact, it is also denied.

55. Denied. The foregoing is a legal conclusion to which no response is required, and thus, it is denied.

Respectfully submitted,

ATENCIO HALL, PLLC

Date: July 29, 2025

/s/ Paul J. Atencio

Paul J. Atencio, Esq.

PA ID: 91366

381 Mansfield Ave, Suite 500

Pittsburgh, PA 15220

Counsel on Behalf of Complainant,

Ryan Flynn

VERIFICATION

I, the undersigned individual, being the Complainant in this action, hereby certifies that the facts set forth in the foregoing Answer to New Matter are true and correct to the best of my knowledge, information, and belief. The undersigned further understand that any misstatements which are made in the foregoing Answer to New Matter are subject to the appropriate penalties of unsworn falsification to legal authorities as provided by the Pennsylvania Crimes Code.

Date: July 29, 2025

/s/ Ryan Flynn
Ryan Flynn o/b/o Liquid Management

Respectfully submitted,

ATENCIO HALL, PLLC

Date: July 29, 2025

/s/ Paul J. Atencio

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