

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Bret Pfaff
vs.
Community Utilities of Pennsylvania, Inc.

Public Meeting of December 18, 2025
3053638-ALJ
Docket No. C-2025-3053638

STATEMENT OF VICE CHAIR KIMBERLY BARROW

Before us for disposition is a Formal Complaint (Complaint) filed by Mr. Bret Pfaff (Complainant or Mr. Pfaff) against Community Utilities of Pennsylvania, Inc. (CUPA or Company) alleging incorrect charges on his wastewater bills.

The Complainant argued that he has separate water and wastewater utility companies,¹ and is being billed for a large amount of water usage that was never treated by the wastewater system operated by CUPA.² The Complainant averred that his monthly bill went up from \$74 to \$344 during the summer due to outdoor usage that was not treated by CUPA's wastewater system. Tr. at 13-14, 18. Specifically, Mr. Pfaff averred that CUPA's current wastewater rate increase is not in line with the Commission-approved settlement and that the Company is charging wastewater rates for water that is not processed through its facilities. Tr. at 11-14.

As relief, the Complainant requests that the Commission investigate CUPA's newly implemented rate increase as well as the Company's new methods of billing wastewater customers based on "water-in" usage. The Complainant seeks a payment arrangement as well as a refund of any overcharges.

In response, CUPA disputed the Complainant's allegations stating there is no evidence that it violated a Commission Order, regulation or its Commission-approved tariff. CUPA maintained that its current tariff does not allow for consideration of deduct meters³ and that the rates being disputed by Mr. Pfaff were fully set forth in a Commission-approved settlement between CUPA, the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate in the Company's 2023 base rate case.⁴ Tr. at 47; CUPA Exhs. 1, 2, 7.

I agree with the ALJ's decision to dismiss the Complaint for failure of the Complainant to prove that CUPA violated its Commission-approved tariff. I.D. at 1, 9. I understand that CUPA's current wastewater rates are derived from the revenue requirement agreed upon by the settling

¹ Aqua Pennsylvania, Inc. (Aqua) provides water service for the Complainant. CUPA uses the water readings from Aqua to bill the Complainant for wastewater. Tr. at 11-14.

² Mr. Pfaff avers he is being charged for water usage during the Summer for irrigating his trees that do not go through CUPA's wastewater system or treated in CUPA's facilities. Tr. at 13-14.

³ Deduct meters are secondary meters owned and installed by customers to receive a wastewater billing deduction for the measured water consumption that is used but does not enter the Company's wastewater system.

⁴ See, *Pa. Pub. Util. Comm'n v. Cmty. Utils. of Pa., Inc.*, Docket No. R-2023-3042804 at 15-16 (Opinion and Order entered Aug. 1, 2024).

parties in the 2023 base rate case proceeding. Tr. at 47; CUPA Exhs. 1, 2, 7. However, the record is also clear that CUPA billed the Complainant for usage that did not pass through its wastewater system because of the absence of a deduct meter to account for such usage. Similar to my position in the *Marotto*⁵ and *Showers*⁶ cases, while I agree that CUPA's billing is in compliance with its tariff, I do not believe it is proper for a utility to charge a customer for service it did not provide. Therefore, I would like to use this medium to implore CUPA and other wastewater utilities with deduct meter usage customers to promptly address this issue by filing and obtaining approval for a deduct meter tariff from the Commission.

Further, I encourage Mr. Pfaff to participate in CUPA's next base rate case in order to address this deduct meter issue. Tr. at 45, 53-55.

December 18, 2025



Kimberly Barrow, Vice Chair

⁵ See, *Richard S. Marotto v. Aqua Pennsylvania Wastewater, Inc.*, Docket No. F-2024-3048888 (Initial Decision issued March 26, 2025) (*Marotto*).

⁶ See, *Jason Showers v. Community Utility of Pennsylvania, Inc.*, Docket No. C-2025-3052795 (Initial Decision issued August 18, 2025) (*Showers*).