



MICHAEL D. GALLAGHER  
SEAN M. GALLAGHER

[www.gallagher.legal](http://www.gallagher.legal)

[attys@gallagher.legal](mailto:attys@gallagher.legal)

110 East Diamond Street, Suite 101  
Butler, Pennsylvania 16001  
Phone: 724-282-3141  
Fax: 724-282-7378

November 6, 2025

***(Via electronic filing)***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

***RE: Petroleum Valley Regional Water Authority v.  
East Brady Borough  
Complaint Docket No.: C-2024-3051609***

Dear Secretary Chiavetta:

Attached for electronic filing please find a Motion in Limine to Preclude Evidence Regarding Kaylor Mine No. 4 on behalf of Petroleum Valley Regional Water Authority regarding the above-captioned matter.

Copies have been served on the parties as indicated on the Certificate of Service.

Very truly yours,

*/s/ Michael D. Gallagher*

Michael D. Gallagher

MDG:mt  
Attachment

cc: Administrative Law Judge Jeffrey A. Watson *(Via email)*  
Amy R. Schrempf, Esquire *(Via email and Regular Mail)*  
Petroleum Valley Regional Water Authority  
Attn: Rayne Brothers, Secretary *(Via email)*

**COMMONWEALTH OF PENNSYLVANIA**  
**BEFORE THE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETROLEUM VALLEY  
REGIONAL WATER AUTHORITY

COMPLAINT DOCKET NO.:  
C-2024-3051609

Complainant,

v.

EAST BRADY BOROUGH,

Respondent.

**MOTION IN LIMINE TO PRECLUDE EVIDENCE  
REGARDING KAYLOR MINE NO. 4**

Filed on Behalf of Complainant:

**PETROLEUM VALLEY REGIONAL  
WATER AUTHORITY**

Counsel of Record for this Party:

Michael D. Gallagher, Esquire  
PA ID No. 59237

Sean M. Gallagher, Esquire  
PA ID No. 318872

GALLAGHER LAW GROUP  
110 East Diamond Street  
Butler, PA 16001-5999  
(724) 282-3141

COMMONWEALTH OF PENNSYLVANIA

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PETROLEUM VALLEY	:	COMPLAINT DOCKET NO.:
REGIONAL WATER AUTHORITY,	:	C-2024-3051609
	:	
Complainant,	:	
	:	
v.	:	
	:	
EAST BRADY BOROUGH,	:	
	:	
Respondent.	:	

**MOTION IN LIMINE TO PRECLUDE EVIDENCE REGARDING KAYLOR MINE NO. 4**

AND NOW, comes the Complainant, Petroleum Valley Regional Water Authority (hereinafter "PVRWA"), by and through its attorney, Gallagher Law Group and Michael D. Gallagher, Esquire, and files the herein Motion in Limine to Preclude Evidence Regarding Kaylor Mine No. 4 as follows:

1. A Complaint was filed by PVRWA with the PUC on October 10, 2024, averring that Respondent, East Brady Borough (hereinafter "EBB"), imposed a 118% rate increase on PVRWA on March 19, 2024, retroactive to March 2, 2024, which said rate increase was unreasonable and discriminatory and therefore invalid in contravention of 66 Pa. C.S. §§ 1301 and 1304 of the Pennsylvania Public Utility Code.
2. EBB filed Preliminary Objections on the basis of jurisdiction, which were dismissed by the Administrative Law Judge by Order dated December 31, 2024.
3. EBB filed an Answer which denied the material allegations on January 16, 2025.
4. Pre-hearing Motions, including Motions in Limine, are due on November 7, 2025, of which this Motion is timely filed.
5. PVRWA is currently working towards constructing a water source for its system, colloquially known as the Kaylor Mine No. 4, a mined-out limestone mine (hereinafter "Kaylor").

6. EBB knows about Kaylor and PVRWA's intent to cease purchasing water from EBB in the next 3-5 years, pending completion of Kaylor. As part of its discovery, EBB requested and received from PVRWA a copy of the recorded conveyance of Kaylor to PVRWA.

7. Kaylor has no relevance as to the reasonableness of EBB's rate increase of March 19, 2024.

8. Any evidence introduced regarding Kaylor would be prejudicial to PVRWA and has no probative value toward the ultimate issue before the PUC, whether the rate imposed by EBB on PVRWA is unreasonable, discriminatory and invalid.

WHEREFORE, showing these things, Complainant, Petroleum Valley Regional Water Authority, respectfully requests that no evidence regarding Kaylor Mine No. 4 can be presented by Respondent, East Brady Borough, or its witnesses.

Respectfully submitted,

GALLAGHER LAW GROUP

By: */s/ Michael D. Gallagher*  
Michael D. Gallagher, Esquire  
PA I.D. No. 59237

Sean M. Gallagher, Esquire  
PA I.D. No. 318827

*Solicitors for Complainant,  
Petroleum Valley Regional  
Water Authority*

110 East Diamond Street  
Butler, PA 16001  
(724) 282-3141

**COMMONWEALTH OF PENNSYLVANIA**  
**BEFORE THE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETROLEUM VALLEY	:	COMPLAINT DOCKET NO.:
REGIONAL WATER AUTHORITY,	:	C-2024-3051609
	:	
Complainant,	:	
	:	
v.	:	
	:	
EAST BRADY BOROUGH,	:	
	:	
Respondent.	:	

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2025, upon Complainant, Petroleum Valley Regional Water Authority's Motion in Limine to Preclude Evidence Regarding Kaylor Mine No. 4, said Motion is GRANTED. It is hereby Ordered that no evidence regarding Kaylor Mine No. 4 can be presented by Respondent, East Brady Borough, or its witnesses.

\_\_\_\_\_  
Jeffrey A. Watson,  
Administrative Law Judge

COMMONWEALTH OF PENNSYLVANIA

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PETROLEUM VALLEY	:	COMPLAINT DOCKET NO.:
REGIONAL WATER AUTHORITY,	:	C-2024-3051609
	:	
Complainant,	:	
	:	
v.	:	
	:	
EAST BRADY BOROUGH,	:	
	:	
Respondent.	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the following persons, in the manner indicated below on November 6, 2025:

Amy R. Schrempf, Esquire  
Solicitor for East Brady Borough  
Andrews & Price LLC  
1500 Ardmore Boulevard, Suite 506  
Pittsburgh, PA 15221  
*(Via email [aschrempf@andrewsandprice.com](mailto:aschrempf@andrewsandprice.com)  
and Regular Mail)*

*/s/ Michael D. Gallagher*  
Michael D. Gallagher, Esquire  
Sean M. Gallagher, Esquire