BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Sean Petty, Complainant
v.
Community Utilities of Pennsylvania Inc., Respondent

Docket No.: C-2024-3052590

Complainant's Statement Regarding Settlement Outreach and Status Update

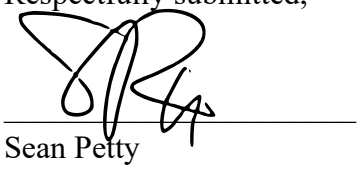
Complainant respectfully submits this statement to document that, in an effort to resolve this matter cooperatively, I contacted counsel for Community Utilities of Pennsylvania (CUPA) on two occasions — June 12 and June 25, 2025 — to propose a practical resolution in advance of the scheduled hearing.

I suggested a tariff supplement or other customer billing mechanism to address wastewater charges on water that does not enter the sewer system, modeled on approved provisions used by Aqua Pennsylvania and other Nexus Water Group subsidiaries.

On June 26, 2025, counsel for CUPA advised that, in light of a prior settlement approved by Commission oversight bureaus, CUPA is not presently in a position to discuss changes that would affect rate design before February 2026. The response addressed timing under that settlement and did not comment on the fairness or feasibility of a deduct-meter solution.

I remain willing to discuss resolution at any point, but I believe this filing is necessary to reflect Complainant's documented good faith efforts to avoid unnecessary litigation, and to clarify that the decision to proceed to hearing rests solely with Respondent.

Respectfully submitted,



Sean Petty
1220 Indian Trail Drive
Downingtown, PA 19335
484-294-6734
Dated: August 12, 2025

Exhibit A

Email to CUPA Counsel - June 12, 2025

SP **Sean Petty** June 12, 2025 at 6:30 PM

Sean Petty vs. Community Utilities

To: wes[redacted] ews[redacted]

Good evening Ms. Snyder and Mr. Struble,

I wanted to reach out directly to see if there might be an opportunity to resolve this matter without going through the full litigation and OALJ hearing process.

I acknowledge that we may see this tariff issue differently, but I truly believe there's a fair and practical path forward — something like a simple tariff supplement allowing for deduct meters — that could address the core concern without requiring a prolonged dispute. My core belief has always been that charging for wastewater service on water that never enters the sewer just doesn't align with common sense or customer reasonableness.

What's more, as I am sure you both well know, Aqua Pennsylvania and *several* others in the Commonwealth, already provide for deduct meters in approved tariffs, and similar provisions exist under Nexus Water Group subsidiaries in other parts of the country. That tells me this isn't an unusual, financially impractical, or operationally burdensome concept — just one that hasn't yet been implemented here in PA in the small area that CUPA serves.

To me, as a simple consumer and regulatory neophyte, this seems like an issue that the Commission sees merit in, or we wouldn't have a reversal and be headed for a formal hearing. I believe that CUPA has a real opportunity to take the lead here — and be seen as the utility that listened and responded reasonably, rather than having a change imposed through an order.

I'm not looking to create unnecessary conflict or pursue retroactive costs - at least not at this stage of the discussion - if we can work together toward something reasonable going forward. I'd genuinely prefer to resolve this constructively, if you're open to a conversation.

Please let me know if you'd be willing to connect. I think there's room here for a practical solution that benefits everyone.

Best,

Sean Petty

Exhibit B

Follow-up Email - June 25, 2025

SP **Sean Petty** June 25, 2025 at 7:57 PM

Re: Sean Petty vs. Community Utilities

To: wes[redacted] ewst[redacted]

Good evening Ms. Snyder and Mr. Struble,

I'm following up on my message from June 12 regarding a potential resolution to the pending tariff complaint. I haven't yet received a response and wanted to respectfully ask whether CUPA is open to discussing a practical path forward.

As I shared earlier, my intent has never been to make this more adversarial than necessary — I've simply been trying to raise what I believe is a very reasonable concern, one that the Commission itself has deemed worthy of formal review. I remain hopeful that we can have a constructive discussion that avoids the time and cost of litigation and leads to a resolution that reflects CUPA's commitment to fairness and responsiveness.

If the company is unwilling to engage in such a discussion, I understand — but I would appreciate a brief acknowledgment either way, so I can proceed accordingly.

Thank you for your time and consideration.

Best regards,

Sean Petty

1220 Indian Trail Drive

Downingtown, PA 19335

484-294-6734

Exhibit C
Response from CUPA Counsel - June 26, 2025

WS **Whitney Snyder** June 26, 2025 at 8:16 AM
RE: Sean Petty vs. Community Utilities
To: Sean Petty, Erich W. Struble

Mr. Petty,

Thank you for your email. As explained in CUPA's Answer and New Matter, the current tariff, rates, and rate design were agreed upon via a settlement between CUPA, the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate. To allow for deduct meters would require a redesign of these rates, which CUPA cannot propose at this time because it would violate the settlement agreement wherein CUPA agreed to utilize the settlement tariff, rates, and rate design therein.

The next time at which CUPA would propose a change to its rate design would be in the context of a future base rate increase case, which if it occurs, will not be filed prior to February 9, 2026 per the settlement.

Respectfully,
Whitney E. Snyder | Partner
HMS Legal LLP
501 [redacted]
Phon
http: