

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tirlochan S. Walia	:	
	:	
v.	:	F-2022-3032572
	:	
The Pittsburgh Water and Sewer Authority	:	

**INTERIM ORDER  
DIRECTING FURTHER HEARING BE SCHEDULED**

On May 9, 2022, Tirlochan S. Walia (Complainant or Mr. Walia) filed a Formal Complaint with the Pennsylvania Public Utility Commission (Commission) against The Pittsburgh Water and Sewer Authority (Respondent, Company, or PWSA).<sup>1</sup> In pertinent part, Complainant alleged there is an inequity in two of Respondent’s billing practices: (1) billing in blocks of 1,000 gallons and (2) billing periods varying from 26-35 days. Complaint ¶ 4. For relief, Complainant asked the Commission to order PWSA to do the following:

Bill by gallons and maintain a constant calendar date billing period.

If for some reasons, not apparent, it is not feasible; then at least standard concept of rounding off should be used, whereby up to 1,499 gallons will be billed as one thousand gallons, anything between 1,500-2,499 gallons will be billed as two thousand gallons, and so on.

Complaint ¶ 5.

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<sup>1</sup> The Complaint sought timely review of the Commission’s Bureau of Consumer Services’ (BCS) decision entered on April 1, 2022, at BCS No. 3823111, which found that Complainant’s billings were based upon actual meter readings and in accordance with the definitions for a billing month.

Answer and Preliminary Objections

Respondent filed an Answer<sup>2</sup> and Preliminary Objections (POs) on June 10, 2022.

Respondent averred in pertinent part as follows:

**PWSA’s Billing Practices**

- (b) It is admitted that PWSA’s bills are based on 1,000-gallon increments of water consumption. By way of further response, this billing practice is consistent with PWSA’s Commission-approved tariff. PWSA is required by the Public Utility Code to follow its tariff, which the appellate courts have described as having the force of law and being binding on both the utility and its customer.
  
- (b) It is admitted that PWSA’s billing period is not a constant number of days each month and that it can vary from 26 to 35 days. By way of further response, this practice is consistent with the Commission’s regulations. Section 56.2 of the regulations defines a billing month as being a period “of not less than 26 days and not more than 35 days,” except under specified circumstances that permit public utilities to bill for less than 26 or more than 35 days. Nothing in that provision requires a public utility to maintain a billing period with a constant number of days each billing month.

Answer ¶¶ 4a and 4b. (Footnotes omitted).

Thus, Respondent argued Complainant failed to allege a violation by PWSA of its tariff or a violation by PWSA of the Public Utility Code (Code), a Commission regulation, or a Commission order. For relief, Respondent requested that the Complaint be dismissed.

In its POs, Respondent argued, in part, that the Complaint was legally insufficient for the following reasons:

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<sup>2</sup> Respondent’s Answer is captioned “THE PITTSBURGH WATER AND SEWER AUTHORITY’S ANSWER AND NEW MATTER TO FORMAL COMPLAINT.” However, the filing does not contain a separate section titled New Matter, nor is there a Notice to Plead to New Matter. Thus, for clarity the filing is referred to as an Answer.

10. The material factual averments in the Complaint are that PWSA bills for water consumption in 1,000-gallon increments and that the Authority's billing period varies from 26 to 35 days. In the Complainant's opinion, which the Commission is not required to accept as true for purposes of preliminary objections, [footnote omitted] PWSA should either bill for consumption based upon each gallon used or implement a rounding method for billing. It is further the Complainant's opinion that PWSA should maintain a constant billing period each month.

11. Assuming for purposes of these Preliminary Objections that the material factual averments in the Complaint are true, they do not demonstrate a violation of the Public Utility Code, Commission regulations, or a Commission order.

12. PWSA's Commission-approved water tariff provides for the Authority to bill in 1,000-gallon increments. . . Section 1303 of the Public Utility Code requires public utilities to adhere to their tariffs. Further, the appellate courts in Pennsylvania have long and consistently held that tariffs have the force of law and are binding on both the utility and its customer. Therefore, it is not within PWSA's power to change its billing period that is set forth in a Commission-approved tariff.

13. The Commission's regulations define a billing month as being 26 to 35 days. Although the regulations permit variations from the 26- and 35-day billing periods, for specific reasons set forth therein, they do not require public utilities to maintain a constant number of days each billing month. Thus, a variation in the billing period of 26 to 35 days, for whatever reason, is consistent with the Commission's regulations.

14. As the Complainant has made no allegations that could lead to a finding that PWSA violated the Public Utility Code, Commission regulations or a Commission order, there is no reason for going to a hearing. Dismissal of the complaint would conserve valuable resources and promote judicial economy.

PO ¶¶ 10-14. (Footnotes omitted).

Respondent's POs contained a Notice to Plead. Complainant did not file a response.<sup>3</sup>

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<sup>3</sup> An answer to a preliminary objection may be filed within 10 days of date of service. 52 Pa. Code § 5.101(f)(1).

By Notice dated July 14, 2022, the Parties were informed that this case was assigned to Administrative Law Judge Conrad Johnson (ALJ Johnson) as the presiding officer.

### Interim Order on Preliminary Objections

On August 3, 2022, ALJ Johnson issued an Interim Order (First Interim Order), granting in part and denying in part Respondent's POs. ALJ Johnson granted Respondent's POs to the extent that the Commission's regulations authorize billing periods varying between 26 and 35 days. ALJ Johnson explained that under the Code, a billing month is defined as a period of not less than 26 days and not more than 35 days, except in certain circumstances, which do not apply to the Complaint. *See* 52 Pa. Code § 56.2. ALJ Johnson held that Respondent's billing periods did not constitute a violation of the Code, the Commission's regulations, or a Commission order, and dismissed those claims.

The First Interim Order denied Respondent's POs to the extent that Complainant was challenging the reasonableness of PWSA's tariff pertaining to billing in increments or blocks of 1,000 gallons of water consumption. ALJ Johnson explained that a utility's Commission-approved tariff is *prima facie* reasonable. However, a complainant may later challenge the tariff by establishing that the facts and circumstances have changed so drastically as to render the application of the tariff provision unreasonable. *Brockway Glass Co. v. Pa. Pub. Util. Comm'n*, 437 A.2d 1067 (Pa. Cmwlth. 1981) (*Brockway*); *see* First Interim Order at 6.

### The Hearing

By Notice dated August 3, 2022, the Commission scheduled this matter for an initial call-in telephonic hearing on September 14, 2022, at 10:00 a.m. On August 4, 2022, ALJ Johnson issued a Prehearing Order informing the parties about the procedures for the hearing.

The telephone hearing convened as scheduled. Complainant appeared, self-represented, and testified on his own behalf. Complainant did not offer any exhibits. PWSA was represented by Sarah C. Stoner, Esquire, who called one witness, PWSA's Director of

Consumer Services, Julie Mechling. PWSA's witness sponsored pre-marked Exhibits 1 through 8, which were admitted into the record.

The evidentiary hearing generated a 64-page transcript, which was filed with the Commission's Secretary's Bureau on October 7, 2022. The record was closed by an Interim Order issued on October 11, 2022.

On January 5, 2023, ALJ Johnson issued an Initial Decision (I.D.), which denied and dismissed the Complaint in this matter, ruling that Complainant did not meet his burden of establishing that Respondent's Commission-approved billing tariff was no longer reasonable or that the application of the existing billing tariff was applied unreasonably. I.D. at 1, 12-13. Complainant filed Exceptions to the I.D. on January 19, 2023. Respondent filed Replies to Exceptions on February 13, 2023.

By Opinion and Order issued on April 20, 2023, the Commission addressed the Exceptions and Reply Exceptions. It reasoned in part as follows:

Based upon examination of the billing data supplied by PWSA, we cannot agree with the ALJ that the Complainant has failed to carry his burden of proving PWSA's Commission-approved tariff is no longer reasonable or has been applied unreasonably. In order to conclude that the tariff is being applied reasonably, the facts of PWSA's billing method requires clarification as to why the Complainant's bills do not appear to match the tariff-approved billing method. PWSA testified that it was billing in accordance with its approved tariff. However, we cannot agree with PWSA's assertion based on Mr. Walia's bills. It appears as if Mr. Walia may not have been billed in accordance with the terms of the tariff.

Opinion and Order entered on April 20, 2023, at 14.

The Commission continued,

Mr. Walia testified, and we confirmed, that on PWSA's website, a sample residential bill has a water consumption charge that indicates billing is for every 1,000-gallon increment over the 1,000-gallon

minimum. Tr. at 22-23. Further, PWSA's witness, Ms. Mechling also testified that pursuant to PWSA's Commission-approved tariff, billing is for every 1,000-gallon increment over the 1,000-gallon minimum. Tr. at 39-42. Mr. Walia's bills do not seem to match this billing practice reflected in the sample bill on PWSA's website.

While PWSA testified that it billed in accordance with its tariff, Mr. Walia's bills for November 18, 2021 and February 17, 2022 do not appear to have been calculated in accordance with PWSA's Commission-approved tariff.

Therefore, we will remand the case to the OALJ for PWSA to review the customer's account, providing a refund to the customer, if necessary. PWSA shall also review its billing procedures to assure that its tariff is being correctly applied to the billing procedures.

*Id.* 17-18.

Accordingly, the Commission ordered as follows:

1. That the Exceptions of Mr. Tirlochan S. Walia, filed on January 19, 2023, to the Initial Decision of Administrative Law Judge Conrad A. Johnson, issued on January 5, 2023, at this docket, are granted, in part, and denied, in part, consistent with this Opinion and Order.

2. That the Initial Decision of Administrative Law Judge Conrad A. Johnson, issued on January 5, 2023, at this docket, is modified, consistent with this Opinion and Order.

3. That this proceeding at Docket No. F-2022-3032572 is remanded to the Office of Administrative Law Judge for clarification, and/or the receipt of additional evidence, as necessary, consistent with this Opinion and Order.

4. That at the conclusion of the remanded proceeding, the presiding Administrative Law Judge shall issue a subsequent Initial Decision, consistent with this Opinion and Order.

5. That the Parties may file Exceptions and Replies to Exceptions pertaining to the subsequent Initial Decision, consistent with the provisions of 52 Pa. Code §§ 5.533 and 5.535.

*Id.* 19-20.

On April 27, 2023, a Notice of Initial In-Person Hearing on Remand was served upon the Parties informing them that an Initial In-Person Hearing on Remand would convene before ALJ Johnson in the Commission's Pittsburgh office on June 7, 2023, at 10:00 a.m.

On April 28, 2023, ALJ Johnson issued a Prehearing Order, which reminded the Parties about the June 7, 2023, remand hearing and informed them about the procedures for the remand hearing.

On May 5, 2023, pursuant to Section 5.572 of the regulations of the Commission, 52 Pa.Code § 5.572, Respondent filed a Petition for Reconsideration (Petition) of the Commission's Order entered on April 20, 2023, and requested that the Commission adopt the Initial Decision entered in this proceeding and dismiss the Complaint.

On May 18, 2023, the Commission ruled as follows:

**IT IS ORDERED:** That the Petition for Reconsideration filed by the Pittsburgh Water and Sewer Authority on May 5, 2023, is hereby granted, pending further review of, and consideration on, the merits.

Opinion and Order entered May 18, 2023, at 3 (emphasis in original).

On May 19, 2023, ALJ Jonson issued an Interim Order cancelling the June 7, 2023, remand hearing and advising its scheduling would be held in abeyance pending the Commission's disposition of the Petition.

On June 1, 2023, the Commission issued a Notice cancelling the June 7, 2023, remand hearing.

On June 15, 2023, the Commission issued an Opinion and Order denying PWSA's Petition for Reconsideration. The Commission explained,

Upon review, we conclude that PWSA's arguments in its Petition are not new or novel, that we have thoroughly considered PWSA's arguments concerning the application of its tariff, and that our decision to remand the case to the OALJ is supported by substantial evidence in the record. There is a disconnect between what is prescribed in PWSA's tariff and Mr. Walia's account billing and/or what occurred for at least two months of Mr. Walia's recent billing. The Commission's questions regarding how PWSA applied its tariff to Mr. Walia's account billing are appropriate and necessary. The Commission is asking PWSA, by remand, to clarify why Mr. Walia's bills do not match the tariff. PWSA's arguments regarding the application of the tariff do not demonstrate a consideration that has not previously been heard or has been overlooked by the Commission. Thus, we shall decline to reconsider our April 2023 Order on this basis.

Order and Opinion entered June 15, 2023, at 15.

On June 28, 2023, Complainant filed correspondence with the Commission, providing further argument regarding the issues raised in his Complaint.

On June 7, 2023, Complainant filed correspondence with the Commission regarding PWSA's rate case then pending before the Commission at R-2023-3039920, *et al.* It is unclear from the Commission's online docket for the rate case whether Complainant's correspondence was docketed at the R-docket rate case or if it was only docketed at the instant C-docket complaint case.

On September 25, 2023, the Commission issued a Notice, scheduling an in-person remand hearing for November 30, 2023.

The remand hearing convened as scheduled. Complainant appeared self-represented and did not offer any exhibits. PWSA was again represented by Ms. Stoner who called one witness, Ms. Mechling. PWSA's witness sponsored pre-marked Exhibit 9, which was admitted into the record. Exhibit 9 is a record of meter readings for Complainant's residence for November 2021 and February 2022.

The remand hearing generated a 75-page transcript, which was filed with the Commission's Secretary's Bureau on December 21, 2023.

On March 24, 2025, the Commission issued a Judge Change Notice, reassigning this matter to me.

After review of the entire case record, I determined that the record was not sufficient such that I could render a written decision in response to the Commission's directive in its Opinion and Order entered on April 20, 2023. Therefore, on April 15, 2025, I issued an Interim Order directing PWSA to submit copies of all bills issued to Mr. Walia for service to 110 Denniston Street from September 1, 2021, to July 31, 2022, to me by email at [edevoe@pa.gov](mailto:edevoe@pa.gov) and to Mr. Walia by First-Class Mail. I explained that if Mr. Walia had any objection of these documents into the record, he should file his objection by May 7, 2025.

PWSA submitted the requested documents on April 24, 2025, and I have marked them as Exhibit ALJ 1.

On May 2, 2025, Mr. Walia filed correspondence with the Commission regarding the late-filed exhibits. He argues the documents are irrelevant to the issue of whether PWSA is billing him consistent with its tariff.

On June 11, 2025, I issued an Interim Order overruling Mr. Walia's objection to the admission of Exhibit ALJ 1 and admitting and attaching it into the record.

#### Positions of the Parties as Presented at the Hearing

Complainant contends that PWSA's practice of billing in blocks of 1,000 gallons for water has the "potential for inequity." Tr. 16. In support of his contention, Complainant submits following:

The way PWSA bills you is they use the actual – let’s say, for example, if I use 950 gallons in a month, then they will not adjust bill you on the bill – and bill me for the minimum amount and roll over the 950 gallons to the next billing period. And let’s say for the next billing period I use 1,200 gallons. So, 1,200 plus 950 would be 2,150. So, they’ll bill me in the next bill for an additional 2,000 gallons and carry over the other 150 in the next billing cycles.

Tr. 16-17. While PWSA would not stipulate to Mr. Walia’s methodology (Tr. 19), he contends that PWSA’s methodology of billing is meaningless and does not capture actual usage Tr. 23. He argues that each billing cycle should start at zero gallons of usage. Tr. 23-24. To support his argument, Mr. Walia gave the following hypothetical:

Let's say customer A, customer A had a consumption of 1,000 gallons in the first month. So, you'd be billed \$55.86.<sup>4</sup> In the second month it has a billing consumption of 1,000 gallons. You'd be billed \$55.86. For the two months, the total would be \$111.72. Now, customer B has a consumption of 999 gallons in first month. So as for the methodology, the bill would show consumption of zero and he would be billed at a minimum of \$46.13. In month number two, customer had a consumption of 1,001 gallons. So, 1,001 plus rolled-over 999 is 2,000. So, he would be billed for \$86.69. Total of \$132.82. That means all the old customers consumed 2,000 gallons during those two months, but customer B will be billed \$21.10 more.

Tr. 24-25. Continuing with his argument, Mr. Walia contends PWSA’s billing cycles should start at zero gallons rather than rolling over gallon increments under 1,000 gallons into the next billing cycle. *Id.*

PWSA maintains its “practice of billing in blocks of 1,000 gallons is dictated by our Commission-approved tariff.” Tr. 33. PWSA further maintains that its billing practice is reasonable and consistent with industry standards. *Id.*

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<sup>4</sup> In his hypothetical, Mr. Walia did not explain his calculation/assignment of the \$55.86 as the charge for a 1,000-gallon consumption or the assignment of \$46.13 as the minimum monthly charge. PWSA’s testimony and documentary evidence established that the minimum monthly charge is \$27.00 for 1,000 gallons or less of water consumption in a billing cycle. *See* Tr. 22, 36, 38; Exhibit 3.

PWSA's witness, Director of Consumer Services Julie Mechling, explained the authority's billing methodology:

And we do assess a minimum charge based on the meter size on the monthly bill. For a residential customer, such as the Complainant, we charge a \$27 per month minimum water and wastewater conveyance charge. And that covers zero to 1,000 gallons of water consumed. So, whether or not the customer actually uses a full thousand gallons, that minimum is charged on a monthly basis.

Thereafter, a consumption charge is assessed. And that is based on any usage over and above the first thousand gallons. So, when a customer uses a full thousand gallons over and above the minimum, they are then charged the charge per a thousand gallons.

Tr. 38-39. Ms. Mechling further explained as follows:

For example, a residential customer who consumed 2,005 gallons in a certain billing period, they will be charged the minimum charge and the charge for 1,000 gallons of water consumed. Because the customer has only consumed 5 gallons of the 1,000 gallons increment between 2,000 and 3,000 gallons, the customer is only charged for 1,000 gallons over the minimum.

Tr. 40. She noted that the additional five gallons would be carried over to the next billing cycle.

Tr. 39-40, 51.

Ms. Mechling also addressed Mr. Walia's alternative request that PWSA charge based upon rounding charges up or down to the nearest 1000 gallons of water consumption. According to Ms. Mechling rounding consumption is contrary to the industry standard and would result in PWSA undercharging and overcharging customers. Tr. 45. Ms. Mechling argued that rounding consumption is not in the public interest. *Id.*

Discussion

I have spent a *considerable* amount of time delving into PWSA’s billing practices in this case. In order to present a full, complete picture, I will provide a detailed analysis of my understanding of PWSA’s billing practices. **Please note that that this discussion does not reflect my opinion as to whether PWSA’s billing practices are consistent with its tariff as applied to Mr. Walia’s account.** I have questions PWSA must answer before I can come to a conclusion on that issue, which necessarily means the record is incomplete. This analysis is provided solely to demonstrate my understanding of PWSA’s billing practices so PWSA representatives can (1) correct my understanding if it is not correct and so they can (2) follow along with my thought process so they can answer the questions I have posed below.

Prior to September 24, 2021, Mr. Walia was receiving service at a different service location with meter x9740. On September 17, 2021, PWSA issued a bill for usage at the prior location under meter x9740. ALJ Ex. 1.

On September 24, 2021, Mr. Walia began service at the service location, with meter number x4648. PWSA Ex. 8.

On October 18, 2021, PWSA issued a bill for dates of service 9/14/2021-10/13/2021. Since this bill spans the period when Mr. Walia switched residences, this bill lists both meters, with usage data for meter x9740 for dates of service 9/14/2021-9/24/2021, and usage data for meter x4648 for dates of service 9/24/2021-10/13/2021. *See* Ex. ALJ 1. For purposes of this analysis, I am focusing solely on usage data for meter x4648. For meter x4648, the bill shows the following:

<b>Meter #: 0021134648</b>	<b>Type: Residential</b>		
Current:	0	10/13/2021	Actual (749.3 gallons)
Previous:	0	9/24/2021	Actual
Usage	0		

ALJ Ex. 1

According to PWSA’s meter read data, on 10/13/2021, Mr. Walia’s actual usage was 749.3 gallons. PWSW Ex. 8. I have included this number in the chart above in the right-most column.

Mr. Walia was billed PWSA’s minimum charge (\$27.27), and because the usage had not yet hit 1,000 gallons, PWSA did not charge a consumption charge for the usage on meter x4648. ALJ Ex. 1. Per Ms. Mechling, these 749.3 gallons carry over to the next billing cycle. Tr. 39-40, 51.

On November 18, 2021, PWSA issued a bill for dates of service 10/13/2021-11/15/2021. For meter x4648, the bill shows the following:

<b>Meter #:</b>	<b>0021134648</b>	<b>Type:</b>	<b>Residential</b>	
Current:	2,000	11/15/2021	Actual	(2,047.9 gallons)
Previous:	0	10/13/2021	Actual	(749.3 gallons)
Usage	2,000			(1,298.6 gallons)

According to PWSA’s meter read data, on 11/15/21, Mr. Walia’s actual meter read was 2,047.9. PWSA Ex. 8. From 10/13/2021 (the last date of the prior billing cycle) through 11/15/2021 (the last day of the current billing cycle), Mr. Walia actual usage was 1,298.6 gallons (2,047.9-749.3 = 1,298.6). PWSA Ex. 8.

Mr. Walia was billed PWSA’s minimum charge (\$27.27), as well as a consumption charge for 1,000 gallons (\$12.25). ALJ Ex. 1.

Analysis using what I believe is PWSA’s explanation: The bill is calculated using the following analysis: (1) a minimum charge is always applied, regardless of usage, and (2) a consumption charge is billed in increments of 1,000 gallons, each time usage hits a “new” 1,000 gallons. From PWSA’s perspective, and using PWSA’s explanation presented at the hearing, the bill is correct because the minimum charge is always billed, and Mr. Walia’s usage went from 0 gallons used as of 10/13/2021 to over 2,000 gallons used as of 11/15/2021. (Although the actual usage was 749.3 gallons on 10/13/21, PWSA counts it as “0” because it had not hit 1,000

gallons.) Since the minimum charge covers the first 1,000 gallons of usage, he is only charged for one 1,000 gallon increment (the usage between 1,000 gallons and 2,000 gallons). The “extra” 47.9 gallons above the 2,000 gallons billed carries over to the next billing cycle.

On December 16, 2021, PWSA issued a bill for dates of service 11/15/2021-12/13/2021. For meter x4648, the bill shows the following:

<b>Meter #:</b>	<b>0021134648</b>	<b>Type:</b>	<b>Residential</b>	
Current:	2,000	12/13/2021	Actual	(2,915.1 gallons)
Previous:	2,000	11/15/2021	Actual	(2,047.9 gallons)
Usage	0			(867.2 gallons)

According to PWSA’s meter read data, on 12/13/21, Mr. Walia’s actual meter read was 2,915.1. PWSA Ex. 8. From 11/15/2021 (the last date of the prior billing cycle) through 12/13/2021 (the last day of the current billing cycle), Mr. Walia actual usage was 867.2 gallons (2,915.1 – 2,047.9 = 867.2). PWSA Ex. 8.

Mr. Walia was only billed PWSA’s minimum charge (\$27.27). He was not billed a consumption charge. ALJ Ex. 1.

Analysis using what I believe is PWSA’s explanation: The bill is calculated using the following analysis: (1) a minimum charge is always applied, regardless of usage, and (2) a consumption charge is billed in increments of 1,000 gallons, each time usage hits a “new” 1,000 gallons. From PWSA’s perspective, and using PWSA’s explanation presented at the hearing, the bill is correct because the minimum charge is always billed, and Mr. Walia’s usage remained at 2,000 gallons between 11/15/2021 and 12/13/2021. Because the actual meter read as of December 13, 2021 had not yet hit 3,000 gallons, PWSA did not charge a new consumption charge. The 915.1 gallons unbilled since November 18, 2021, carries over to the next billing cycle.

On January 19, 2022, PWSA issued a bill for dates of service 12/13/2021-1/13/2022. For meter x4648, the bill shows the following:

<b>Meter #: 0021134648</b>	<b>Type: Residential</b>		
Current:	3,000	1/13/2022	Actual (3,994.9 gallons)
Previous:	2,000	12/13/2021	Actual (2,915.1 gallons)
Usage	1,000		(1,079.8 gallons)

According to PWSA’s meter read data, on 11/13/22, Mr. Walia’s actual meter read was 3,994.9. PWSA Ex. 8. From 12/13/2021 (the last date of the prior billing cycle) through 1/13/2022 (the last day of the current billing cycle), Mr. Walia actual usage was 1,079.8 gallons (3,994.9 – 2,915.2 = 1,079.8). PWSA Ex. 8.

Mr. Walia was only billed PWSA’s minimum charge (\$27.25).<sup>5</sup> He was not billed a consumption charge. ALJ Ex. 1.

Analysis using what I believe to be PWSA’s explanation: The bill is calculated using the following analysis: (1) a minimum charge is always applied, regardless of usage, and (2) a consumption charge is billed in increments of 1,000 gallons, each time usage hits a “new” 1,000 gallons. **I do not understand why Mr. Walia was not charged a consumption charge on this bill. Using what I understand to be PWSA’s explanation presented at the hearing, the bill correctly has a minimum charge billed because one is always billed, but I do not understand why Mr. Walia was not billed a consumption charge. Mr. Walia’s consumption went from 2,915.1 to 3,994.9. Presumably, he should have been billed a consumption charge for the 1,000 gallons between 2,000 gallons and 3,000 gallons.**

On February 17, 2022, PWSA issued a bill for dates of service 12/13/2021-1/13/2022. For meter x4648, the bill shows the following:

<b>Meter #: 0021134648</b>	<b>Type: Residential</b>		
Current:	5,000	2/14/2022	Actual (5,036.2 gallons)
Previous:	3,000	1/13/2022	Actual (3,994.9 gallons)
Usage	2,000		(1,041.3 gallons)

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<sup>5</sup> I do not understand why the minimum charge was \$27.25, rather than 27.27 charged the bill prior.

According to PWSA's meter read data, on 2/14/22, Mr. Walia's actual meter read was 5,036.2. PWSA Ex. 8. From 1/13/2022 (the last date of the prior billing cycle) through 2/13/2022 (the last day of the current billing cycle), Mr. Walia actual usage was 1,079.8 gallons ( $3,994.9 - 2,915.2 = 1,079.8$ ). PWSA Ex. 8.

Mr. Walia was only billed PWSA's minimum charge (\$27.25). He was not billed a consumption charge. ALJ Ex. 1.

Analysis using what I believe is PWSA's explanation: The bill is calculated using the following analysis: (1) a minimum charge is always applied, regardless of usage, and (2) a consumption charge is billed in increments of 1,000 gallons, each time usage hits a "new" 1,000 gallons. I do not understand why Mr. Walia was not billed a consumption charge. Mr. Walia's usage went from 3,994.9 to 5,036.2. **Presumably, he should have been billed a consumption charge for the 1,000 gallons between 3,000 gallons and 4,000 gallons (which perhaps should have been billed on the January bill (see above)) and the 1,000 gallons between 4,000 gallons and 5,000 gallons.**

I will stop my analysis here because of the questions and issues raised above. Unfortunately, it is necessary to schedule a further hearing to give PWSA an opportunity to address my understanding of its billing practices and provide further explanation. I simply do not have a sufficient understanding of PWSA's billing practices to render an Initial Decision on the issue of whether PWSA's billing practices were consistent with its tariff as I have been directed to do by the Commission.

THEREFORE,

IT IS ORDERED;

1. That a further hearing shall be scheduled in this matter.

2. That representatives from Pittsburgh Water and Sewer Authority shall be present at the further hearing and be prepared to walk me through a detailed analysis of the bills rendered to Mr. Walia and answer the questions I raised in my analysis above.

Date: July 31, 2025

\_\_\_\_\_/s/\_\_\_\_\_  
Emily I. DeVoe  
Administrative Law Judge

**F-2022-3032572 - TIROCHAN S WALIA v. THE PITTSBURGH WATER AND SEWER AUTHORITY**

TIRLOCHAN S. WALIA  
100 DENNISTON STREET APT 232  
PITTSBURGH PA 15206  
**412.362.2373**  
Service via USPS First Class Mail – July 31, 2025

SARAH C. STONER ESQUIRE  
ECKERT SEAMANS CHERIN & MELLOTT, LLC  
213 MARKET ST 8<sup>TH</sup> FLOOR  
HARRISBURG PA 17101  
**717.237.6036**  
**717.237.6026**  
[sstoner@eckertseamans.com](mailto:sstoner@eckertseamans.com)  
Served via eService – July 31, 2025  
*(Counsel for Pittsburgh Water and Sewer Authority)*

LAUREN M. BURGE ESQUIRE  
ECKERT SEAMANS CHERIN & MELLOTT LLC  
600 GRANT STREET 44TH FLOOR  
PITTSBURGH PA 15219  
**412.566.2146**  
**502.352.0691**  
[lburge@eckertseamans.com](mailto:lburge@eckertseamans.com)  
Served via eService – July 31, 2025  
*(Counsel for Pittsburgh Water and Sewer Authority)*