

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3057237
	:	C-2025-3057935
v.	:	C-2025-3057993
	:	C-2025-3058103
City of Lancaster - Bureau of Water	:	C-2025-3058728

SCHEDULING ORDER

This order addresses the various procedural matters discussed at the prehearing conference held on November 18, 2025, and provides directives for testimony, evidentiary hearings, briefs and settlement.

Procedural Background

On September 30, 2025, City of Lancaster – Bureau of Water (City or Lancaster) filed with the Pennsylvania Public Utility Commission (Commission or PUC) Supplement No. 49 to Tariff Water – PA P.U.C. No. 6 (Tariff) to become effective November 29, 2025. The City is requesting the Commission approve general rate increases to its water rates pursuant to Section 1308 of the Public Utility Code. The proposed tariff would increase the City’s total annual operating revenues for water service by \$7,005,217, or 20.1% overall,¹ based on a fully projected future test year (FPFTY) ending December 31, 2027.

On October 10, 2025, the Commission’s Bureau of Investigation & Enforcement (I&E) filed a Notice of Appearance. On October 10, 2025, the Office of Small Business Advocate (OSBA) filed a Formal Complaint and Public Statement. On October 12, 2025, the OSBA filed a Notice of Appearance. On October 23, 2025, James M. Blevins filed a Formal Complaint. On October 15, 2025, the OCA filed a Formal Complaint, Public Statement, and

¹ The proposed tariff would increase the City’s jurisdictional rates by 30.9% over existing rates.

Notice of Appearance. On November 20, 2025, Nicholas Cammauf filed a Formal Complaint. The four Formal Complaints were assigned the following docket numbers, respectively: C-2025-3057935, C-2025-3057993, C-2025-3058103 and C-2025-3058728.

On November 6, 2025, the Commission suspended the proposed Tariff by operation of law until June 29, 2026. The matter was assigned to the Office of Administrative Law Judge (OALJ) for Alternative Dispute Resolution, if possible, and for the prompt scheduling of such hearings as may be necessary to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in Supplement No. 49, in addition to the City's existing rates.

I was assigned as Presiding Officer and, on November 6, 2026, the Commission issued a Prehearing Conference Notice, scheduling a telephonic prehearing conference for November 18, 2025.

I issued a Prehearing Conference Order on November 6, 2025 establishing procedural rules for the prehearing conference, interventions, and initial requirements for service. I also directed that each party should file and serve a prehearing memorandum by November 17, 2025 at 12 p.m.

On November 4, 2025, the City filed a Petition for Protective Order, and I issued a Protective Order on November 7, 2025.

On November 17, 2025, prehearing memoranda were filed by the City, I&E, OCA and OSBA.

The initial prehearing conference was held as scheduled on November 18, 2025. Lancaster, I&E, OCA and OSBA were present and represented by counsel. The parties discussed a variety of matters detailed below.

Consolidation

At the prehearing conference, the complaints against the rate filings were formally consolidated without objection. Mr. Cammauf's complaint and any additional formal complaints will be deemed consolidated with the rate filing docket without further order pursuant to 52 Pa. Code §§ 5.32 and 5.61.

Participation

Any consumer complainant who wishes to participate as an active party must affirmatively indicate as such by email to all the parties. Affirming the intent to remain an active party in this proceeding means, among other things, that the consumer complainant will continue to receive all emails and correspondence in this case. If a consumer complainant does not affirm their intent to remain an active party in this proceeding, that consumer complainant will not receive all emails and correspondence in this case. However, those consumer complainants will remain on the Commission's official service list and will receive all documents issued by the Commission.

Petitions to intervene, if not untimely or otherwise defective on their face, shall be deemed granted if not objected to within seven (7) business days after filing. If objected to, such pleadings will be addressed by order.

Public Input Hearing Scheduling and Notice

During the prehearing conference, the OCA asked for a total of four public input hearings: two in-person public input hearings (day/evening) and two telephonic public input hearings (day/evening). The parties proposed to schedule the hearings on December 15 and 16, 2025 to provide enough lead time to publish newspaper notice and still allow the parties to submit a round of testimony responsive to the public input hearing testimony before the winter holidays.

Following further discussions between the parties, it was proposed to hold the in-person public input hearings at the Manheim Township Municipal Building because it is accessible, has ample and free parking, and the location is central to the City’s jurisdictional service area.

The Commission approved the request, the venue was confirmed, and, on November 26, 2025, the Commission issued a Public Input Hearing Notice, which provided information for participating in the four public input hearings.

On December 17, 2025, the Commission issued another notice, which scheduled in-person evidentiary hearings in the Keystone Building in Harrisburg, PA on January 26, 2026 and January 27, 2026, beginning at 10 a.m. each day.

The City was directed to publish notice in a newspaper of general circulation in its jurisdictional service territory and to provide notice of the public-input hearings on their respective websites, social media and other electronic means they use to communicate with customers and the public. When the affidavit of publication is available, the City is also directed to file proof of publication with the Commission.

Litigation Schedule

During the prehearing conference, I approved the litigation schedule agreed on by all parties and set forth below.

Public Input Hearings (in-person, 1 p.m. and 6 p.m.)	Monday, December 15, 2025
Public Input Hearings (telephonic, 1 p.m. and 6 p.m.)	Tuesday, December 16, 2025
Other Parties’ Direct Testimony	Wednesday, December 17, 2025
Other Parties’ Supplemental Direct Testimony Regarding Public Input Hearings	Tuesday, December 23, 2025
Rebuttal Testimony (all parties and all issues)	Thursday, January 8, 2026
Surrebuttal Testimony (all parties and all issues)	Tuesday, January 20, 2026
Written Rejoinder Outline (by noon)	Friday, January 23, 2026 (by 2 p.m.)

Evidentiary Hearings (in-person, 10 a.m.)	Monday, January 26, 2026 and Tuesday, January 27, 2026
Main Briefs	Thursday, February 26, 2026
Reply Briefs	Tuesday, March 17, 2026
End of Suspension	Monday, June 29, 2026

If possible, there will be a one-business day turnaround for transcripts for the public input hearings.

The City should address the public input hearing testimony in its rebuttal testimony. Likewise, any response by Lancaster to the other parties’ supplemental direct testimony regarding the public input hearings should be provided in the City’s rebuttal testimony.

It is noted that the parties plan to hold settlement conferences on January 5 and 15, 2026.

Pre-served testimony and exhibits

The parties are reminded of the Commission’s requirements for the preparation, service, and filing of written testimony. 52 Pa. Code § 5.412. Written testimony must be accompanied by all exhibits to which it relates.

The parties are directed to provide me with pre-served testimony in PDF and Word format on the date of service.

No written testimony will be admitted into evidence unless accompanied by a verification or affidavit of the witness. Further, no discovery responses will be admitted into evidence unless accompanied by the verification of the sponsoring witness.

All parties are directed to comply with the provisions of 52 Pa. Code § 5.243(e), which prohibits the introduction of evidence during rebuttal or surrebuttal that should have been

included in the case-in-chief or substantially varies from the case-in-chief, unless the evidence is introduced in support of a proposed settlement.

Confidential Security Information (CSI) as defined by 35 P.S. § 2141 *et seq.* should not be transmitted by email or other electronic means. The parties are to avoid introducing CSI into the record and should develop alternative means, such as joint stipulations or redaction when proposing testimony or exhibits. If there is no other alternative to establish a material fact other than by CSI, the parties are to contact me immediately and in advance of the evidentiary hearing.

Evidentiary hearings

Evidentiary hearings will be held in-person, in Harrisburg, and begin promptly at 10 a.m. The parties must confer before commencement of the hearing to schedule their witnesses to avoid “dead time.”

Proposed evidentiary exhibits, not already pre-served, must be emailed to me and all parties **by 10 a.m. on Friday, January 23, 2026**. This deadline does not apply to hearing exhibits related to rejoinder, which may be provided by the end of the hearing day that they are presented. All parties are encouraged to prepare and submit a hearing exhibit that inventories the written testimony and exhibits that the party seeks to move into the record.

No later than 10 a.m. on Friday, January 23, 2026, the City shall email a completed daily witness listing and cross-examination grid to me. Parties shall complete the daily witness listing and cross-examination grid as developed by the City.

If a partial settlement is achieved, the parties should be prepared to proceed on the first scheduled day of hearing to present evidence on the non-resolved issues. In the event a full settlement is achieved, the parties should notify me as soon as possible prior to the scheduled hearings. The parties must still plan on convening as scheduled on January 26, 2026.

Friendly cross-examination or cumulative cross-examination during hearings will not be permitted. 52 Pa. Code §§ 5.76; 5.243.

After the hearing, it is the responsibility of the parties to provide their admitted testimony and exhibits to the court reporter – in PDF format – for addition to the record. Questions regarding how to submit your testimony and exhibits should be directed to the court reporter. All materials must be clearly marked as public or confidential. All written testimony provided to the court reporter must be accompanied by a verification from the sponsoring witness(es). No testimony should be filed with the Secretary’s Bureau.

Failure to timely submit admitted testimony, exhibits and verifications to the court reporter may result in those testimonies and exhibits being excluded from the record. Exclusion from the record will preclude me from relying on the testimony and exhibits as part of my determination on the merits.

Briefs and reply briefs

The parties must comply with 52 Pa. Code §§ 5.501 and 5.502, regarding the preparation and filing of briefs, except as otherwise directed by me. Briefs must follow a common outline and include proposed findings of fact, conclusions of law and ordering paragraphs. Page limitations on briefs will be discussed on or before the last day of hearing.

Discovery Modifications

During the prehearing conference, the parties agreed to modifications to the Commission’s discovery rules. I adopted those modifications, as set forth below, effective for discovery issued on and after November 18, 2025. The parties will use best efforts to meet the shortened deadlines. Further, the parties agreed to use best efforts to propound discovery relating to the September 30, 2025 rate filing to the City before December 1, 2025.

A. Answers to written interrogatories and requests for document production, entry for inspection, or other purposes shall be served in-hand within ten (10) calendar days of service.

B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within three (3) calendar days of service of the interrogatories; unresolved objections shall be served in writing to the propounding party within five (5) calendar days of service of the interrogatories and/or requests for production.

C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within five (5) business days of service of written objections.

D. Answers to motions to dismiss objections and/or answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of such motions.

E. Requests for admissions will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.

F. Answers to on-the-record data requests shall be served in-hand within five (5) calendar days of the requests.

G. Any discovery or discovery-related pleadings (such as objections, motions, and answers to same) served after served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day before a holiday will be deemed to have been served on the next business day for purposes of calculating the due date for any responsive filing.

After rebuttal is served on January 8, 2026, the deadlines should be reduced as follows:

A. Answers to interrogatories and responses to requests for document production, entry for inspection, or other purposes shall be served within five (5) calendar days of service of the interrogatories or requests for production.

B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within two (2) calendar days of service; unresolved objections shall be served on the propounding party in writing within three (3) calendar days of service of the interrogatories and/or requests for production.

C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of written objections.

D. Answers to motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of such motions.

E. Requests for admission shall be deemed admitted unless answered or objected to within three (3) calendar days of service.

F. Discovery requests and discovery related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

Discovery disputes may be resolved via telephone conference with me, without need of a motion to compel, although the propounding party may choose to file a formal motion to compel. **In either case, counsel must certify their efforts to resolve their discovery disputes informally.** If that certification is not made, I will contact the parties and direct them to pursue informal discovery.

Service and Service List

Service by email, sent by 4:30 p.m., will satisfy the in-hand requirement and no follow-up hard copy is required. No hard copies should be served to me unless materials are not available electronically.

Specific requirements for pre-served testimony and exhibits are discussed above. Any motions, petitions, and answers filed in this matter should be emailed to me in PDF and Word formats.

In the prehearing conference order that was issued on November 6, 2025, I directed Lancaster to provide me with a Word version of its September 30, 2025 rate filing in native formats (Word/Excel). The City fulfilled that requirement on November 7, 2025.

Settlement and Stipulations

The parties are reminded it is the Commission's policy to encourage settlements. 52 Pa. Code § 5.231(a). Consistent with this policy, as noted above, the parties have scheduled two settlement conferences in January.

If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties, proposed findings of fact, proposed conclusions of law, and proposed ordering paragraphs, must be filed with the Secretary for the Commission and emailed to me no later than **December 10, 2025** (the deadline for main briefs). If the settlement is non-unanimous or does not resolve all issues, deadline(s) for responsive pleadings will be established.

The parties must agree on a common outline for statements in support, including headings and subheadings. Each party need not address every issue, but the issues that are addressed should be presented under the same headings and subheadings. Statements in support should be specific and explain the benefit of the settlement terms to your client beyond the savings of litigation time and expense.

As discussed above, if a partial or full settlement is achieved prior to the evidentiary hearings, the parties must still plan on convening in-person for hearings on January 26, 2025.

If settlement is not feasible, the parties are encouraged to stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve administrative hearing resources. 52 Pa. Code §§ 5.232 and 5.234. All stipulations entered into by the parties must be reduced to writing, signed by the parties to be bound thereby, and moved into the record during the hearing in this case. An exception to this requirement may occur when circumstances of time and expediency warrant. If so, an oral presentation of a stipulation is permissible, if it is followed by a reduction to writing.

Modification

Any of the provisions of this Scheduling Order may be modified upon motion and good cause shown by any party in interest.

Date: December 17, 2025

_____/s/
Erin L. Gannon
Administrative Law Judge

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