

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3055010 (water)
Office of Small Business Advocate	:	C-2025-3056056
Office of Consumer Advocate	:	C-2025-3055943

v.

The Pittsburgh Water and Sewer Authority

Pennsylvania Public Utility Commission	:	R-2025-3055011(wastewater)
Office of Small Business Advocate	:	C-2025-3056054
Office of Consumer Advocate	:	C-2025-3055944

v.

The Pittsburgh Water and Sewer Authority

Pennsylvania Public Utility Commission	:	R-2025-3055012 (stormwater)
Office of Small Business Advocate	:	C-2025-3056058
Office of Consumer Advocate	:	C-2025-3055942

v.

The Pittsburgh Water and Sewer Authority

Petition of the Pittsburgh Water and Sewer Authority for Authorization to Increase Water and Wastewater DSIC Charge Caps to 7.5%	:	P-2025-3055650 (water)
	:	P-2025-3055652 (wastewater)

Petition of the Pittsburgh Water and Sewer Authority for Waiver of Statutory Definition of Fully Projected Future Test Year	:	P-2025-3055587 (water)
	:	P-2025-3055588 (wastewater)
	:	P-2025-3055589 (stormwater)

INTERIM ORDER
SETTING ADDITIONAL REQUIREMENTS FOR HEARING AND BRIEFS

This Order addresses the various procedural matters, regarding the upcoming evidentiary hearings, the possibility of settlement and/or stipulations, and briefs.

ORDER

THEREFORE,

IT IS ORDERED:

Written Testimony/CSI

1. That any motions with respect to, or objections to, written testimony must be presented in writing no later than three days prior to the day that the witness sponsoring that testimony is scheduled to testify. Answers to such motions or objections may be filed no later than the day immediately preceding the day the witness is to testify. Oral objections or motions to strike testimony, other than for good cause, shall not be accepted.

2. That the parties should do their best to avoid the use of Confidential Security Information (CSI), as defined by 35 P.S. § 2141 *et seq.*, in this proceeding. Where possible, the parties should develop alternative means of introducing information into the record, such as joint stipulations or redaction when proposing testimony or exhibits. If the parties cannot avoid the use of CSI, the parties are to contact the undersigned in advance of any submission, and prior to the evidentiary hearing.

Briefs

3. That the parties must comply with 52 Pa. Code § 5.501, *et seq.*, regarding the preparation and filing of briefs. 52 Pa. Code § 5.501(e) requires that “[b]riefs shall be as concise as possible.” Parties must limit their main briefs to 75 pages and reply briefs to 50

pages. Proposed findings of fact, conclusions of law, proposed ordering paragraphs, and rate tables attached to the briefs and do not count towards the page limits. **The Presiding Officers will not read or consider any portion of any brief that exceeds the set page limit.**

4. That unless the hearing is cancelled, the parties shall, **by 4:30 p.m. on the last day of hearing**, submit to the Presiding Officers a common brief outline addressing the litigated issues, including headings, subheadings, etc., agreed to by all parties.¹ **All briefs, including headings, subheadings, etc., must be written pursuant to the outline submitted to the Presiding Officers.** If a brief does not completely conform to the outline submitted to the Presiding Officers, the Presiding Officers will not read or consider any portion of that brief. Parties are not required to address all issues and may choose to leave certain headings or subheadings blank, with a statement that the section is intentionally being left blank. Further, the parties are reminded of the directive in the Prehearing Order that they must use common abbreviations in their briefs.

5. Service of briefs must be made electronically by no later than 4:30 p.m. on the due dates. Parties are directed to serve by email a copy of all as-filed briefs to the Presiding Officers and copy the Presiding Officers' experts in ADOBE or other compatible PDF format in addition to a WORD-formatted document.

6. That all briefs, regardless of length, must contain:
- A. Font that is 13pt font in Times New Roman in both the body and footnotes;
 - B. Citations in footnotes at the bottom of the page, rather than embedded in the body of the brief;
 - C. A table of contents;
 - D. A history of the proceeding;
 - E. A discussion of the issues in the order of the common outline;

¹ The Office of Consumer Advocate submitted a proposed outline attached to its Prehearing Conference Memorandum as Appendix B that the parties may agree to adopt.

- F. Proposed findings of fact (with record citations to transcript pages or exhibits where supporting evidence appears);
- G. Proposed conclusions of law (with citations to supporting statutes, regulations or relevant case law); and
- H. Proposed ordering paragraphs specifically identifying the relief sought.

7. That all briefs are to comply with the “Instructions for Briefs” attached as Appendix A to this Order.

8. A party’s failure to follow these instructions in the smallest detail will result in non-consideration of that party’s position, regardless of where the record may support it or the position of any other party to this proceeding.

Settlement

9. That the parties are directed to confer amongst themselves in an attempt to resolve all or some of the issues associated with this proceeding. The parties are reminded it is the Commission’s policy to encourage settlements. 52 Pa. Code § 5.231(a). The parties are strongly urged to seriously explore this possibility. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, along with proposed findings of fact, proposed conclusions of law, and proposed ordering paragraphs, together with statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served on the Presiding Officers and the Presiding Officers’ experts.

10. That, in the event parties reach a full, unanimous settlement, they must notify the Presiding Officers as soon as possible, but no later than **12:00 noon on October 20, 2025**. The Presiding Officers will advise the parties on any page limits or additional requirements for their statements in support at that time. Further, the parties shall, by **4:30 p.m.**

on October 23, 2025, submit to the Presiding Officers a common brief outline addressing the settled issues, including headings, subheadings, etc., agreed to by all parties. All statements in support, including headings, subheadings, etc., must be written pursuant to the outline submitted to the Presiding Officers. If a statement in support does not completely conform to the outline submitted to the Presiding Officers, the Presiding Offices will not read or consider any portion of that statement in support. Parties are not required to address all issues and may choose to leave certain headings or subheadings blank, with a statement that the section is intentionally being left blank. Further, the parties are reminded of the directive in the Prehearing Order that they must use common abbreviations in their statements in support.

Modification

11. That any provision of this Order may be modified upon motion and good cause shown by any party in interest in accordance with 52 Pa. Code § 5.223(a).

Continued Compliance with the Prehearing Order and Amended Prehearing Order

12. That the parties shall comply with all portions of the Prehearing Order and Amended Prehearing Order not inconsistent with the instant Order.

13. That the parties shall immediately contact the Presiding Officers if they have any questions or concerns about compliance with this Order.

Date: October 7, 2025

/s/
Emily I. DeVoe
Administrative Law Judge

/s/
Ann Quimby
Administrative Law Judge

APPENDIX A

APPENDIX A
INSTRUCTIONS FOR BRIEFS

Each brief shall follow the general organization shown herein.

Adjustments contained in each brief shall:

- a. Be based on a specific test year, to be selected before the close of record;
- b. be complete and self-contained;
- c. include accurate reference to the appropriate record sources;
- d. be on a before-income-tax basis;
- e. be detailed to demonstrate the step-by-step calculation of that adjustment together with appropriate accurate record references;
- f. include concomitant rate base, revenue, expense, depreciation expense, and tax adjustments set forth, together with the details of their calculation;
- g. include with the brief those calculations which are the basis for proposed adjustments but which are incomplete on the record.

Tables showing all proposed rate base and income adjustments shall be submitted with each brief which includes such adjustments.

R-2025-3055010, C-2025-3056056, C-2025-3055943 – PENNSYLVANIA PUBLIC UTILITY COMMISSION, OFFICE OF SMALL BUSINESS ADVOCATE, OFFICE OF CONSUMER ADVOCATE v. THE PITTSBURGH WATER AND SEWER AUTHORITY (WATER); R-2025-3055011, C-2025-3056054, C-2025-3055944 - PENNSYLVANIA PUBLIC UTILITY COMMISSION, OFFICE OF SMALL BUSINESS ADVOCATE, OFFICE OF CONSUMER ADVOCATE v. THE PITTSBURGH WATER AND SEWER AUTHORITY (WASTEWATER); R-2025-3055012, C-2025-3056058, C-2025-3055942 - PENNSYLVANIA PUBLIC UTILITY COMMISSION, OFFICE OF SMALL BUSINESS ADVOCATE, OFFICE OF CONSUMER ADVOCATE v. THE PITTSBURGH WATER AND SEWER AUTHORITY (STORMWATER); P-2025-3055650 (WATER), P-2025-3055652 (WASTEWATER) PETITION OF THE PITTSBURGH WATER AND SEWER AUTHORITY FOR AUTHORIZATION TO INCREASE WATER AND WASTEWATER DSIC CHARGE CAPS TO 7.5%; P-2025-3055587 (WATER), P-2025-3055588 (WASTEWATER), P-2025-3055589 (STORMWATER) – PETITION OF THE PITTSBURGH WATER AND SEWER AUTHORITY FOR WAIVER OF STATUTORY DEFINITION OF FULLY PROJECTED FUTURE TEST YEAR

DEANNE M O'DELL ESQUIRE
DAN CLEARFIELD ESQUIRE
ECKERT SEAMANS CHERIN &
MELLOTT LLC
213 MARKET STREET 8TH FLOOR
HARRISBURG PA 17101
717.255.3744
717.237.7173
dodell@eckertseamans.com
dclearfield@eckertseamans.com
Served via eService – October 7, 2025
(Representing Pittsburgh Water & Sewer
Authority)

DARRYL A LAWRENCE
OFFICE OF CONSUMER ADVOCATE
FORUM PLACE
555 WALNUT STREET 5TH FLOOR
HARRISBURG PA 17101-1923
717.783.5048
dlawrence@paoca.org
Served via eService – October 7, 2025

STEVEN C GRAY ESQUIRE
REBECCA LYTTLE ESQUIRE
NAZAARAH SABREE ESQUIRE
OFFICE OF SMALL BUSINESS
ADVOCATE
FORUM PLACE
555 WALNUT STREET 1ST FLOOR
HARRISBURG PA 17101
717.783.2525
717.783.2525
717.783.2831
sgray@pa.gov
relyttle@pa.gov
ra-sba@pa.gov
Served via Email – October 7, 2025

SCOTT B GRANGER ESQUIRE
MICHAEL PODSKOCH ESQUIRE
PA PUC BUREAU OF INVESTIGATION
& ENFORCEMENT
400 NORTH STREET
SECOND FLOOR WEST
HARRISBURG PA 17120
717.425.7593
717.783.6151

sgranger@pa.gov
mpodskoch@pa.gov

Served via eService – October 7, 2025

JESSE EXILUS
CITY OF PITTSBURGH
414 GRANT STREET
SUITE 313
PITTSBURGH PA 15219
412.255.2010

jesse.exilus@pittsburghpa.gov

Served via eService and USPS First Class
Mail – October 7, 2025

RIA PEREIRA ESQUIRE
LAUREN BERMAN ESQUIRE
JOHN SWEET ESQUIRE
ELIZABETH R MARX
PA UTILITY LAW PROJECT
118 LOCUST STREET
HARRISBURG PA 17101
717.710.3825
717.710.3825
717.701.3837
717.236.9486

rpereira@pautilitylawproject.org
lberman@pautilitylawproject.org
jsweet@pautilitylawproject.org
emarx@pautilitylawproject.org

Served via eService – October 7, 2025
*(Representing Pittsburgh United Our Water
Table)*

MARC BILDER
5457 FORBES AVENUE
PITTSBURGH PA 15217
412.521.2622

mailojunko1@gmail.com

Served via Email and USPS First Class Mail
– October 7, 2025

LAUREN M BURGE ESQUIRE
ECKERT SEAMANS CHERIN &
MELLOTT LLC
600 GRANT STREET 44TH FLOOR
PITTSBURGH PA 15219
412.566.2146

lburge@eckertseamans.com

Served via eService – October 7, 2025
*(Representing Pittsburgh Water & Sewage
Authority)*

CHRISTY APPLEBY ESQUIRE
HARRISON WILLIAM BREITMAN
ESQUIRE
DAVID EVRARD ESQUIRE
KATHERINE M KENNEDY ESQUIRE
RYAN MORDEN ESQUIRE
OFFICE OF CONSUMER ADVOCATE
FORUM PLACE
555 WALNUT STREET 5TH FLOOR
HARRISBURG PA 17101-1923
717.783.5048
717.780.4536
717.780.4541
717.783.5048
717.783.5048

cappleby@paoca.org
hbreitman@paoca.org
devrard@paoca.org
kkennedy@paoca.org
rmorden@paoca.org

Served via eService – October 7, 2025

JESSICA BENHAM
PENNSYLVANIA HOUSE OF
REPRESENTATIVES 36TH LEGISLATIVE
DISTRICT
219 IRVIS OFFICE BUILDING
PO BOX 202036
HARRISBURG PA 17120
717.783.0411
repbenham@pahouse.net
Served via Email and USPS First Class Mail
– October 7, 2025

CARYN LENZ
1817 BADER STREET
PITTSBURGH PA 15212
412.720.3586
carynlenz@me.com
Served via Email and USPS First Class Mail
– October 7, 2025