

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Melissa Horn	:	
	:	
v.	:	C-2025-3057636
	:	
City of Lancaster – Water Department	:	

ORDER
DIRECTING THE CITY OF LANCASTER
TO ENTER A NOTICE OF APPEARANCE
PURSUANT TO 52 PA. CODE §§ 1.21-24,
FILE AN AMENDED ANSWER,
AND CONTINUING HEARING

On September 19, 2025, Melissa Horn (Ms. Horn) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against the City of Lancaster – Water Department (City of Lancaster). The Complaint was served on the City of Lancaster on September 24, 2025, by e-mail to Patrick Hopkins at phopkins@cityoflancasterpa.com. In her Complaint, Ms. Horn avers that the City of Lancaster is threatening to shut off her service or has already shut off her service and she would like a payment agreement. Ms. Horn further explained that she was told she qualified for a payment agreement starting in September, but the Commission gave her wrong information. As relief, Ms. Horn requests a payment agreement.

On December 9, 2025, I was assigned to this proceeding. As of that date, no answer had been filed by the City of Lancaster to Ms. Horn’s Formal Complaint. Upon further investigation, I directed the Commission’s Secretary’s Bureau to re-serve the Complaint to Barry N. Handwerger, Solicitor for the City of Lancaster.¹ The Complaint was re-served on December 12, 2025.

¹ Commission records indicate Formal Complaints against the City of Lancaster are to be served upon Patrick Hopkins. **If this is incorrect, the City of Lancaster must update its service address with the Commission’s Secretary’s Bureau immediately.**

On January 2, 2026, Julie Taylor (Ms. Taylor), Treasury Bureau Chief for the City of Lancaster, filed an Answer to Ms. Horn’s Complaint.

On January 7, 2026, the Commission issued an Initial Call-In Telephonic Hearing Notice, setting a formal call-in telephonic hearing for this matter for Tuesday, February 10, 2026 at 10:00 a.m. In anticipation of that hearing, I issued a Prehearing Order on January 7, 2026 setting forth various rules that would govern that proceeding.

The Initial Call-In Telephonic Hearing Notice and Prehearing Order both directed that non-individuals, including a governmental agency or subdivision, must be represented by an attorney at the hearing.

The hearing convened as scheduled on February 10, 2026. Ms. Taylor was present on behalf of the City of Lancaster. Ms. Horn did not appear. During the hearing, Ms. Taylor confirmed that she was not an attorney. For the reasons discussed below, I continued the hearing, and I will direct that the City of Lancaster file a Notice of Appearance pursuant to 52 Pa. Code §§ 1.21 – 1.24, and file an Amended Answer to the Formal Complaint of Ms. Horn.

Section 5.483 of the Commission’s regulations provides presiding officers with the authority to regulate the course of proceedings. 52 Pa.Code § 5.483(a). Presiding officers are required to conduct fair and impartial hearings and maintain order. 52 Pa.Code § 5.485(a). Further, a presiding officer may direct a party to amend a pleading. 52 Pa.Code § 5.93(a).

Commission regulations require the City of Lancaster to be represented by an attorney. Specifically, the Commission’s regulations at 52 Pa. Code §§ 1.21 - 1.22 provide in part, that, except for individuals, persons in adversarial proceedings before the Commission must be represented by an attorney or certified legal intern. 52 Pa. Code §§ 1.21 - 1.22. The term “person” includes “...individuals, corporations, partnerships, associations, joint ventures, other business organizations, trusts, trustees, legal representatives, receivers, agencies, governmental entities, municipalities, municipal corporations or other political subdivisions.” 52 Pa. Code § 1.8(a). Under Commission regulations, the term “adversarial proceeding” is defined as “[a]

proceeding initiated by a person to seek authority, approvals, tariff changes, enforcement, fines, remedies or other relief from the Commission which is contested by one or more other persons and which will be decided on the basis of a formal record.” *Id.*

The City of Lancaster, through Ms. Taylor, filed an Answer contesting the Formal Complaint. Therefore, this is an adversarial proceeding and the City of Lancaster, a municipality, is required to be represented by counsel. 52 Pa. Code §§ 1.21 - 1.22; 52 Pa. Code § 1.8(a); *New Fizon Catering, Inc. v. PECO Energy Company*, Docket Nos. C-2008-2065498 and C-2008-2079076 (Order entered June 24, 2009). Ms. Taylor is not an attorney, and an attorney has not entered an appearance to represent the City of Lancaster at a hearing.

Given the need to have an attorney represent the City of Lancaster in this matter, I continued the February 10, 2026, to provide the City of Lancaster time to correct the above-identified issues. I will direct the City of Lancaster to have an attorney file a Notice of Appearance in this proceeding within twenty calendar days from the date of today’s order. Additionally, I will direct the City of Lancaster to file an Amended Answer to the Formal Complaint of Melissa Horn within twenty calendar days from the date of today’s order.² The Amended Answer should only be filed by someone authorized to represent the City of Lancaster pursuant to 52 Pa. Code §§ 1.21 - 1.22. I expect to reschedule an evidentiary hearing after the time for the City of Lancaster to file a Notice of Appearance and an Amended Answer has run.

In the interim, the parties are encouraged to pursue settlement discussions. The Commission strongly encourages settlement. 52 Pa.Code § 5.231(a). An attorney is not required to participate in settlement discussions, and to the extent that a settlement can be obtained to resolve the complaint, no hearing will be required. In addition to settlement discussion among the parties, the parties are also encouraged to avail themselves of the settlement judge process pursuant to the Commission’s regulations. 52 Pa.Code § 5.223(c); *see also*, 52 Pa.Code § 5.231(c).

² The Commission’s procedural regulations are found at 52 Pa. Code §§ 1.1—1.96, 3.1—3.602, and 5.01—5.633.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the hearing scheduled for February 10, 2026 is continued;
2. That the City of Lancaster – Water Department shall have an attorney file a Notice of Appearance on the docket for this proceeding within twenty calendar days from the date of today’s order;
3. That the City of Lancaster – Water Department shall file an Amended Answer to the Formal Complaint of Melissa Horn within twenty calendar days from the date of today’s order. The Amended Answer shall only be filed by someone authorized to represent the City of Lancaster pursuant to 52 Pa. Code §§ 1.21 - 1.22;
4. That a hearing will be rescheduled once the City of Lancaster – Water Department files a Notice of Appearance and Amended Answer, or the time for filing such Notice of Appearance and Amended Answer expires.

Date: February 11, 2026

/s/
John M. Coogan
Administrative Law Judge

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Revised February 10, 2026

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Served via eService February 11, 2026

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Served via Email and USPS First Class Mail February 11, 2026

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Served via eService February 11, 2026

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Served via Email and USPS First Class Mail February 11, 2026