

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Adam M. Copenhaver	:	
	:	
v.	:	C-2026-3060873
	:	
Columbia Water Company	:	

**INITIAL DECISION**

Before  
F. Joseph Brady  
Administrative Law Judge

**INTRODUCTION**

This Initial Decision grants Complainant’s requests to withdraw both his Petition for Interim Emergency Order and his Formal Complaint because there is no objection to them and granting the requests is in the public interest.

**HISTORY OF THE PROCEEDING**

On March 5, 2026, Adam M. Copenhaver (Complainant) filed a Formal Complaint (Complaint) against Columbia Water Company (Columbia or Respondent) with the Pennsylvania Public Utility Commission (Commission) generally concerning Columbia’s use of revenues received under its tariff.

On March 6, 2026, Complainant filed a Petition for Interim Emergency Order<sup>1</sup> pursuant to 52 Pa. Code § 3.6 seeking a stay of Columbia’s Tariff Supplement 138 pending the outcome of his underlying Complaint.

By Hearing Notice dated March 9, 2026, an Initial Call-In Telephonic Hearing on the Petition for Interim Emergency Order was scheduled for March 13, 2026, and the matter was assigned to me.

On March 11, 2026, Respondent filed an Answer to Complainant’s Petition for Interim Emergency Order requesting that the Petition be denied.

On March 13, 2026, the emergency hearing convened as scheduled. Complainant appeared *pro se* and testified on his own behalf. Respondent appeared and was represented by Whitney Snyder, Esquire. During the hearing, Complainant requested to withdraw his Petition for Interim Emergency Order. Tr. 26. Respondent did not object. Tr. 28.

On March 13, 2026, after the hearing, Complainant filed a Petition for Leave to Withdraw the Complaint pursuant to 52 Pa. Code § 5.94.

#### FINDINGS OF FACT

1. Complainant is Adam M. Copenhaver.
2. Respondent is Columbia Water Company.

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<sup>1</sup> Complainant labeled the document: “Motion for Emergency Supersedeas.”

3. On March 5, 2026, Complainant filed a Formal Complaint against Columbia.
4. On March 6, 2026, Complainant filed a Petition for Interim Emergency Order.
5. On March 11, 2026, Respondent filed an Answer to Complainant's Petition for Interim Emergency Order
6. On March 13, 2026, a hearing on Complainant's Petition for Interim Emergency Order was held.
7. Complainant requested to withdraw his Petition for Interim Emergency Order during the emergency hearing. Tr. 26.
8. Respondent did not object to Complainant's request to withdraw his Petition for Interim Emergency Order. Tr. 28.
9. On March 13, 2026, Complainant filed a Petition for Leave to Withdraw the Complaint pursuant to 52 Pa. Code § 5.94.
10. Columbia did not object to the Petition for Leave to Withdraw the Formal Complaint.

### DISCUSSION

The Commission's Rules of Practice and Procedure at 52 Pa. Code § 5.94 permit parties to petition to withdraw pleadings in a contested proceeding:

Except as provided in subsection (b), a party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days of service. After considering the petition, an objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted.

52 Pa. Code § 5.94(a).

The petition is granted only by permission of the presiding officer or the Commission. *Id.* The presiding officer or Commission must consider the petition, any objections thereto, and the public interest in determining whether to permit withdrawal of the pleading. 52 Pa. Code § 5.94.

In this case, Complainant filed a *pro se* Complaint generally concerning Columbia's use of revenues received under its tariff. Shortly thereafter, Complainant filed a Petition for Interim Emergency Order (Emergency Petition) pursuant to 52 Pa. Code § 3.6 seeking a stay of Columbia's Tariff Supplement 138 pending the outcome of his underlying Complaint. Pursuant thereto, an emergency hearing was held on March 13, 2026, regarding the Emergency Petition. During the emergency hearing, Complainant verbally requested to withdraw his Emergency Petition. Subsequent to the Emergency Hearing, Complainant also filed a Petition for Leave to Withdraw the underlying Formal Complaint. Columbia did not object to either Petition to Withdraw.

Under these circumstances, granting Complainant's request to withdraw the Emergency Petition and Formal Complaint is in the public interest because doing so will eliminate the need for litigation and save the parties any additional costs in time and money they would otherwise incur litigating a case Complainant no longer wishes to

pursue. Accordingly, both Complainant's Petition for Leave to Withdraw the Emergency Petition and Petition for Leave to Withdraw the Complaint shall be granted.

### CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties to and subject matter of this proceeding. 66 Pa.C.S. § 701.
2. The Commission's Rules of Practice and Procedure permit parties to withdraw pleadings in a contested proceeding by permission of the presiding officer or Commission. 52 Pa. Code § 5.94.
3. After considering the petition, any objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted. 52 Pa. Code § 5.94(a).
4. It is in the public interest to grant Complainant's Petitions for Leave to Withdraw the Emergency Petition and the Complaint. 52 Pa. Code § 5.94.

### ORDER

THEREFORE,

IT IS ORDERED:

1. That Complainant's Petition for Leave to Withdraw the Petition for Interim Emergency Order is granted.

