

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3057983
Office of Consumer Advocate	:	C-2025-3058806
Office of Small Business Advocate	:	C-2025-3058770
Rik Bhattacharyya	:	C-2025-3058701
Curran Mitchell	:	C-2025-3058705
Michael Leone	:	C-2025-3058733
Zachary Bugay	:	C-2025-3058769
Mary Naydan	:	C-2025-3058792
Brian Dugas	:	C-2025-3058818
David R. Hurlbrink	:	C-2025-3058843
Patricia A. Finley	:	C-2025-3058864
Connie Horhut	:	C-2025-3058873
William Balint	:	C-2025-3058984
Jay S. Croft	:	C-2025-3059030
Brooke Birckbichler	:	C-2025-3059057
Marc Wills and Angelia Koser	:	C-2025-3059143
Neil Allen Brown	:	C-2025-3059169
David and Lynn Griffith	:	C-2025-3059162
Jeffrey Reichart	:	C-2025-3059136
Keith Sauer	:	C-2025-3059144
CAUSE-PA	:	C-2025-3059141
Karen W. Harris	:	C-2025-3059042
Deanna Pilkerton	:	C-2025-3059154
Angela McCloy	:	C-2025-3059209
Paul Heiken	:	C-2025-3059211
John Arty	:	C-2025-3059254
Kevin Clinebell	:	C-2025-3059159
James C. Davies	:	C-2025-3059113
Christopher Cappuccitti	:	C-2025-3059093
Carolann Hunt	:	C-2025-3059080
David Dubos	:	C-2025-3059090
Ralf Neckien	:	C-2025-3059089
Amy Stalnecker	:	C-2025-3059188
Paul Walaski	:	C-2025-3059341
Mary Tanealian	:	C-2025-3059342
Scott Retalla	:	C-2025-3059302
Kathleen Schwartz	:	C-2025-3059350
Amanda Johnsen	:	C-2025-3059381
Larry and Irene Mistik	:	C-2025-3059421
Tacy M. Rutherford	:	C-2025-3059426
Felipe Ortiz	:	C-2025-3059452
Grace Nucciarone	:	C-2025-3059484

Violet B. Kern	:	C-2025-3059446
Jayne Fitzpatrick	:	C-2025-3059490
Mark Schlosser	:	C-2025-3059494
Thomas Ziman	:	C-2025-3059499
Wayne W. Hedrick	:	C-2025-3059501
Amity Township Board of Supervisors	:	C-2025-3059538
John Erbiecella	:	C-2025-3059507
John Messina	:	C-2025-3059527
Robert and Patricia Boni	:	C-2026-3059592
James B. Dworchak	:	C-2026-3059603
John P. Dolekary	:	C-2026-3059574
Dazhe Wang	:	C-2026-3059556
	:	
v.	:	
	:	
Pennsylvania-American Water Company	:	

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3058051
Office of Consumer Advocate	:	C-2025-3058810
Office of Small Business Advocate	:	C-2025-3058771
Curran Mitchell	:	C-2025-3058707
Elaine L. Bowman	:	C-2025-3058815
Joel Jackson	:	C-2025-3059064
Patricia A. Finley	:	C-2025-3058826
David R. Hurlbrink	:	C-2025-3058845
Jay S. Croft	:	C-2025-3059031
Brooke Birckbichler	:	C-2025-3059053
Marc Wills and Angelia Koser	:	C-2025-3059417
Neil Allen Brown	:	C-2025-3059170
David and Lynn Griffith	:	C-2025-3059165
Jeffrey Reichart	:	C-2025-3059137
Keith Sauer	:	C-2025-3059146
CAUSE-PA	:	C-2025-3059142
Karen W. Harris	:	C-2025-3059048
Deanna Pilkerton	:	C-2025-3059172
Angela McCloy	:	C-2025-3059213
Paul Heiken	:	C-2025-3059212
John Arty	:	C-2025-3059250
Christopher Cappuccitti	:	C-2025-3059094

Carolann Hunt	:	C-2025-3059087
Ralf Neckien	:	C-2025-3059117
Linda Allison	:	C-2025-3059122
Amy Stalnecker	:	C-2025-3059189
Theresa McGee	:	C-2025-3059334
Mary Tanealian	:	C-2025-3059295
Kathleen Schwartz	:	C-2025-3059353
Amanda Johnsen	:	C-2025-3059377
Larry and Irene Mistick	:	C-2025-3059447
James Lyle	:	C-2025-3059442
Wayne W. Hedrick	:	C-2025-3059502
Mark Schlosser	:	C-2025-3059492
John Erbicella	:	C-2025-3059508
John Messina	:	C-2025-3059528
Robert and Patricia Boni	:	C-2026-3059593
Stephen M. Citrullo	:	C-2026-3059602
	:	
v.	:	
	:	
Pennsylvania-American Water Company	:	
Wastewater Division	:	

**PROTECTIVE ORDER**

On December 11, 2025, the Company filed a Motion For Protective Order in these proceedings.

A telephone Prehearing Conference was convened as scheduled on Friday, December 12, 2025, at 10:00 a.m. The Company, OCA, OSBA, I&E, CAUSE-PA participated and were represented by Counsel. Individual Complainant Joel Jackson also participated, without counsel.

At the conference, the parties agreed that any objections to the Motion for Protective would be filed by the close of business on Tuesday, December 16, 2025.

On December 12, 2025, subsequent to the Prehearing Conference, counsel for OCA advised the presiding officers that, with regard to the Company's Petition for Protective

Order, the parties agreed to incorporate an additional clause that notes that the Consumer Advocate, Deputy Consumer Advocate, and Small Business Advocate are authorized to review Confidential material so long as attorneys for the respective statutory advocates have executed Appendix A, attached to the Petition for Protective Order. Counsel provided the agreed upon language for the Protective Order which is adopted below.

No additional agreements, revisions or objections were filed in this proceeding, and accordingly, the following Protective Order will be adopted as set forth below.

This Protective Order is hereby GRANTED with respect to all documents and information, as identified below, produced or presented, or hereafter produced or presented in this proceeding. All persons now or hereafter granted access to such documents and/or information shall use and maintain the same only in strict accordance with this Protective Order.

This Protective Order is being entered to facilitate the orderly production of information and documents during discovery and the presentation of evidence at the hearings in this case and to provide adequate protection of Confidential Information without prejudicing the rights of parties to have reasonable access to information that becomes part of the evidentiary record.

**THEREFORE**

**IT IS ORDERED THAT:**

1. Any information provided to the Pennsylvania Public Utility Commission (“Commission”) or any parties in connection with the above-captioned proceeding that a producing party claims constitutes or contains Confidential Information shall be specifically identified and marked as Confidential Information. The producing party shall designate data or documents as constituting or containing Confidential Information by affixing a conspicuous “CONFIDENTIAL” stamp or typewritten designation on such data or documents. Where only part of data compilations or multi-page documents constitutes or contains Confidential

Information, the producing party, insofar as reasonably practicable within time constraints imposed in this proceeding, shall designate only the specific data or pages of documents which constitute or contain Confidential Information and shall serve such documents separately from non-confidential information.

2. Each document and the information contained therein designated as “Confidential Information” shall be used by the recipient solely for purposes relating to the prosecution, review and processing of this proceeding and for no other purpose; and such documents and information shall be maintained in secure files, separate from public information, until returned to the producing party or destroyed pursuant to the terms hereof.

3. With respect to all Confidential Information, it is further ORDERED that:

- (a) Access to the documents designated as “Confidential Information,” and to the information contained therein, shall be limited to the parties and their identified attorneys, employees, and consultants whose examination of the Confidential Information is required for the conduct of this proceeding.
- (b) Recipients of Confidential Information shall not disclose the contents of the documents produced pursuant to this Protective Order to any person(s) other than their identified employees and any identified witnesses/consultants whom they may retain in connection with this proceeding, irrespective of whether any such expert is retained specially and is not expected to testify, or is called to testify in this proceeding. All employees (except Bureau of Investigation & Enforcement (“BI&E”) witnesses who are full-time employees and shall be entitled to receive documents without individually executing a Certification), consultants or experts of any of the parties bound by this Protective Order who are to receive

copies of documents or information produced pursuant to this Protective Order shall have executed a copy of the Certification attached hereto as Appendix A, which executed Certification shall be forthwith provided to counsel for the producing party with copies to counsel for other parties. The BI&E Prosecutors who enter an appearance in this proceeding shall represent that all BI&E witnesses/employees will be bound by this Protective Order. The Consumer Advocate, the Deputy Consumer Advocate, the Small Business Advocate, and support staff in the OCA, and the OSBA do not need to execute a Non-Disclosure Certificate, provided that the OCA's, and the OSBA's counsel execute the Certification attached as Appendix A.

- (c) No other disclosure of Confidential Information shall be made to any person or entity except with the express written consent of the producing party or upon further order of the Commission or of any Court of competent jurisdiction which may review these matters.

4. The acceptance by the parties of documents or information which has been identified and marked as Confidential Information shall not serve to create a presumption that the material is in fact entitled to any special status in these or any other proceedings. Accordingly, as provided in 52 Pa. Code § 5.365, a party receiving Confidential Information retains the right, either before or after receipt of such Confidential Information, to challenge the legitimacy of the claim that the information is proprietary. Any party may initiate such a challenge by notifying the Commission, with reasonable notice to all other parties, that it wishes to challenge the designation of the material as Confidential Information. In that event, the producing party, as the provider of the Confidential Information, shall have the burden of proving that the material is entitled to protected status. However, notwithstanding such challenge, all parties shall continue to treat the documents and information subject to challenge as Confidential Information in accordance with the terms of this Protective Order, pending resolution by the Commission of the dispute as to its status.

5. The producing party retains the right to seek restrictions on the production, distribution and use by other parties of the Confidential Information beyond the protection expressly afforded such Confidential Information by this Protective Order.

6. This Protective Order shall not operate as a determination, for any purpose, that any documents or information produced pursuant to this Protective Order are either admissible or inadmissible in these or any other proceedings.

7. Documents or other materials containing Confidential Information filed with the Commission in this proceeding, including but not limited to pre-filed testimony and pre-filed exhibits, shall be labeled "CONFIDENTIAL" and shall be deemed filed under seal. During evidentiary hearings, if any, in this proceeding, all persons present for such hearings shall be subject to the terms of this Protective Order and may be required to so affirm for purposes of the record. The portion of the record containing the Confidential Information, including the portions of transcripts of oral testimony discussing Confidential Information, shall be placed under seal.

8. The Commission and any other state agency that may have access to, or receive copies of, the Confidential Information will deem and treat such information as within the exemption from disclosure provided in the Pennsylvania Right-to-Know Act set forth in 65 P.S. § 67.708(b) until such time as the information may be found to be non-proprietary by the Commission or by a court of competent jurisdiction.

9. Confidential Information which is placed on the record of this proceeding under seal shall remain with the Commission under seal after the conclusion of the proceeding. If such Confidential Information is provided to appellate courts for the purposes of appeal(s) from this proceeding, such information shall be provided, and shall remain, under seal.

10. Upon the final resolution of proceedings in which Confidential Information has been provided, which includes the exhaustion of appeals, if any, all documents and other materials containing Confidential Information shall, within thirty (30) days of the

producing party's request, be either: (1) returned to counsel for the producing party; or (2) destroyed. If a receiving party chooses to destroy the Confidential Information, then it shall, in the case of the BI&E, notify the producing party, and in the case of all other parties, certify to the producing party, that the Confidential Information has been destroyed by it and its employees, consultants, and other representatives, and that the terms of this Protective Order have been satisfied. Provided, however, that the BI&E, the Office of Consumer Advocate, and the Office of Small Business Advocate may maintain in their official files copies of all pleadings, briefs, statements, exhibits and transcripts in this proceeding and, further provided, that all such pleadings, briefs, statements, exhibits and transcripts containing Confidential Information shall remain subject to the terms of this Protective Order.

11. A single copy of documents returned to the producing party or certified as destroyed upon resolution of this proceeding, as provided in this Protective Order, shall be kept on file at the producing party's offices for two years after the final resolution of this proceeding, as defined previously, for review by the parties under the terms of this Protective Order upon at least twenty days' notice to counsel for the producing party.

12. The issuance of this Protective Order shall not prejudice the producing party's right to challenge the production of any documents or information sought in discovery by any party on the grounds that such documents or information are not properly discoverable.

Date: January 9, 2026

\_\_\_\_\_  
/s/  
Jeffrey A. Watson  
Administrative Law Judge

\_\_\_\_\_  
/s/  
Emily I. DeVoe  
Administrative Law Judge

**APPENDIX A**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Mark Schlosser	:	C-2025-3059494
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John Erbiecella	:	C-2025-3059507
John Messina	:	C-2025-3059527
Robert and Patricia Boni	:	C-2026-3059592
James B. Dworchak	:	C-2026-3059603
John P. Dolekary	:	C-2026-3059574
Dazhe Wang	:	C-2026-3059556
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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Patricia A. Finley	:	C-2025-3058826
David R. Hurlbrink	:	C-2025-3058845
Jay S. Croft	:	C-2025-3059031
Brooke Birckbichler	:	C-2025-3059053
Marc Wills and Angelia Koser	:	C-2025-3059417
Neil Allen Brown	:	C-2025-3059170
David and Lynn Griffith	:	C-2025-3059165
Jeffrey Reichart	:	C-2025-3059137
Keith Sauer	:	C-2025-3059146
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Karen W. Harris	:	C-2025-3059048
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Wayne W. Hedrick	:	C-2025-3059502
Mark Schlosser	:	C-2025-3059492
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Stephen M. Citrullo	:	C-2026-3059602
	:	
v.	:	
	:	
Pennsylvania-American Water Company	:	
Wastewater Division	:	

TO WHOM IT MAY CONCERN:

The undersigned is the \_\_\_\_\_ of \_\_\_\_\_  
(the receiving party). The undersigned has read, and understands that, the Protective Order entered  
in this proceeding on January 9, 2026, deals with the treatment of Confidential Information. The  
undersigned agrees to be bound by, and comply with, the terms and conditions of said Order, which  
are incorporated herein by reference.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

**R-2025-3057983 and R-2025-3058051 - PA PUBLIC UTILITY COMMISSION ET AL v. PENNSYLVANIA AMERICAN WATER COMPANY - WATER & WASTEWATER**

**Active Parties**

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