

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sean Petty	:	
	:	
v.	:	C-2024-3052590
	:	
Community Utilities of Pennsylvania Inc.	:	

**ORDER REGARDING MOTION TO LODGE PUBLIC UTILITY COMMISSION’S
ORDER**

Introduction

In this proceeding, Community Utilities of Pennsylvania Inc. (“CUPA”) filed a Motion to Lodge Public Utility Commission’s Order (“Motion”). In its Motion, CUPA asks the undersigned to take notice of the Commission’s decision in *Jason Showers v. Community Utilities of Pennsylvania Inc.*, Docket No. F-2025-3052795 (Opinion and Order entered Oct. 9, 2025) (“*Showers*”). This Order provides Complainant Sean Petty until November 7, 2025, to answer or object to the Motion, i.e. show why the Commission’s decision in *Showers* should not be noticed, or considered, in this proceeding.

Abbreviated Procedural History

On December 18, 2024, Sean Petty filed a Formal Complaint against CUPA with the Commission. In his Complaint, Mr. Petty argued the following:

Following the approval of a new tariff, R-2023-3042804, which went into effect August, 2024, Community Utilities of Pennsylvania began billing for wastewater services using water usage data from Aqua PA. I have no objection to the new rate of the tariff. My issue is that the new tariff did not contemplate homeowners (or others) with in-ground irrigation systems. My monthly bill went from about \$75 per month to more than \$800

during August, September, and November when the irrigation system was being used. CUPA offered no alternative metering or other resolution despite numerous attempts.

Complaint, ¶ 4.

For relief, Mr. Petty stated the following:

I would request that the PUC modify the tariff or find that an alternative metering system should be available for irrigation systems. This should either be a “deduct” meter or a way to have Aqua PA meter the irrigation differently and prevent that from being reported to CUPA. I have no objection to paying an additional fee for the installation of an alternate meter.

Complaint, ¶ 5.

Also attached to the Complaint are three CUPA wastewater bills, with due dates of April 8, 2024, October 15, 2024, and December 11, 2024.

On January 7, 2025, CUPA filed an Answer with New Matter to the Complaint. In its Answer, CUPA admitted that it utilizes Mr. Petty’s Aqua Pennsylvania Inc.’s water bill volumes to calculate his wastewater charges. CUPA asserted that there is no legal basis for CUPA to provide an adjustment to Mr. Petty’s bill. In its New Matter CUPA asserted, among other things, that its tariff does not contain a provision that would allow it to utilize deduct meters. CUPA concluded its Answer with New Matter by requesting dismissal of the Complaint.

On August 19, 2025, an evidentiary hearing was held in this matter. Both parties were represented at the hearing and presented evidence in support of their positions.

On September 2, 2025, the Commission received the electronic transcript of the August 19, 2025, evidentiary hearing. The record closed on this date.

On October 20, 2025, CUPA filed its Motion, wherein it requested that the undersigned take notice of the Commission's decision in *Showers*.¹ In the Formal Complaint in *Showers*, Complainant Showers complained that he is being billed by CUPA for wastewater that does not go through CUPA's wastewater system or treated in CUPA's facilities, and therefore requested that the Commission order CUPA to offer a deduct metering program to its customers and for his account to be credited for the wastewater treatment billed but not rendered by CUPA. On August 18, 2025, Administrative Law Judge Eranda Vero issued her Initial Decision denying the Formal Complaint. The Initial Decision was adopted by the Commission October 9, 2025.

CUPA argued in its Motion that notice should be taken of the Commission's decision in *Showers* because Mr. Petty's allegations and request for relief are analogous to Complainant Showers' allegations and request for relief.

Discussion

The purpose of this Order is to provide Mr. Petty with an opportunity to respond to CUPA's Motion.² In the Ordering paragraphs below, Mr. Petty will be given until November 7, 2025, to answer or object to the Motion, i.e. show why the Commission's decision in *Showers* should not be noticed, or considered, in this proceeding.

ORDER

THEREFORE,

IT IS ORDERED:

¹ The Commission's regulations give Presiding Officers the authority to take into evidence public documents (52 Pa. Code § 5.406), records of other proceedings (52 Pa. Code § 5.407), and to take official or judicial notice of facts (52 Pa. Code § 5.408).

² (c) *Response to motions*. A party has 20 days from the date of service within which to answer or object to a motion, unless the period of time is otherwise fixed by the Commission or the presiding officer. 52 Pa. Code § 5.103(c).

1. That Sean Petty may file an answer or objection to Community Utility of Pennsylvania Inc.'s Motion to Lodge Public Utility Commission's Order, filed on October 20, 2025, by November 7, 2025.

Date: October 31, 2025

/s/
Alphonso Arnold III
Administrative Law Judge

**C-2024-3052590 - SEAN PETTY v. COMMUNITY UTILITIES OF PENNSYLVANIA
INC**

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