

**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-2025-3059164
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
Shawn Cieniewicz	:	C-2026-3059631
Adam Thomas	:	C-2026-3059694
Michelle Kazar	:	C-2026-3059697
Naomi Conte	:	C-2026-3059647
Dana Ullmann	:	C-2026-3059695
Carla Seidel	:	C-2026-3059689
Michael Vallonio	:	C-2026-3059710
Alicia W. Shussett	:	C-2026-3059712
Heather Zeh	:	C-2026-3059716
Shaun Keperling	:	C-2026-3059707
Steve Comuso	:	C-2026-3059709
Jedidiah Chappell	:	C-2026-3059766
Diane Martellacci	:	C-2026-3060020
Jennifer Breton	:	C-2026-3059732
Scott Bogust	:	C-2026-3059735
Sherri and Scott High	:	C-2026-3059742
Rebecca Carsto	:	C-2026-3059746
Anna Smallwood	:	C-2026-3059741
Theodore Gardella	:	C-2026-3059731
Sergio Castaneda	:	C-2026-3059734
Stephanie Mosteller	:	C-2026-3059737
Paedrick Holohan	:	C-2026-3059743
Ahn Weisner	:	C-2026-3059755
Lauren Hoover	:	C-2026-3059758
Jeffrey Bezler	:	C-2026-3059762
Patricia Istenes	:	C-2026-3059761
Patricia May Phillips	:	C-2026-3059779
Joshua and Bryn Hoyt	:	C-2026-3059778
Richard Matijasich	:	C-2026-3059812
Kendra Robinson	:	C-2026-3059801
David Barnett	:	C-2026-3059818
Christopher Nicholson	:	C-2026-3059819
Robert Peiffer	:	C-2026-3059824

William Dobron	:	C-2026-3059821
Exeter Township School District	:	C-2026-3059827
Kathleen Townsend	:	C-2026-3059845
Donald and Roberta Baker	:	C-2026-3060105
Edward C. Padgelek	:	C-2026-3060463
Frank Shaffer	:	C-2026-3060734
Judy Wojanis	:	C-2026-3060881
James P. Docherty	:	C-2026-3060880

v.

Pennsylvania-American Water Company

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-2025-3059147
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-2025-3059148
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
Karen Bates	:	C-2026-3059699
Adam Thomas	:	C-2026-3059693
Joey and Lisa Inmon	:	C-2026-3059682
Naomi Conte	:	C-2026-3059650
Dana Ullmann	:	C-2026-3059692
Carla Seidel	:	C-2026-3059703
Colleen Vallonio	:	C-2026-3059711
Alicia W. Shussett	:	C-2026-3059714
Heather Zeh	:	C-2026-3059715
Laurel Miller	:	C-2026-3059733
Scott Bogust	:	C-2026-3059738
Stephanie Lamison	:	C-2026-3059745
Anna Smallwood	:	C-2026-3059744
Paedrick Holohan	:	C-2026-3059751
Anh Weisner	:	C-2026-3059757
Lauren Hoover	:	C-2026-3059759
Patricia Istenes	:	C-2026-3059756
Sherrie Greene	:	C-2026-3059764
Exeter Township Board of Supervisors	:	C-2026-3059765
Douglas Berguson	:	C-2026-3059767
Jeffrey Bezeler	:	C-2026-3059763
Amber Dinnella	:	C-2026-3059768
John Phio	:	C-2026-3059773
Richard Matijasich	:	C-2026-3059811
Kendra Robinson	:	C-2026-3059815
Sujata Shakya	:	C-2026-3059817
Christopher Nicholson	:	C-2026-3059822
Patricia May Phillips	:	C-2026-3059797
Denise E. Prowse	:	C-2026-3059816
Kathleen Townsend	:	C-2026-3059844
Diane Martellacci	:	C-2026-3060028
Floyd Gault Jr	:	C-2026-3060025
Paul Brown	:	C-2026-3060188
Frank Shaffer	:	C-2026-3060717
	:	
v.	:	
	:	
Pennsylvania-American Water Company	:	
Wastewater Division	:	

**INTERIM ORDER**  
**DENYING MOTION TO PARTICIPATE IN EVIDENTIARY HEARING VIA TELEPHONE**

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

On December 17, 2025, a Prehearing Order was entered which, *inter alia*, adopted a litigation schedule in this proceeding.

On January 7, 2026, a Further Prehearing Conference was held whereby the Parties agreed to cancel the Public Input Hearings scheduled for January 29, 2026, in New Garden Township, and to reschedule those hearings for the same date and time at the Coatesville City Hall and to further modify the litigation schedule.

On January 26, 2026, an In-Person Evidentiary Hearing Notice was issued scheduling the evidentiary hearing for March 23, 2026, through March 25, 2026, in Harrisburg, Pennsylvania.

On January 28, 2026, an Interim Order was entered approving modifications to the litigation schedule, as follows:

Modified Litigation Schedule

Initial Filing	November 14, 2025
Prehearing Conference	December 12, 2025
Public Input Hearings	January 13, 2026 through January 21, 2026, as scheduled by the ALJs. January 29, 2026 1 & 6 pm, Coatesville City Hall
Opposing Party Direct Testimony	January 30, 2026

Supplemental Direct Testimony regarding issues raised at January 29, 2026 Public Input Hearings	February 10, 2026
Rebuttal Testimony (all parties and all issues)	February 27, 2026
Surrebuttal Testimony (all parties and all issues)	March 13, 2026
Written Rejoinder or Outlines of Oral Rejoinder	March 19, 2026
Evidentiary Hearings (including oral rejoinder)	March 23-25, 2026 *PAWC witness Ladner unavailable beginning March 24 (p.m.)
Main Briefs due	April 6, 2026
Reply Briefs due	April 15, 2026
Public Meeting	July 16, 2026
End of Suspension Period	August 13, 2026

On February 2, 2026, a Notice of Appearance was filed entering the appearance of Sharon Montanye, Esquire on behalf of the Exeter Township School District.

On February 18, 2026, counsel for OCA advised the undersigned presiding officers and the active parties that one of OCA’s witnesses, Roger Colton, would be out of the country between the dates Rebuttal testimony is due and Surrebuttal Testimony is due. Counsel for OCA requested that the deadline for Mr. Colton’s Surrebuttal testimony be moved from Friday, March 13, 2026, to Monday, March 16, 2026, at noon. Counsel for OCA advised that the Company agreed to this modification and that no party opposed the request from OCA.

On March 2, 2026, an Interim Order was entered further modifying the litigation schedule approved by Interim Order entered on January 28, 2026, to extend the deadline for OCA witness Roger Colton to submit surrebuttal testimony from Friday, March 13, 2026, to Monday, March 16, 2026, at noon. The parties were further directed to comply in all other respects with the Interim Order entered on January 28, 2026.

The In-Person Evidentiary Hearing has been scheduled for March 23, 2026, through March 25, 2026, in Harrisburg, Pennsylvania.

On Friday, March 13, 2026, the Exeter Township School District (District) filed a Petition to Intervene Out of Time and a Motion to Participate in Evidentiary Hearing Via Telephone. On March 16, 2026, the undersigned presiding officers were served with a copy of the Petition or Motion filed by the Exeter Township School District.

On March 16, 2026, the Company filed its Answer of Pennsylvania-American Water Company to the Petition to Intervene Out of Time of Exeter Township School District and the Motion for Leave to Participate in the March 23-25, 2026 Evidentiary Hearing Via Telephone. The Company averred that the District has not shown that good cause exists, as required pursuant to 52 Pa. Code § 5.74, to permit the District to intervene on the eve of evidentiary hearings in this proceeding.

The District filed its Motion on March 13, 2026, ten days prior to the commencement of the scheduled evidentiary hearing in this proceeding.<sup>1</sup> In the Motion, the District averred that the requirement that it be represented by legal counsel is an additional financial burden, and that permitting telephonic participation by both its counsel and witness will allow the District to monitor the proceedings and participate while minimizing travel time and expense.<sup>2</sup>

The Company asserts if the Petition to Intervene is granted, the District should be required to participate in the evidentiary hearing in-person and the Motion should be denied. A litigation schedule has been in place in this proceeding since December 17, 2025 and all other active parties, including other governmental authorities and individuals and parties with competing interests, are required to appear in-person in Harrisburg, PA.

On March 5, 2026, an Interim Order Confirming Requirements for Evidentiary Hearing (Interim Order) was entered, which included the following requirements:

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<sup>1</sup> The District's pleadings are dated March 12, 2026, but were filed and served after 4:30 p.m. and are therefore deemed filed as of March 13, 2026. *See* 52 Pa. Code § 1.11.

<sup>2</sup> Motion, ¶¶5-6.

1. That only active parties shall be afforded an opportunity to present evidence at an evidentiary hearing.

2. That, in order to be considered an active party, an individual or entity must (1) file a complaint pursuant to 52 Pa. Code § 5.21 et seq. or a petition to intervene pursuant to 52 Pa. Code § 5.71 et seq., and (2) if filing a complaint under 52 Pa. Code § 5.21, 52 Pa. Code § 5.22, or 52 Pa. Code § 5.32, file also correspondence with the Commission's Secretary's Bureau indicating an intent to participate as an active party, as directed in the Prehearing Order entered December 17, 2025, and (3) comply with the provisions set forth in the Prehearing Order entered December 17, 2025, as amended.

3. The active parties as well as any individual or entity desiring to participate in these proceedings shall comply with the terms of all Orders issued in this proceeding, including the Prehearing Order entered on December 17, 2025, and amended by Interim Orders entered on January 28, 2026, and March 2, 2026.

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12. That no other oral or written testimony, exhibits, or evidence of any kind will be admitted into evidence at the evidentiary hearings unless the active party sponsoring such evidence has fully and timely complied with the terms and provisions set forth in this Interim Order and has provided all other active parties and the presiding officers with a written summary of any oral direct testimony and a copy of any written testimony, exhibits, or evidence of any kind, not later than **Friday March 13, 2026 at 4:00 p.m.**

The Interim Order is clear that active participants must comply with the Prehearing Order. In addition, active Parties were advised of the requirement for participation in the in-person evidentiary hearing which was scheduled at the prehearing conference on December 12, 2025. The Company submits cost and inconvenience to the District of appearing in-person does not constitute "good cause" as to why it should be excused from adhering to the same requirements as each other active party. The Company argues if the District is permitted to intervene, it should be placed on a level playing field with the other active participants and, therefore, the Motion should be denied. Furthermore, the Company asserts the District should be required to comply with the approved procedural schedule and should not be permitted to provide direct testimony at the evidentiary hearing for the reasons set forth above.

On March 17, 2026, an Interim Order was entered which, *inter alia*, required that any objections to the Motion to Participate in Evidentiary Hearing Via Telephone filed by Exeter Township School District be filed and served upon the active parties and the presiding officers not later than 3:00 p.m. on Wednesday, March 18, 2026.

Upon consideration of the record in this proceeding, the Motion filed by the District and the responses filed in this proceeding, the District has failed to aver, let alone establish, that it has complied with the Orders entered in this proceeding, or that the cost and inconvenience to the District of appearing in-person, constitutes “good cause” to excuse it and its counsel from attending the evidentiary hearing in-person and adhering to the same requirements as each active party. Accordingly, for all of the reasons and factors set forth above, the following Interim Order will be entered.

THEREFORE,

IT IS ORDERED:

1. That the Motion to Participate in Evidentiary Hearing Via Telephone filed by Exeter Township School District is Denied.
2. That an Interim Order will be entered ruling upon the Petition to Intervene Out of Time of Exeter Township School District, upon expiration of the deadline for the filing of any responses or objections by the active Parties, and consideration of the Petition.
3. That nothing in this Interim Order shall be construed as a determination regarding the proposal identified in the Motion to Participate in Evidentiary Hearing Via Telephone of the Exeter Township School District to present evidence at the evidentiary hearing in this proceeding.

4. That the Parties are reminded of their obligation to comply with the Pennsylvania Public Utility Code, the Commission regulations and the terms and provisions set forth in the Interim Orders entered in this proceeding.

Date: March 18, 2026

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

Date: March 18, 2026

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

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

*Revised March 17, 2026*

**Active Parties**

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