

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Janet Louise Martin,	:	
Complainant,	:	
	:	Docket No. C-2025-3052954
v.	:	Docket No. C-2025-3052956
	:	Docket No. C-2025-3052957
The Pittsburgh Water and Sewer Authority,	:	
Respondent.	:	

NOTICE TO PLEAD

Via U.S. Mail

To: Janet Louise Martin
2560 Centre Avenue
Pittsburgh, PA 15232

You are hereby notified that an Answer to the enclosed **Motion for Continuance** of The Pittsburgh Water and Sewer Authority (“Pittsburgh Water”) must be filed within 20 days of the date of service. All pleadings, such as a response to a Motion for Continuance, must be filed with the Secretary of the Pennsylvania Public Utility Commission with a copy served to counsel for the Authority and the Office of Administrative Law Judge.

File with:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120
<https://efiling.puc.pa.gov/Login>

With a copy to:

Conor D. Farley
Pittsburgh Water and Sewer Authority
1200 Penn Avenue
Pittsburgh, PA 15222
cfarley@pgh2o.com

Respectfully Submitted,

/s/ Conor D. Farley

Conor D. Farley
Pa. I.D. No. 328617

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**THE PITTSBURGH WATER AND SEWER AUTHORITY’S
MOTION FOR CONTINUANCE OF HEARING**

To: The Honorable Emily DeVoe:

Pursuant to the regulations of the Pennsylvania Public Utility Commission (“Commission” or “PUC”) at 52 Pa. Code § 1.15(b) and in accordance with the Prehearing Order dated June 25, 2025 issued by the Administrative Law Judge (“ALJ”), The Pittsburgh Water and Sewer Authority (“Pittsburgh Water”) submits this Motion for Continuance of the evidentiary hearing scheduled for August 13, 2025 regarding the Formal Complaints of Janet Louise Martin (“Ms. Martin” or “Complainant”). In support of this Motion, Pittsburgh Water avers as follows:

I. BACKGROUND

1. The Complainant a Formal Complaint¹ against Pittsburgh Water with the Commission, which were served on Pittsburgh Water on January 15, 2025. In the Complaint, Ms. Martin alleges

¹ The Formal Complaint checked boxes for “water,” “wastewater/sewer,” and “stormwater” which created the three case / docket numbers for this matter. Upon a Motion to Consolidate filed by Pittsburgh Water, arguing that the allegations in the Formal Complaint involve the same issues of facts and law, the Commission consolidated these matters on February 4, 2025.

that Pittsburgh Water improperly issued shutoff notices (for failure to provide access to the premises for meter maintenance) despite prior communication and documented attempts by Pittsburgh Water to access the meter as required. Complainant also claims that racial comments and trespassing occurred during interactions with Pittsburgh Water. Additionally, the Complainant raised concerns about stormwater charges including in the billing. Ms. Martin seeks relief by way of prevention of termination of water services, as well as additional relief to be granted from the Commission regarding the alleged conduct and service issues.

2. Pittsburgh Water filed an Answer to Formal Complaint on February 3, 2025 requesting that the complaint be dismissed, as Ms. Martin failed to provide necessary access for inspection, maintenance, or replacement of the water meter or associated equipment, as required under the tariff. Per Pittsburgh Water's Tariff, service can be terminated for refusing the Authority reasonable access to the property served for purposes of installing, inspecting, reading, maintaining, or removing meters, remote reading devices, or any associated equipment. The purpose of Pittsburgh Water gaining access to Complainant's water meter is to ensure that the water meter and/or equipment is/are functioning properly based on the reported meter readings of zero consumption. Further, with guidance from the PUC's Bureau of Consumer Services ("BCS"), Pittsburgh Water has followed protocol for termination of service for the property. Ms. Martin was advised that if she will not allow access to the meter, the water service will be shut until an appointment is scheduled to give Pittsburgh Water access to the water meter. Further, Pittsburgh Water maintains strict policies to ensure professional conduct by its employees and contractors, which are always enforced and adhered to. Pittsburgh Water is without knowledge of any of the allegations contained in the Formal Complaint related to this purported conduct and has demanded strict proof thereof. Lastly, The Complainants property is appropriately listed in the impervious

database for stormwater billing purposes, which accurately calculates charges based on 3,200 square feet of impervious surface.

3. A hearing is scheduled for **August 13, 2025** before the Honorable Emily DeVoe.

4. By this Motion, Pittsburgh Water now respectfully requests a continuance of the hearing due to witness unavailability.

5. Pittsburgh Water has attempted to reach the Complainant to confirm that she would be agreeable to the continuance; however, such calls have gone unanswered and her voicemail inbox is full, rendering the option of leaving a voicemail message impossible.²

I. APPLICABLE LEGAL STANDARDS

6. The Commission's Rules of Administrative Practice and Procedure permit parties to file requests for continuance of a hearing. Only for good cause shown will requests for continuance be considered. The request should be filed at least 5 days prior to the hearing date. 52 Pa. Code § 1.15(b).

7. Similarly, the Prehearing Order dated June 25, 2025 that was issued in the proceeding provides that a continuance may be requested if a party has a good reason, and that continuances will be granted only for good cause. The Prehearing Order further notes that to request a continuance, a party must submit a motion at least 5 days before the hearing, which includes the case name, case number and hearing date; the reason for the request; and an indication of whether the other party agrees to the request.

² Pittsburgh Water has also made multiple attempts to reach Complainant during the week of July 28, 2025 and again the week of August 4, 2025 to meet its pre-hearing obligations to confer on potential settlements. Those phone calls were also unanswered with no voicemail being possible. Pittsburgh Water does hope to have meaningful conferral with Complainant before the hearing.

III. REASON FOR REQUEST

8. On August 6, 2025, in the course of final review of exhibits and witness preparation, counsel for Pittsburgh Water determined that the appropriate witness for this hearing is Julie A. Mechling, Director of Customer Service, is unavailable to attend as a witness in this action, as she will be attending the Pittsburgh Water and Sewer Authority's 2025 Rate Filing public hearing (Docket Nos. R-2025-3055010 – Water; R-2025-3055011 – Wastewater; and R-2025-3055012 – Stormwater) during this date and time. Counsel for Pittsburgh Water considered substituting Brittany Schact, Deputy Director of Customer Service and/or Reginald Brown, PUC Compliance Manager, as witnesses for this matter – but both are also unavailable on August 13, 2025 for the same reason.

9. Due to the unavailability of Ms. Mechling, Ms. Schact, and Mr. Brown, Pittsburgh Water is unable to have any witness participate in the hearing on August 13, 2025, and due to the nature of the allegations in the Complaint, Pittsburgh Water the testimony of such a witness to be critical in defending against the Formal Complaint.

10. Counsel for Pittsburgh Water regrets that the conflict involving another PUC matter was not identified sooner but Pittsburgh Water is constrained to make this request for a continuance to ensure a proper defense in this proceeding.

11. Pittsburgh Water submits that the reason for the requested continuance establishes good cause (and the absence of bad faith) for the hearing to be rescheduled. Further, Pittsburgh Water notes that this request was made timely by filing more than five (5) days prior to the hearing date.

12. If the presiding officer is not inclined to continue the hearing upon Pittsburgh Water's Motion, Pittsburgh Water requests in the alternative that the hearing proceed on August 13, 2025, only for the purpose of having the Complainant present her case and that a subsequent hearing be

scheduled to permit Pittsburgh Water to present its witness(es).

CONCLUSION

WHEREFORE, The Pittsburgh Water and Sewer Authority respectfully requests that Administrative Law Judge Emily DeVoe grant this Motion for Continuance and grant such other relief that may be deemed appropriate.

Respectfully submitted,

/s/ Conor D. Farley

Conor D. Farley, Esquire (I.D. No. 328617)
Corporate Counsel for the
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Date: August 6, 2025

Verification

I, Conor D. Farley, am counsel for The Pittsburgh Water and Sewer Authority (“Pittsburgh Water”) and I hereby state that the facts set forth in the foregoing **Motion for Continuance** are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Respectfully submitted,

/s/ Conor D. Farley _____

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Date: August 6, 2025