



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

December 30, 2025

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Eddystone Borough
Docket No. C-2025-3058375
I&E Motion to Change Hearing Type to Telephonic

Dear Secretary Homsher:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion to Change Hearing Type in the above-referenced proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', is written over a light blue horizontal line.

Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

GR/ac
Enclosures

cc: Deputy Chief Administrative Law Judge Christopher P. Pell (*via email* – cpell@pa.gov)
Eric Ball, Legal Assistant (*via email* – erball@pa.gov)
Allison C. Kaster, Director, I&E (*via email* – akaster@pa.gov)
Carrie B. Wright, Deputy Chief Prosecutor, I&E (*via email* – carwright@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3058375
	:	
Eddystone Borough,	:	
Respondent	:	

NOTICE TO PLEAD

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) has filed a Motion to Change Hearing Type in the above-captioned matter, pursuant to the Commission’s regulations at 52 Pa. Code § 5.103. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with 52 Pa. Code § 5.61.

Your Answer must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Additionally, you must serve a copy on the undersigned prosecutor.



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
grosul@pa.gov

Dated: December 30, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3058375
	:	
Eddystone Borough,	:	
Respondent	:	

MOTION TO CHANGE HEARING TYPE TO TELEPHONIC

TO DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE CHRISTOPHER P. PELL:

Now comes the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorney, and files this Motion to Change Hearing Type to Telephonic (“Motion”) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E commenced this action on November 6, 2025, by filing a Formal Complaint.
2. The Formal Complaint alleged that Respondent violated the Underground Utility Line Protection Law, also known as the PA One Call Law, in that Respondent failed to respond to two emergency locate requests submitted by an excavator through the Pennsylvania One Call System, in violation of § 177(5)(vii) of the PA One Call Law, 73 P.S. § 177(5)(vii).
3. The Formal Complaint seeks a \$2,000 administrative penalty.
4. Respondent filed an Answer on November 26, 2025, denying the allegations raised by I&E and any violations of the PA One Call law.
5. On December 4, 2025, an Initial In Person Hearing Notice was issued, scheduling a hearing in this matter to be held in person in Philadelphia on Wednesday, January 28, 2025, at 10:00 am.
6. On December 5, 2025, a Prehearing Order was issued by the Presiding ALJ.

7. In the presentation of its case, I&E intends to call Sara Locke, Supervisor of the Damage Prevention Section of the Bureau of Investigation and Enforcement, (“Supervisor Locke”) as a witness.

8. Supervisor Locke is located in Harrisburg and works out of the Commission’s Harrisburg headquarters.

9. Undersigned counsel is located in Harrisburg and based out of the Commission’s Harrisburg office.

10. Although Respondent and Respondent’s counsel are based in Eddystone, Pennsylvania, and Norristown, Pennsylvania, respectively, they would still need to travel to downtown Philadelphia for an in-person hearing.

11. The trip from Harrisburg to Philadelphia is approximately 2 hours one way. Given the timing of the January 28, 2026, hearing, it is necessary for undersigned counsel to travel overnight for the hearing if it is held in person in Philadelphia.

12. The Commonwealth will be responsible for paying the salaries of undersigned counsel and Supervisor Locke while they travel in addition to their travel expenses, lodging, and meals.

13. Holding the January 28, 2026, hearing in-person in Philadelphia would require at least two hours for travel to Philadelphia on the day before the hearing and a full day to conduct the hearing and return to Harrisburg for undersigned counsel and Supervisor Locke.

14. In contrast, holding the hearing telephonically would require no more than one to two hours of Commission staff time and no travel expenses.

15. In light of the burden placed on the parties, I&E respectfully requests that the January 28, 2026, hearing be re-designated as a telephonic hearing for the convenience of the parties, the witnesses, and in the name of conserving the Commission’s resources and staff time.

16. I&E contacted Respondent's counsel via email on December 18, 2025.

17. I&E intended to discuss with Respondent's counsel the contents of the instant motion to hold the hearing telephonically as well as the potential to settle this matter prior to the hearing.

18. On December 18, 2025, Respondent's counsel stated to the undersigned prosecutor that Respondent's current counsel may be withdrawing his appearance in this case and would not represent Respondent at the January 28, 2026, hearing. Therefore, Respondent's counsel expressed no opinion on either settling this matter or converting the hearing type to a telephonic hearing.¹

19. Pursuant to 52 Pa. Code § 5.483(a), a presiding officer has the authority to regulate the course of the proceeding.

WHEREFORE, I&E respectfully requests that the presiding officer grant I&E's Motion to Change Hearing Type to Telephonic for the January 28, 2026, hearing.

Respectfully submitted,



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
grosul@pa.gov

Date: December 30, 2025

¹ Until a Withdrawal of Appearance is filed, I&E will continue to serve Respondent's current counsel in this matter. However, because I&E has been informed that the case file has been turned over to the Borough Manager, to ensure that Respondent is fully apprised of this Motion I&E will also serve it on Respondent directly.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3058375
	:	
Eddystone Borough,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Motion to Change Hearing Type**, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served via Electronic and First-Class Mail

Eddystone Borough
Attn: Jennifer Hoff, Borough Manager
1300 East 12th Street
Eddystone, PA 19022

Timothy E. Possenti, Esq.
Van der Veen Hartshorn Levin & Lindheim
411 Cherry St.
Norristown, PA 19401
TEPEsq@gmail.com
Counsel for Eddystone Borough



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Dated: December 30, 2025