



Eckert Seamans Cherin & Mellott, LLC  
U.S. Steel Tower  
600 Grant Street, 44<sup>th</sup> Floor  
Pittsburgh, PA 15219

TEL: 412 566 6000  
FAX: 412 566 6099

Lauren M. Burge  
412.566.2146  
lburge@eckertseamans.com

October 2, 2025

**Via Electronic Filing**

Matthew L. Homsher, Secretary  
Pa. Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

RE: Tirlochan S. Walia v. The Pittsburgh Water and Sewer Authority;  
Docket No. F-2022-3032572

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Dear Secretary Homsher:

Enclosed for electronic filing please find The Pittsburgh Water and Sewer Authority's ("Pittsburgh Water") Main Brief in the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

/s/ *Lauren M. Burge*

Lauren M. Burge

Enclosures

cc: Certificate of Service w/enc.

**CERTIFICATE OF SERVICE**

I hereby certify that this day I served a copy of the enclosed **Main Brief** upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

**Via First Class Mail**

Tirlochan S. Walia  
100 Denniston Street, Apt. 232  
Pittsburgh, PA 15206

**Via Email**

Hon. Emily I. DeVoe  
Office of Administrative Law Judge  
Pennsylvania Public Utility Commission  
301 5<sup>th</sup> Avenue, Suite 220  
Pittsburgh, PA 15222  
[edevoe@pa.gov](mailto:edevoe@pa.gov)

Date: October 2, 2025

*/s/ Lauren M. Burge*

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Lauren M. Burge, Esquire

*Counsel for  
The Pittsburgh Water and Sewer Authority  
d/b/a Pittsburgh Water*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tirlochan S. Walia,	:	
	Complainant	:
	:	
v.	:	Docket No. F-2022-3032572
	:	
The Pittsburgh Water and Sewer	:	
Authority d/b/a Pittsburgh Water,	:	
	Respondent	

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**MAIN BRIEF OF  
THE PITTSBURGH WATER AND SEWER AUTHORITY  
D/B/A PITTSBURGH WATER**

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Lauren M. Burge, Esquire  
PA Attorney I.D. No. 311570  
Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street, 44<sup>th</sup> Floor  
Pittsburgh, PA 15219  
(412) 566-6000 (phone)  
(412) 566-6099 (fax)

Sarah C. Stoner, Esquire  
PA Attorney I.D. No. 313793  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street, 8th Floor  
Harrisburg, PA 17101  
(717) 237-6000 (phone)  
(717) 237-6019 (fax)

Date: October 2, 2025

*Attorneys for  
The Pittsburgh Water and Sewer Authority  
d/b/a Pittsburgh Water*

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## **I. INTRODUCTION**

Pursuant to the Interim Order dated September 25, 2025, The Pittsburgh Water and Sewer Authority d/b/a Pittsburgh Water (“Pittsburgh Water”) hereby submits this Main Brief in the above referenced proceeding.

Tirlochan Walia (“Complainant” or “Mr. Walia”) filed a Formal Complaint challenging Pittsburgh Water’s practice of billing in 1,000 gallon increments.<sup>1</sup> As described in the detailed Procedural History below, this matter was remanded to the Office of Administrative Law Judge for additional hearings to address how Pittsburgh Water’s practice of billing in 1,000-gallon increments is consistent with its Commission-approved tariff, and whether Mr. Walia’s bills – and specifically his November 18, 2021 and February 17, 2022 bills – were calculated consistent with Pittsburgh Water’s tariff.

Pittsburgh Water has presented detailed testimony in this proceeding explaining in-depth how its customer bills are calculated, how these calculations are made in compliance with its tariff, how Mr. Walia’s specific bills were calculated, and how Mr. Walia’s bills were consistent with the tariff. The record evidence in this proceeding clearly demonstrates that the Complainant was billed correctly and in compliance with the tariff. The record also shows that Pittsburgh Water’s bill calculation method itself complies with the tariff and is further based on industry standard practices. Notably, Pittsburgh Water’s tariff and customer bills have recently been reviewed in great detail in various proceedings since it first became subject to Commission jurisdiction in 2018, including through a Compliance Plan proceeding and in various base rate cases. Pittsburgh Water’s billing practices and Mr. Walia’s bills specifically are in compliance with Pittsburgh Water’s tariff as approved by the Commission and Commission orders and regulations.

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<sup>1</sup> Mr. Walia’s original complaint also challenged the varying length of Pittsburgh Water’s billing periods, but this claim was later dismissed as detailed in the Procedural History below.

As the Complainant, Mr. Walia has the burden of proving that Pittsburgh Water violated its tariff or laws, regulations or orders within the Commission’s jurisdiction. Mr. Walia has failed to prove any such violation and has not met his burden of proof. Therefore, Pittsburgh Water respectfully requests that this Complaint be dismissed in its entirety.

## II. BACKGROUND AND PROCEDURAL HISTORY

### A. Pittsburgh Water

Pittsburgh Water is a municipal authority. It is a “body corporate and politic,”<sup>2</sup> organized and existing under the Pennsylvania Municipality Authorities Act (“MAA”),<sup>3</sup> and is an independent agency of the Commonwealth.<sup>4</sup> Since 2018, Pittsburgh Water has been regulated as a public utility by the Commission.<sup>5</sup> Under Chapter 32 of the Public Utility Code,<sup>6</sup> the Commission

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<sup>2</sup> 53 Pa. C.S. § 5607(a).

<sup>3</sup> 53 Pa. C.S. § 5601, *et seq.*

<sup>4</sup> *Commonwealth v. Erie Metropolitan Transit Auth.*, 281 A.2d 882 (Pa. 1971) (“[t]his Court has consistently held that municipal authorities are not the creatures, agents, or representatives of the municipalities which organize them, but rather are ‘independent agencies of the Commonwealth, and part of its sovereignty,’” *quoting Whitemarsh Twp. Auth. v. Elwert*, 196 A.2d 843 (Pa. 1964)); *Application of Municipal Authority of Upper St. Clair Twp, Allegheny Township*, 184 A.2d 695 (Pa. 1962) (*citing Commonwealth ex rel. McCreary v. Major*, 22 A.2d 686 (Pa. 1941), it was held that a member of a board of a municipal authority created under the act of 1935 was a public official by reason of the fact that such entity is an independent agency of the Commonwealth and part of the sovereignty of the state); *Rhoads v. Lancaster Parking Auth.*, 520 A.2d 122, 126 (Pa. 1987) (“Municipal authorities are independent corporate agents of the Commonwealth, which exercise governmental, as well as private corporate power, in assisting the Commonwealth in meeting the needs of its citizens”); *Bristol Twp. Water Auth. v. Lower Bucks County Joint Mun. Auth.*, 567 A.2d 1110 1113, (Pa.Cmwlt. 1989) (“[h]owever, as noted above, an authority which has been incorporated under the Act becomes an independent Commonwealth agency not subject to the control of the incorporating township”); *White Rock Sewage Corp. v. PUC*, 578 A.2d 984, 987 (Pa.Cmwlt. 1990) (“[m]unicipal authorities are not creatures, agents, or representatives of municipalities, which organize them, but rather are independent agencies of the Commonwealth and a part of its sovereignty” *quoting Highland Sewer & Water Auth. v. Engelbach*, 220 A.2d 390 (Pa.Super. 1966); *Lehigh-Northampton Airport Auth. v. Lehigh County Bd. of Assessment Appeals*, 889 A.2d 1168, 1176 (Pa. 2005) (the “fundamental nature” of a municipal authority is that of “a corporate agency of the state, and not a child of a municipality”).

<sup>5</sup> *See* 66 Pa. C.S. §§ 102, 3201, 3202(a); *Implementation of Chapter 32 of the Public Utility Code*, Docket Nos. M-2018-2640802 (water) and M-2018-2640803 (wastewater), Final Implementation Order entered March 15, 2018 (“FIO”).

<sup>6</sup> 66 Pa. C.S. § 3201, *et seq.* On December 21, 2017, Governor Wolf signed Act 65 of 2017 into law whereby the Pennsylvania Public Utility Code was amended to add new language to 66 Pa. C.S. § 1301 and to add a new Chapter 32 consisting of Sections 3201 through 3209, 66 Pa. C.S. § 3201, *et seq.* (“Act 65” or “Chapter 32”).

has jurisdiction over the provision of water, wastewater conveyance, and stormwater service by Pittsburgh Water. Pittsburgh Water’s operations became subject to regulation by the Commission beginning on April 1, 2018, pursuant to Chapter 32.<sup>7</sup> Further, as a municipal authority, Pittsburgh Water has no shareholders, and its funds come from rates paid by its ratepayers.

**B. Procedural History**

Mr. Walia filed a Formal Complaint against Pittsburgh Water on May 9, 2022, alleging an “inequity” in two of the Authority’s billing practices: (1) that Pittsburgh Water bills for water service in blocks of 1,000-gallon increments of consumption; and (2) that Pittsburgh Water’s billing periods vary from 26 to 35 days. By way of relief, the Complainant sought to have Pittsburgh Water issue its bills on the basis of actual gallons of consumption within a given month and to use the same billing period each month.<sup>8</sup> Alternatively, Mr. Walia requested that Pittsburgh Water use a rounding approach so that 1,499 gallons would be billed as 1,000 gallons, while consumption between 1,500 and 2,499 gallons would be billed as 2,000 gallons, and so on. In making these requests, the Complainant acknowledged that they were in the nature of “equity” rather than “legality.”<sup>9</sup> Pittsburgh Water timely filed an Answer to the Formal Complaint on June 10, 2022, admitting that its billing practices are based on 1,000-gallon increments of water consumption and that its billing periods vary from 26 to 35 days. Further, Pittsburgh Water averred that its practice of billing in 1,000-gallon increments of water consumption is consistent with its Commission-approved tariff, which has the force and effect of law, and that the varying billing periods comply with the Commission’s regulations at 52 Pa. Code § 56.2.<sup>10</sup> Based upon these averments, Pittsburgh Water contended that the Complaint

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<sup>7</sup> 66 Pa. C.S. § 3202(a)(1); FIO at 6-8.

<sup>8</sup> Complaint at ¶ 4 and Exhibit 1.

<sup>9</sup> Complaint at ¶ 7.c.

<sup>10</sup> Answer at ¶ 4(a) and (b).

alleged no violations of the Public Utility Code, the Commission’s regulations, Pittsburgh Water’s tariff or a Commission order, and should therefore be dismissed.<sup>11</sup>

Simultaneously with the Answer, Pittsburgh Water also filed Preliminary Objections to the Formal Complaint. The Preliminary Objections were granted in part and denied in part by the Interim Order dated August 3, 2022. Specifically, the Interim Order: (1) granted Pittsburgh Water’s Preliminary Objections related to the billing periods because the Commission’s regulations specifically authorize billing periods varying between 26 and 35 days; and (2) denied Pittsburgh Water’s Preliminary Objections related to its practice of billing in 1,000-gallon increments.

An evidentiary hearing was held on September 14, 2022. The Complainant provided testimony regarding his concerns as to the equity of Pittsburgh Water billing in 1,000-gallon increments. Pittsburgh Water presented the testimony of Julie Mechling, Director of Customer Service, who described the practice of billing in 1,000-gallon increments of water consumption. Ms. Mechling further explained that this practice is consistent with Pittsburgh Water’s Commission-approved tariff, which it is legally required to follow, and that it would be a departure from that tariff to bill Mr. Walia on a rounding basis. She also noted that Pittsburgh Water’s practice of billing in 1,000-gallon increments is consistent with industry standards. Tr. 33, 39-41.

ALJ Conrad Johnson issued an Initial Decision (“ID”) on January 5, 2023 dismissing Mr. Walia’s Complaint on the basis that the Complainant failed to carry his burden of proving that Pittsburgh Water’s tariff provision, which establishes the practice of billing customers in increments of 1,000 gallons for water consumption, is unreasonable. Mr. Walia filed a letter on January 17, 2023, which the Commission treated as Exceptions. Pittsburgh Water subsequently filed Reply Exceptions on February 13, 2023.

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<sup>11</sup> Answer at ¶ 5.

By Order entered April 20, 2023, the Commission: (1) granted, in part, and denied, in part, Mr. Walia's Exceptions; (2) modified the ID; (3) reopened the record; and (4) remanded this proceeding to the Office of Administrative Law Judge for further hearings ("April 2023 Order"). Specifically, the April 2023 Order expressed concern that Mr. Walia's November 18, 2021 and February 17, 2022 bills may not have been calculated in accordance with Pittsburgh Water's tariff and stated that additional facts and clarification were necessary to determine if these bills were calculated consistently with the tariff. April 2023 Order at 14, 17-18.

On May 5, 2023, Pittsburgh Water filed a Petition for Reconsideration of the April 2023 Order. On June 15, 2023, the Commission issued an Opinion and Order denying the Petition for Reconsideration ("June 2023 Order").

The evidentiary hearing on remand was held in-person on November 30, 2023 before ALJ Johnson. Mr. Walia testified on his own behalf, and Pittsburgh Water presented the testimony of its Director of Customer Service, Julie Mechling. During this hearing, Pittsburgh Water addressed in detail how customer bills are calculated in 1,000-gallon increments, how this practice is consistent with its tariff, and how Mr. Walia's specific bills were calculated in compliance with the tariff.

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

On July 31, 2025, ALJ DeVoe issued an Interim Order Directing Further Hearing Be Scheduled ("July 2025 Interim Order"). The July 2025 Interim Order included a discussion of Mr. Walia's bills, questions regarding the bill calculations, and directed that a further hearing be scheduled to address these questions.

A further evidentiary hearing was held on September 11, 2025. Pittsburgh Water again presented the testimony of its Director of Customer Service, Julie Mechling. Ms. Mechling responded to the discussion and questions presented in the July 2025 Interim Order, clarifying any remaining concerns. Mr. Walia also appeared on his own behalf.

Pittsburgh Water now submits this Main Brief pursuant to the briefing schedule set in the Interim Order dated September 25, 2025.

### **III. LEGAL STANDARDS**

#### **A. Burden of Proof**

Mr. Walia has the burden of proof in this proceeding. As the proponent of a rule or order, the Complainant bears the burden of proof pursuant to Section 332(a) of the Public Utility Code.<sup>12</sup> To satisfy this burden, Mr. Walia must demonstrate that Pittsburgh Water violated either: (a) the Public Utility Code or another statute administered by the Commission; or (b) a regulation or order of the Commission.<sup>13</sup> This must be shown by a preponderance of the evidence.<sup>14</sup> Preponderance of the evidence means that the party with the burden of proof has presented evidence that is more convincing than that presented by the other party.<sup>15</sup>

In addition, the Commission’s decision must be supported by “substantial evidence,” which consists of evidence that a reasonable mind might accept as adequate to support a conclusion. A mere “trace of evidence or a suspicion of the existence of a fact” is insufficient.<sup>16</sup>

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<sup>12</sup> 66 Pa. C.S. § 332(a).

<sup>13</sup> *Patterson v. Bell Telephone Company of Pennsylvania*, 72 Pa. PUC 196 (1990).

<sup>14</sup> *Samuel J. Lansberry, Inc. v. PUC*, 578 A.2d 600 (Pa.Cmwlth. 1990) *alloc. den.*, 529 Pa. 654, 602 A.2d 863 (1992).

<sup>15</sup> *Se-Ling Hosiery, Inc. v. Margulies*, 364 Pa. 45, 70 A.2d 854 (1950).

<sup>16</sup> *Norfolk and Western Railway Co. v. PUC*, 489 Pa. 109, 413 A.2d 1037 (1980).

A customer cannot establish a case merely by stating his or her personal beliefs, since assertions, personal opinions or perceptions do not constitute evidence.<sup>17</sup>

## **B. Tariffs**

A tariff is a set of operating rules imposed by the Commission that each public utility must follow in order to provide service to its customers.<sup>18</sup> Each public utility must file a copy of its tariff with the Commission setting forth its rates, services, rules, regulations and practices so that the public may inspect its contents.<sup>19</sup> Public utility tariffs must be applied consistent with their language. Public utility tariffs have the force and effect of law and are binding on the public utility and its customers.<sup>20</sup>

Importantly, the Commission has no authority to allow a public utility to deviate from its tariff even where the Commission concludes it is in the public interest.<sup>21</sup> A public utility may not charge a rate other than the rates set forth in its tariff.<sup>22</sup>

## **IV. SUMMARY OF THE ARGUMENT**

Pittsburgh Water's practice of billing in 1,000-gallon increments is consistent with its tariff. In calculating a residential customer's bill, Pittsburgh Water assesses a minimum charge each month which includes a "minimum allowance" of the first 1,000 gallons of usage. This minimum charge is assessed each month, and the customer is then billed a consumption or

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<sup>17</sup> *Pennsylvania Bureau of Corrections v. City of Pittsburgh*, 532 A.2d 12 (Pa. 1987).

<sup>18</sup> *PPL Electric Utilities Corp. v. Pa. Pub. Util. Comm'n*, 912 A.2d 386 (Pa.Cmwlth. 2006).

<sup>19</sup> 66 Pa. C.S. § 1302; 52 Pa. Code § 53.25; *Philadelphia Suburban Water Co. v. Pa. Pub. Util. Comm'n*, 808 A.2d 1044 (Pa.Cmwlth. 2002).

<sup>20</sup> *Pennsylvania Electric Co. v. Pa. Pub. Util. Comm'n*, 663 A.2d 281 (Pa.Cmwlth. 1995).

<sup>21</sup> *Philadelphia Suburban Water Co. v. Pa. Pub. Util. Comm'n*, 808 A.2d 1044 (Pa.Cmwlth. 2002).

<sup>22</sup> 66 Pa. C.S. § 1303.

volumetric charge for each 1,000 gallons of usage over and above the minimum allowance. Importantly, Pittsburgh Water only bills for a 1,000-gallon increment when the meter reaches the next 1,000-gallon reading.

This billing method is consistent with Pittsburgh Water's tariff as approved by the Commission, and billing in 1,000-gallon increments is also an industry standard practice. In addition to its obligation to comply with the tariff, Pittsburgh Water is not able to bill for increments of less than 1,000 gallons due to technical limitations with thousands of older meters in its service territory which can only record usage in thousands of gallons. Further, any other method of calculating the customer bill in thousands of gallons would result in under- or over-billing customers, which would be unfair to both Pittsburgh Water and its customers, and inconsistent with the Public Utility Code.

Pittsburgh Water has provided detailed testimony showing that Mr. Walia's individual bills were calculated correctly and in compliance with the tariff. Specifically, the November 18, 2021 and February 17, 2022 bills, about which the Commission expressed concern, were both calculated correctly and in compliance with Pittsburgh Water's tariff.

For the reasons discussed herein, the Complainant has failed to carry his burden of proof to demonstrate that Pittsburgh Water has violated the Public Utility Code, the Commission's regulations, a Commission order, or Pittsburgh Water's Tariff. Therefore, Pittsburgh Water respectfully requests that the Complaint be dismissed.

## V. ARGUMENT

### A. Pittsburgh Water's Method of Calculating Customer Bills and Billing in 1,000 Gallon Increments Is Consistent with its Commission-Approved Tariff.

Pittsburgh Water billed Mr. Walia in a manner that is consistent with its Commission-approved tariff, and more broadly, Pittsburgh Water's overall method of calculating customer bills and billing in 1,000-gallon increments is consistent with its tariff.<sup>23</sup>

In calculating a residential customer's bill, Pittsburgh Water currently assesses a minimum charge each month. The minimum charge is assessed monthly regardless of usage, but importantly, **the minimum charge includes a minimum allowance of up to 1,000 gallons.** *See* Tr. 150-151, 171. As such, the first 1,000 gallons consumed by the customer during each billing period is reflected in the minimum charge. If the customer uses more than 1,000 gallons during a billing period, the customer is then billed a consumption charge for each 1,000 gallons over and above the minimum allowance. *See* Tr. 81-82, 150-151. If a customer uses less than 1,000 gallons during a billing period, the customer is only billed the minimum charge. **The customer is only billed for a 1,000-gallon increment at the volumetric rate when the meter rolls over to the next thousand gallons and the minimum usage of 1,000 gallon has been surpassed.**

#### 1. Example Bill Calculation

Pittsburgh Water witness Julie Mechling provided testimony describing this process through an example calculation. Tr. 82-83. In this example, the customer's starting meter reading at the beginning of the billing cycle is 1,500 gallons, and the meter reading at the end of the billing cycle is 3,100 gallons. In this example, the customer will be billed for 2,000 gallons of usage as described below:

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<sup>23</sup> *See* Pittsburgh Water Exhibit 3. A complete version of Pittsburgh Water's current water tariff is available at <https://www.pgh2o.com/about-us/rules-regulations>. *See also* Tr. 149, 171-172.

- With the starting meter reading of 1,500 gallons, the customer was previously billed for 1,000 gallons, but the remaining 500 gallons have not yet been billed as the meter has not yet rolled over to the next 1,000-gallon increment.
- During this billing cycle, the customer's meter ticks over the 2,000 gallons mark and then over the 3,000 gallons mark, resulting in the customer being billed for 2,000 gallons.
- Consistent with Pittsburgh Water's tariff, this customer will be billed the minimum charge, which includes the first 1,000 gallons as the minimum allowance, and then will be charged for the additional 1,000 gallons of consumption, for a total of 2,000 gallons.
- With the ending meter reading of 3,100 gallons, the remaining 100 gallons has not yet been billed as the meter has not rolled over the next 1,000 gallon mark. That usage will be factored into the next monthly bill.

Tr. 82-83.

To continue this example into the following month, the customer's starting meter reading at the beginning of the billing cycle is 3,100 gallons, and the meter reading at the end of the billing cycle is 4,900 gallons. In this example, the customer is only billed for 1,000 gallons of usage as described below:

- With the starting meter reading of 3,100 gallons, the remaining 100 gallons have not yet been billed as the meter has not yet rolled over to the next 1,000 gallons increment.
- During this billing cycle, the customer's meter ticks over the 4,000 gallons mark, resulting in the customer being billed for 1,000 gallons.
- Consistent with Pittsburgh Water's tariff, this customer will be billed the minimum charge, which includes the first 1,000 gallons as the minimum allowance. The customer

is not billed a consumption charge as the meter has not yet rolled over to the next 1,000 gallons.

- With the ending meter reading of 4,900 gallons, the remaining 900 gallons has not yet been billed as the meter has not rolled over the next 1,000 gallons mark. That usage will be factored into the next monthly bill.

Tr. 83.

As this example demonstrates, the customer is only billed for a 1,000-gallon increment when the meter rolls over to the next thousand gallons.

2. Pittsburgh Water’s Bill Calculation Method is Consistent with its Tariff

Pittsburgh Water’s method of billing in 1,000-gallon increments is consistent with its water tariff as approved by the Commission. *See* Pittsburgh Water Exhibit 3.

Part I, Section A, Paragraph 1 of the tariff describes the minimum charge. For a residential customer with a typical 5/8” meter, the tariff shows that the minimum charge includes a usage allowance of 1,000 gallons. Additionally, the minimum charge is described in the tariff as a “per month rate.”<sup>24</sup> In other words, the minimum charge is assessed each and every month and includes the first 1,000 gallons of usage.

Part I, Section A, Paragraph 2 of the tariff describes the consumption charge. The consumption charge is described in the tariff as a “Rate per 1000 Gals.” that “will apply for each 1,000 gallons above the Minimum Gallons for each meter size.”<sup>25</sup> In other words, this rate is applied per thousand gallons consumed beyond the initial 1,000-gallon minimum usage allowance.

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<sup>24</sup> Pittsburgh Water Exhibit 3; Pittsburgh Water Tariff Water – Pa. P.U.C. No. 1 at Page No. 8, *available at* <https://www.pgh2o.com/about-us/rules-regulations>. *See also* Tr. 88-89, 171.

<sup>25</sup> Pittsburgh Water Exhibit 3; Pittsburgh Water Tariff Water – Pa. P.U.C. No. 1 at Page No. 8, *available at* <https://www.pgh2o.com/about-us/rules-regulations>. *See also* Tr. 89-90, 172.

This rate is not necessarily applied each month but is only applied per thousand gallons after the minimum allowance.

Based on this tariff language, Pittsburgh Water is billing in accordance with its Commission-approved tariff by billing customers in 1,000-gallon increments, including the minimum usage based on the customer's meter size each month, and then the volumetric or consumption charge for usage above that minimum allowance. *See* Tr. 90, 172-173.

3. Pittsburgh Water Cannot Bill in Increments of Less Than 1,000 Gallons

Pittsburgh Water's practice of billing in 1,000-gallon increments is consistent with its tariff, but importantly, Pittsburgh Water also cannot bill in increments of less than 1,000 gallons due to technical limitations with the meters in its service territory. As Ms. Mechling explained, there are some newer meters that have been installed within Pittsburgh Water's service territory that may be able to read usage down to the tenth of a gallon. However, there are about 25,000 older meters still in service that can only transmit usage in 1,000-gallon increments. Pittsburgh Water cannot legally use different methods of calculating customer bills, and therefore its billing increments are limited by the technology used in the older meters. Tr. 83-84, 151-152.

As Ms. Mechling also explained, the practice of billing in 1,000-gallon increments is an industry standard practice. *See* Tr. 76, 84, 91, 149, 152, 168. A variety of water utilities regulated by the Commission bill in 1,000-gallon increments for some or all customers, including the following examples: City of Bethlehem, City of Lancaster, Columbia Water Company, Community Utilities of Pennsylvania, Hanover Municipal Water Works, Newtown Artesian Water Company, and York Water Company. Further, Pittsburgh Water's bills were closely reviewed and approved as part of its Compliance Plan proceeding<sup>26</sup> and in various base rate cases,

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<sup>26</sup> *See* Docket Nos. M-2018-2640802 and M-2018-2640803.

including by the Commission's Bureau of Consumer Services, the Office of Consumer Advocate, Pittsburgh United, and other interested parties. Tr. 168.

In addition to Pittsburgh Water's billing calculation being consistent with the tariff, if Pittsburgh Water were to use any other method of determining when a customer has used 1,000 gallons, it would invariably result in the customer being overbilled or underbilled. *See* Tr. 90-91. Consider, for example, if Pittsburgh Water simply subtracted the beginning meter reading from the ending meter reading in determining usage for billing purposes. Using an example from above, if the starting meter reading is 1,500 and the ending meter reading is 3,100, the difference between these two readings is 1,600 gallons. If Pittsburgh Water were to round down and bill for 1,000 gallons, the customer would be underbilled and Pittsburgh Water would never have the opportunity to bill for the additional 600 gallons. On the other hand, if Pittsburgh Water were to round up and bill for 2,000 gallons, the customer would be overbilled by 400 gallons. Pittsburgh Water's current method of only billing for each 1,000 gallons when the meter ticks over the next 1,000-gallon increment is the most fair and accurate manner of billing and avoids over- or under-billing customers.

Therefore, because Pittsburgh Water must bill in 1,000-gallon increments in order to comply with the tariff, and given the metering limitations described above, Pittsburgh Water's current approach is equitable, reasonable, and in compliance with the tariff.

#### 4. Proposed Future Rate Structure Changes

In its currently pending base rate case,<sup>27</sup> Pittsburgh Water has proposed a rate structure alteration that will change how its customer bills are calculated. As Ms. Mechling explained in her September 11, 2025 testimony, Pittsburgh Water has proposed as part of its rate case to replace

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<sup>27</sup> Docket Nos. R-2025-3055010 (water), R-2025-3055011 (wastewater), and R-2025-3055012 (stormwater).

the “minimum charge” with a “service charge,” which will no longer include a minimum allowance. If this proposal is approved, the minimum allowance would be removed beginning in Fiscal Year 2027 and all usage going forward would be billed as consumption charges. By proposing to implement this change in FY 2027, Pittsburgh Water is allowing time for customer education so customers can understand the change in how their Pittsburgh Water bill will be calculated. Tr. 167-169.

**B. The Complainant’s November 18, 2021 Bill is Correct as Issued.**

The Commission’s April 2023 Order requested additional facts and clarification to determine whether Mr. Walia’s November 18, 2021 bill was calculated consistent with Pittsburgh Water’s tariff. For the reasons discussed below, the Complainant’s November 18, 2021 bill was calculated in compliance with the tariff and is correct as issued.

A copy of Mr. Walia’s November 18, 2021 bill was provided as Pittsburgh Water Exhibit 4. This bill charges Mr. Walia for 2,000 gallons of water. His meter reading at the beginning of this billing period (beginning on October 13, 2021) was 749.3, and the meter reading at the end of the billing period (ending on November 15, 2021) was 2,047.9.<sup>28</sup> Pittsburgh Water Exhibit 9; Tr. 84-85. Mr. Walia’s November 2021 bill was calculated as follows:

- With the starting meter reading of 749.3, the customer had not previously been billed for this 749.3 gallons as the new meter had not yet reached a full 1,000 gallons.
- During this billing cycle, the customer’s meter ticked over the 1,000 gallons mark and then the 2,000 gallons mark, resulting in the customer being billed for 2,000 gallons.

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<sup>28</sup> Note that Mr. Walia’s meter for replaced on September 24, 2021 as part of Pittsburgh Water’s ongoing efforts to replace older meters throughout its service territory. This new meter allows for readings down to the tenth of a gallon. *See* Tr. 154-155.

- Consistent with Pittsburgh Water’s tariff, Mr. Walia was billed the minimum charge, which includes the first 1,000 gallons as the minimum allowance, and he was then charged for the additional 1,000 gallons of consumption, for a total of 2,000 gallons.
- With the ending meter reading of 2047.9 gallons, the remaining 47.9 gallons were not billed to Mr. Walia in his November 2021 bill, as the meter had not yet rolled over the next 1,000 gallons mark. That usage was factored into the following month’s bill.

Tr. 84-86, 157.

As shown in the November 18, 2021 bill, Mr. Walia was billed the then-applicable minimum charge of \$27.27 for the first 1,000 gallons (the minimum allowance, identified as the “Water Minimum” on the November 2021 bill), and then the volumetric rate of \$12.25 for the second 1,000 gallons. Pittsburgh Water Exhibit 4; Tr. 86.

For these reasons, Mr. Walia’s November 18, 2021 bill was calculated correctly and in compliance with Pittsburgh Water’s Commission-approved tariff.

**C. The Complainant’s February 17, 2022 Bill is Correct as Issued.**

The Commission’s April 2023 Order also requested additional facts and clarification to determine whether Mr. Walia’s February 17, 2022 bill was calculated consistent with Pittsburgh Water’s tariff. For the reasons discussed below, the Complainant’s February 17, 2022 bill was also calculated in compliance with the tariff and is correct as issued.

A copy of Mr. Walia’s February 17, 2022 bill was provided as Pittsburgh Water Exhibit 5. This bill charges Mr. Walia for 2,000 gallons of water. His meter reading at the beginning of this billing period (beginning on January 13, 2022) was 3,999.9, and the meter reading at the end of the billing period (ending on February 14, 2022) was 5,036.2. Pittsburgh Water Exhibit 9; Tr. 87, 163-166. Mr. Walia’s February 2022 bill was calculated as follows:

- With the starting meter reading of 3,999.9, the customer had not previously been billed for 999.9 gallons as the meter had not yet reached a full 1,000-gallon increment.
- During this billing cycle, the customer's meter ticked over the 4,000 gallons mark and then the 5,000 gallons mark, resulting in the customer being billed for 2,000 gallons.
- Consistent with Pittsburgh Water's tariff, Mr. Walia was billed the minimum charge, which includes the first 1,000 gallons as the minimum allowance, and he was then charged for the additional 1,000 gallons of consumption, for a total of 2,000 gallons.
- With the ending meter reading of 5,036.2 gallons, the remaining 36.2 gallons were not billed to Mr. Walia in his February 2022 bill, as the meter had not yet rolled over the next 1,000 gallon mark. That usage was factored into the following monthly bill.

Tr. 87-88, 163-166.

As shown in the February 17, 2022 bill, Mr. Walia was billed the then-applicable minimum charge of \$27.00 for the first 1,000 gallons (the minimum allowance, identified as the "Water Minimum" on the February 2021 bill), and then the volumetric rate of \$13.10 for the second 1,000 gallons. Pittsburgh Water Exhibit 4; Tr. 86.

For these reasons, Mr. Walia's February 17, 2022 bill was calculated correctly and in compliance with Pittsburgh Water's Commission-approved tariff.

**VI. CONCLUSION**

For the foregoing reasons, the Complainant has failed to meet his burden of proof to show that Pittsburgh Water has violated the Public Utility Code, Commission regulations or orders, or its Commission-approved tariff. Therefore, Pittsburgh Water respectfully requests that this Complaint be dismissed in its entirety.

Respectfully submitted,



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Lauren M. Burge, Esq. (PA Atty. I.D. 311570)  
Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street, 44<sup>th</sup> Floor  
Pittsburgh, PA 15219  
Phone: (412) 566-6000  
[lburge@eckertseamans.com](mailto:lburge@eckertseamans.com)

Sarah C. Stoner, Esq. (PA Atty. I.D. 313793)  
Eckert Seamans Cherin & Mellott, LLC  
213 Market St., 8th Fl.  
Harrisburg, PA 17101  
Phone: (717) 237-6000  
[sstoner@eckertseamans.com](mailto:sstoner@eckertseamans.com)

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*Attorneys for  
The Pittsburgh Water and Sewer Authority  
d/b/a Pittsburgh Water*