

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Roxane Leaveck	:	
	:	
v.	:	C-2025-3054597
	:	
Aqua Pennsylvania, Inc.	:	

PREHEARING ORDER FOR IN-PERSON HEARING

AND NOW, this 15th day of October 2025, it is hereby ORDERED:

1. DATE AND TIME OF HEARING. An initial in-person hearing will be held in this case on:

Thursday, December 11, 2025, beginning at 11:00 AM

Location: **Hearing Room #4, Plaza Level
Keystone Building
400 North Street
Harrisburg, PA 17120**

2. CONFIRMATION OF IN-PERSON HEARING ATTENDANCE. In accordance with Ms. Leaveck’s prior written request, this matter has been scheduled for an in-person hearing. However, due to Ms. Leaveck failing to appear for the prehearing conference to confirm that she still wishes to have an in-person hearing, Ms. Leaveck is directed to file a written status report with the Commission’s Secretary Bureau on or before Monday, December 1, 2025 confirming that: (a) she still wishes to have an in-person hearing and (b) she intends to attend and participate in the scheduled in-person hearing. Ms. Leaveck shall serve this status report on both Margaret Morris, Esq. (mmorris@regerlaw.com), counsel for Aqua Pennsylvania, Inc. and the Presiding Officer (callenswor@pa.gov). Ms. Leaveck may serve this status report by email.

If Ms. Leaveck fails to file a status report confirming her desire for and intent on attending and participating in the in-person hearing scheduled for December 11, 2025, then the in-person hearing will be converted to a telephonic hearing to avoid unnecessary expenses to the parties.

3. FAILURE TO APPEAR. You must attend the hearing and present evidence on the issues raised in the pleadings. You may lose the case if you do not take part in this hearing and present evidence on the issues raised. Your case may be dismissed “with prejudice” which means that you will be barred from filing another complaint raising the same claim(s) and issue(s) presented in the dismissed complaint.

4. CONTINUANCES. You may request a continuance of the hearing if you have a good reason. Continuances will be granted only for good cause. To request a continuance, you must submit a written request (a “motion”) at least five (5) days before the hearing. Your motion should be served pursuant to paragraph 8B below. Your motion should include:

- (1) The case name, case number, and hearing date.
- (2) The reason you are requesting a continuation; and
- (3) State whether the other party(s) agrees to the request (or if you do not know).

5. WITNESSES. Witnesses must be present in-person at the time of the hearing unless otherwise specified by the Presiding Officer.

Aqua Pennsylvania, Inc. is permitted to present the testimony of Heather Harrison telephonically at the hearing scheduled for December 11, 2025 at 11:00 a.m. consistent with the provisions set forth in this Order. Ms. Harrison shall testify without the assistance of any other person and shall remain on the telephone until excused by the Presiding Officer. Aqua Pennsylvania, Inc. will still be required to establish the admissibility, relevance and competency of Ms. Harrison at the hearing.

If Ms. Leaveck wishes to have any witnesses testify telephonically, she must make that request in her status report or in a separate writing submitted on or before December 1, 2025.

For any witness that is permitted to testify telephonically, you must call into the hearing. You will not be called by the Presiding Officer.

To participate in the hearing:

- You must dial the toll-free Conference number below
- You must enter the PIN number below when instructed
- You must speak your name when prompted, and press #
- Then, the telephone system will connect you to the hearing

Toll-free Bridge Number: 888.537.9826

Passcode: 59951562

6. PRESENTING EXHIBITS. If you intend to present any documents or exhibits at the hearing, you must email one (1) copy to the Presiding Officer at callenswor@pa.gov and one (1) copy each must be sent to every other party pursuant to paragraph 8B below. All copies must be received at least five (5) business days before the hearing. Proposed exhibits should be properly pre-marked for identification purposes. **Do not include account numbers or any other personally identifiable information (PII), such as social security numbers, in your documents or exhibits. It is the parties' responsibility to redact any PII contained within a document or exhibit before submitting it into the record.** Do not file your proposed documents or exhibits with the Secretary's Bureau. However, you should file a Certificate of Service with the Secretary's Bureau indicating you sent the proposed documents or exhibits to every other party.

Note that attachments to your Complaint or Answer are not admitted into the record unless submitted separately. Please be sure to have all pre-served exhibits with you at the time of the hearing. This hearing may be your only opportunity to present evidence in support of your complaint.

If you do not have access to email, you must mail your proposed exhibits to me at the mailing address below (see paragraph No. 8), and to every other party at their mailing address (see Service List attached). All copies must be received at least five (5) business days before the hearing.

7. HEARING TOPICS. Only those issues in the Formal Complaint filed by Ms. Leaveck that fall within the Commission's jurisdiction will be addressed at the hearing. Issues raised in Ms. Leaveck's Formal Complaint and other filings such as the Quiet Title action and the Qui Tam doctrine will not be addressed.

8. FILING AND SERVING DOCUMENTS. When you file a document, you must provide the original to the PUC and serve a copy to the other party or parties. Instructions on how to file with the PUC and serve other parties are provided below.

A. FILING DOCUMENTS

(1) E-FILING. To file with the PUC, the PUC offers a free e-Filing Subscription Service. This service allows a user to file documents electronically and receive an automatic email notification whenever a document is added, removed, or changed on the PUC website in a specific case. For information and to subscribe to this service, visit the PUC's website at: <https://www.puc.pa.gov/filing-resources/efiling>

(2) PAPER FILING. If you do not have the capability to open and use an e-Filing account, you may file paper documents with the Secretary of the Commission. Filing of paper documents may be hand delivered or sent to:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

(3) CONFIDENTIAL MATERIAL. If a filing contains confidential or proprietary material, the filing should be submitted by overnight delivery to ensure arrival. Large filings containing confidential or proprietary material may also be

submitted through the Commission's Share Point File system. These filings should be followed by a hard copy with a flash drive or CD for the Commission's file. Filers should contact the Secretary's Bureau in advance to set up a Share Point File before submitting the filing.

B. SERVING DOCUMENTS

(1) SERVING OTHER PARTIES. When you file documents with the PUC, you must also serve a copy on the other party or parties. You may serve a copy by U.S. First-Class Mail or by hand. You may also serve a copy by eService or email, if the other party has agreed to electronic service. For your convenience, a copy of the PUC's current service list of all parties to this proceeding is enclosed with this Order.

(2) SERVING THE PRESIDING OFFICER. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of its filing. You must email one (1) copy to the Presiding Officer at callenswor@pa.gov.

If you do not have access to email, you must serve me by mail, addressed to:

Chad L. Allensworth
Administrative Law Judge
PA Public Utility Commission
400 North Street
Harrisburg, PA 17120

9. DOMESTIC VIOLENCE VICTIM. If you are a domestic violence victim and you want to be considered for protections that may be available to domestic violence victims, you must submit a copy of your Protection from Abuse (PFA) Order or other Court Order issued by a Pennsylvania court, which provides evidence that you are a domestic violence victim. You should mark this Order as "CONFIDENTIAL." In the case of these Orders, we will take precautions to ensure that your address is not made public.

10. REPRESENTATION. If you are an individual, you may represent yourself or you may have an attorney representing you. All others, including a partnership, corporation, limited liability company, trust, association, or governmental agency or subdivision, must be represented by an

attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*.¹ And, unless you are an attorney, you may not represent someone else.

11. BURDEN OF PROOF. The Complainant (the one filing the Complaint) bears the burden of proof and must present evidence sufficient to demonstrate that the utility has violated the Public Utility Code, or a regulation or order of the PUC.²

12. CONTACT INFORMATION. If your email address or telephone number changes during the course of the proceeding, you must immediately update the Office of Administrative Law Judge by calling 717.787.1399.

13. ACCOMMODATION. Any party who needs accommodation for a disability in order to participate in this hearing process may request one. Please call the PUC scheduling office at least five (5) business days prior to your hearing to submit your request.

If you require an interpreter to participate in the hearing, we will have an interpreter present. Please call the scheduling office at the PUC at least ten (10) business days prior to your hearing to submit your request.

Scheduling Office: 717-787-1399

TTY-based Telecommunications Relay Service number
for individuals with a hearing and/or speech impairment: 711

14. SETTLEMENT. The PUC's policy is to encourage settlements.³ The utility shall contact the Complainant at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached on all the issues, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

¹ 52 Pa. Code §§ 1.21, 1.22.

² 66 Pa.C.S. § 332(a).

³ 52 Pa. Code § 5.231(a).

15. PAYMENT ARRANGEMENT CASES. If you have requested a payment arrangement, you must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The “total gross monthly household income” includes, but is not limited to, the following: (a) the “before taxes or other deductions” pay from salaries, wages, tips or other compensation; (b) pension, retirement or social security benefits; (c) Supplemental Security Income (SSI); (d) unemployment compensation benefits; (e) workers’ compensation benefits; (f) alimony; and (g) any other source(s) of income.

The utility must prepare and submit the following documents at least five (5) business days before the hearing: (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less; (b) a copy of the most recent Bureau of Consumers Services (BCS) decision, if any; and (c) a brief summary of any payment arrangement(s) made between the utility and the customer.

The customer must make monthly payments for current usage on or before the billing due date while this complaint is pending. Failure to make payments may result in the utility terminating your service.

16. BILLING COMPLAINT. If you claim that there are incorrect charges on your utility bill, then you must be prepared to provide the dates that are important and an explanation about any amounts or charges that you believe are not correct.

17. VIOLATIONS. A finding of a violation of a PUC Order, regulation or statute may result in the imposition of a civil penalty consistent with 66 Pa.C.S. § 3301 or other provision of the Public Utility Code.

18. FURTHER INFORMATION. A guide to participating in a Formal Complaint proceeding is available on the PUC's website at: <https://www.puc.pa.gov/complaints/formal-complaints>

_____/s/
Chad L. Allensworth
Administrative Law Judge

C-2025-3054597 - ROXANE LEAVECK v. AQUA PENNSYLVANIA, INC.

ROXANE LEAVECK
25 NORTH TENTH STREET
KULPMONT PA 17834
570.802.7174

Served via USPS First-Class Mail on October 15, 2025

MARGARET MORRIS ESQUIRE
REGER RIZZO & DARNALL
CIRA CENTRE 13TH FL
2929 ARCH STREET
PHILADELPHIA PA 19104
215.495.6524

mmorris@regerlaw.com

Served via eService on October 15, 2025

(Counsel for Aqua Pennsylvania, Inc.)