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Attorney for Newtown
Artesian Water Company

**PETITION OF NEWTOWN ARTESIAN
WATER COMPANY FOR APPROVAL OF
ITS LEAD SERVICE LINE REPLACEMENT
PROGRAM AND RELATED TARIFF CHANGES
PURSUANT TO 66 PA C.S.A. §1311(b)
AND 52 PA CODE §65.61 *ET SEQ.***

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION

I.D. #73528

No. P-2023-3041859**

**MOTION OF NEWTOWN ARTESIAN WATER COMPANY
FOR EXTENSION OF TIME OF SIX (6) MONTHS
AND CONTINUANCE OF IN-PERSON HEARING**

TO THE ADMINISTRATIVE LAW JUDGE HONORABLE F. JOSEPH BRADY:

Pursuant to Section 1.15 of the Pennsylvania Public Utility Commission’s (the “PUC” or the “Commission”) regulations, 52 Pa. Code §1.15, Newtown Artesian Water Company (“Company”), by and through its undersigned counsel, hereby submits this Motion (“Motion”) for an Extension of Time of Six (6) Months and Continuance of the in-person hearing presently scheduled for April 15, 2026. For the reasons set forth below, Company respectfully requests that the Honorable Administrative Law Judge F. Joseph Brady (“ALJ Brady”) grant the Company’s Motion.

1. On November 21, 2023, the Company filed its Petition (“Petition”) for approval of its lead service line replacement program (“LSLR Program”) with the Commission and related tariff changes pursuant to Section 1311(b)(2) of the Pennsylvania Public Utility Code, §66 Pa. C.S. §1311(b)(2); and Section 65.54 of the Commission’s regulations, 52 Pa. Code §65.54.

2. The Office of Small Business Advocate (“OSBA”) and Office of Consumer Advocate (“OCA”) intervened in this matter on August 11, 2023, and February 5, 2024, respectively.

3. Hearings on the Petition originally scheduled for September 5-6, 2024, were cancelled at the request of the Company, OCA and OSBA. The parties were conducting ongoing settlement discussions to approve the LSLR Program with agreed-upon modifications.

4. On September 16, 2025, the Company's representatives advised ALJ Brady, OCA and OSBA that the original estimate of its inventory of customer service lines of unknown materials set forth in the Petition had materially changed.

5. This change resulted directly from a revised methodology being used by the Company's new inventory specialist, which increased the estimated number of customer service lines of unknown material from 224, as set forth in the Petition, to 3,465.

6. Based upon this increase, the Company concluded that it needed to pause finalizing the settlement it had reached with OCA and OSBA. The Company needed to ensure that it could honor its original settlement agreement term of replacing 5 customer lead service lines each year.

7. As such, on September 16, 2025, the Company requested an extension of time of 6 months to continue analyzing its inventory. OCA and OSBA did not object to this request.

8. ALJ Brady entered an Order (the "Order") dated October 1, 2025, granting the request pursuant to 52 Pa. Code §1.15(b). The Order stated that no further continuances or extensions would be granted absent extraordinary circumstances.

9. The Order directed that the matter be scheduled for "an in-person hearing a minimum six (6) months from now." Consistent with that directive, the hearing was scheduled for April 15, 2026.

10. By email dated March 24, 2026, counsel for the Company advised ALJ Brady, that the Company had made "extraordinary progress" in the 6 months since the Order was entered in identifying the Company's inventory of customer service lines of unknown material.

11. Specifically, the Company stated that the unknown material inventory was reduced from 3,465 lines to 2,046. Of that 1,419 lines where the material was determined, only 1 lead line and 2 galvanized lines were identified (or 0.2% of the lines eliminated).

12. At that rate, the Company does not anticipate that more than 10 lines from the remaining 2,046 will be identified as consisting of lead or galvanized material.

13. The Company's intent is to submit a Joint Settlement Petition for ALJ Brady's approval once the number of lines of unknown materials is approximately 1,000, which represents less than 10% of the active customer service lines in its entire system.

14. The Company believes it can reach this 1,000 line threshold within the next 6 months.

15. The Company respectfully submits that these results constitute the type of “extraordinary circumstances” contemplated by the October 1, 2025 Order, in that they represent significant, measurable progress toward resolving the very inventory issues that prompted the prior extension, and justify a further, time-limited extension to complete that work.

16. OCA and OSBA do not object to the Company’s request set forth in this Motion.

17. Separately, ALJ Brady has inquired why the Company cannot withdraw its pending Petition without prejudice and refile at a later date when it is more prepared to proceed. The Company respectfully submits that withdrawal and refiling the Petition is not a straightforward or preferable option in this instance.

18. The Commission’s regulations at 52 Pa. Code § 65.61 *et seq.*, required jurisdictional water utilities to file their lead service line replacement programs by July 22, 2023. The Company complied with that requirement by obtaining a 120-day extension and timely filing its Petition on November 21, 2023, in reliance on that extension and the Commission’s directives.

19. Having satisfied the mandatory filing obligation within the extended deadline, the Company is concerned that a complete withdrawal of its Petition at this stage could create uncertainty regarding its ongoing compliance with the filing requirement and the continuity of Commission jurisdiction over its LSLR Program.

20. Moreover, proceeding by this Motion preserves the current docket, the procedural record, and the parties’ substantial work to date, including the Company’s continuing efforts to refine its customer service line inventory and the parties’ settlement discussions.

21. Requiring the Company to withdraw and refile could result in duplicative process, unnecessary delay, and potential confusion as to the operative filing for purposes of implementation, reporting, and future Commission review.

22. For these reasons, the Company respectfully submits that an additional, time-limited extension of the existing proceeding, rather than withdrawal and refiling, is the more efficient and appropriate means to allow the Company to complete its inventory work and present a refined LSLR Program for the Commission’s consideration.

WHEREFORE, Newtown Artesian Water Company respectfully requests that ALJ Brady grant this Motion, extend the existing schedule by an additional six (6) months, continue the in-person hearing currently scheduled for April 15, 2026, to a date at least six (6) months later,

and permit Newtown Artesian Water Company to continue filing status reports every thirty (30) days or as otherwise directed.

/S/ THOMAS J. WALSH III, Esq.

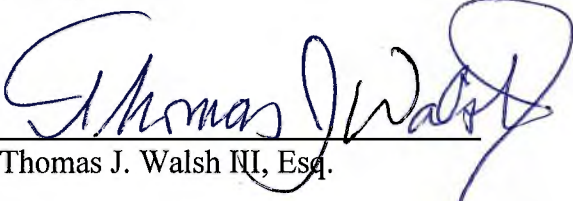
By: _____
Thomas J. Walsh III, Esquire
Attorney for Newtown Artesian Water Company

Motion of NAWC for Continuance.v1.2026-03-26

VERIFICATION

I, **Thomas J. Walsh III, Esq.**, General Counsel for and Officer of Newtown Artesian Water Company, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Date: 3/26/2026


Thomas J. Walsh III, Esq.

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I.D. #73528

No. P-2023-3041859

CERTIFICATE OF SERVICE

I, Thomas J. Walsh III, Esq., attorney for and officer of Newtown Artesian Water Company, hereby certify that I am this 26th day of March, 2026, serving copies of the **Motion of Newtown Artesian Water Company for Extension of Time**, and this Certificate of Service, on the following persons in the manner indicated:

By Electronic Mail:

The Honorable F. Joseph Brady
Administrative Law Judge
Pennsylvania Public Utility Commission
fbrady@pa.gov

By Electronic Mail:

Allison Kaster, Esq., Director
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Email: akaster@pa.gov

By Electronic Mail:

Steven C. Gray, Esq.
Rebecca Lyttle, Esq.
Office of Small Business Advocate
Email: sgray@pa.gov; relyttle@pa.gov

By Electronic Mail:

Harrison W. Breitman, Esq.
Officer of Consumer Advocate
Email: hbreitman@paoca.org

I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 (relating to unsworn falsification to authorities).

/S/ THOMAS J. WALSH III, Esq.

By: _____

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