

April 23, 2026

Via Electronic Filing

Matthew Homsher, Esquire
Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2025-3058173
Alexander Miklos v. Aqua Pennsylvania, Inc.
Reply Exceptions of Aqua**

Dear Secretary Homsher:

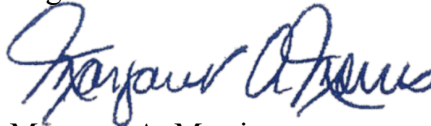
Attached for filing is the Reply of Aqua Pennsylvania, Inc. to the Exceptions filed by Alexander Miklos in the above-referenced proceeding.

A copy of the Reply Exceptions has been provided to the Complainant in the manner indicated on the attached Certificate of Service.

If there are any questions, please do not hesitate to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co
Enclosures

cc: The Hon. Mark A. Hoyer, PA Public Utility Commission [w/encls.]
Office of Special Assistants, PA Public Utility Commission [w/encls.]
Heather S.D. Harrison, Aqua Pennsylvania, Inc. [w/encls.]
Alexander Miklos [w/encls.]

**Re: Docket No. C-2025-3058173
Alexander Miklos v. Aqua Pennsylvania, Inc.
Reply Exceptions of Aqua**


CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s), in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Via Electronic Mail

Alexander Miklos
Shondor1122@gmail.com

Dated: April 23, 2026



Margaret A. Morris, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALEXANDER MIKLOS	:	
	:	
v.	:	Docket No. C-2025-3058173
	:	
AQUA PENNSYLVANIA, INC.	:	

**REPLY EXCEPTIONS OF AQUA PENNSYLVANIA, INC.
TO THE EXCEPTIONS OF ALEXANDER MIKLOS**

April 23, 2026

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Counsel for Aqua Pennsylvania, Inc.

I. Introduction

In accordance with the Commission’s directive¹ and Section 5.535 of the Commission’s Regulation,² Aqua Pennsylvania, Inc.³ (Aqua PA or Company), submits its Reply to the Exceptions of Alexander Miklos (Mr. Miklos or Complainant), which supports the adoption of the Initial Decision, without modification, of the Honorable Mark Hoyer, Deputy Chief Administrative Law (Judge Hoyer). The Commission should deny the Exceptions, affirm the Initial Decision in its entirety and sustain the dismissal of the Complaint. The findings of facts and conclusions of law set forth in the well-reasoned Initial Decision sustain the dismissal of the Formal Complaint.

II. Procedural Background

On October 27, 2025, the Complainant filed a Formal Complaint (Complaint) against “Aqua/Essential Utilities Company” alleging that “Essential Utilities has been operating in bad faith since day one.” Complaint ¶ 4. As relief, he requested that “Essential” be held accountable and that someone with authority at “Essential” provide oversight and address his Complaint.

On November 17, 2025, Respondent filed its Answer and New Matter, which denied that Aqua PA provides domestic water service in Complainant’s name. In its New Matter, Respondent avers that Mr. Miklos is a customer of Aqua Illinois, Inc. (Aqua IL). Essential

¹ The Exceptions did not contain the required certificate of service. In order to avoid prejudice to any party, the Commission provided Aqua PA until March 23, 2026, to file Reply Exceptions.

² 52 Pa. Code § 5.535.

³ The Complainant simply listed “Aqua/Essential Utilities Company” as the utility. Complainant is customer of Aqua Illinois, Inc. Essential Utilities, Inc. is the parent company and does not provide utility service. Neither are regulated by the Commission. Aqua PA does not provide any service to the Complainant. Attorneys for purpose of the Reply Exceptions represent all entities but assert that the Commission lacks jurisdiction over Aqua Illinois, Inc. and Essential Utilities, Inc.

Utilities, Inc. (Essential) is the parent company and does not provide utility service. Also on November 17, 2025, Aqua PA, Aqua IL and Essential filed Preliminary Objections asserting that neither Aqua IL nor Essential are regulated by the Commission who lacks jurisdiction to entertain the Formal Complaint against these two (2) companies in the Commonwealth of Pennsylvania, pursuant to Commission regulations at 52 Pa. Code § 5.101(a)(1).

The Initial Decision which granted the Preliminary Objections, was issued on March 23, 2026. On March 27, 2026, the Complainant sent an email containing his Exceptions to Judge Hoyer.

III. Initial Decision

The Initial Decision was issued on March 23, 2026. Judge Hoyer dismissed the Complaint concluding that the Commission has the general administrative power and authority under the Public Utility Code to supervise and regulate all public utilities doing business within the Commonwealth. 66 Pa.C.S. §§ 102, 501(a). Specifically, Judge Hoyer concluded:

A review of Mr. Miklos’s Complaint, assuming the facts pleaded are true and drawing every inference fairly deducible from those facts, requires that the Preliminary Objection be sustained because the Commission lacks jurisdiction. On the Formal Complaint – Fillable Form, “1. Customer (Complainant) Information,” Mr. Miklos provided his contact information including the following address: 447 N. Monroe Ave., Bradley, IL 60915. Importantly, in this section of the form, there is an instruction in bold lettering, “If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.” Mr. Miklos did not provide an alternate address in this section. It is blank. By necessary implication, Mr. Miklos’s Complaint concerns utility service provided to 447 N. Monroe Ave., Bradley, IL 60915.

The Commission does not have jurisdiction over utility service in Illinois.

Ordinarily, when a preliminary objection is sustained, the Complainant has the right to file an amended pleading within 10 days of receipt of the order. 52 Pa. Code § 5.101(h). However, in this case, the Complaint cannot be amended to provide the Commission with jurisdiction over the provision of utility service in Illinois. An initial decision is required, instead of an order, to dismiss the Complaint outright without a hearing being held.

If reasonable grounds exist for investigating a complaint, the Commission has a duty to fix a time and place for a hearing. 66 Pa.C.S. § 703(a). The Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary in the public interest. 66 Pa.C.S. § 703(b); 52 Pa. Code § 5.21(d). Such is the case here. Reasonable grounds do not exist for investigating Mr. Miklos's Complaint because it concerns utility service provided in Illinois, not Pennsylvania. It is not in the public interest to require a hearing. All expenses incurred by the responding utility for a hearing would be unnecessary and should be avoided. Mr. Miklos provided the following in response to the new matter and Preliminary Objection: "It's a water bill meant to show, I presume, where I live. I do not dispute where I live." This statement cannot be used for purposes of deciding the Preliminary Objection, but it is relevant to a determination whether a hearing is necessary and in the public interest. Based upon Mr. Miklos's Complaint and this statement, a hearing is not necessary or in the public interest.

Where there are no disputed questions of fact and the issue to be decided is purely one of law or policy, a case may be disposed of without resort to an evidentiary hearing. Dee-Dee Cab, Inc. v. Pa. Pub. Util. Comm'n, 817 A.2d 593 (Pa. Cmwlth. 2003); Diamond Energy, Inc. v. Pa. Pub. Util. Comm'n, 653 A.2d 1360 (Pa. Cmwlth. 1995); Lehigh Valley Power Comm. v. Pa. Pub. Util. Comm'n, 563 A.2d 557 (Pa. Cmwlth. 1989). It would serve no public purpose to require the parties to bear the time and expense of a hearing under the circumstances, as the Commission is not authorized to decide this matter. The fact that this Complaint

concerns utility service provided to 447 N. Monroe Ave., Bradley, IL 60915 is not in dispute.

Accordingly, the Complaint is dismissed.

ID at pp.7-8.

IV. Discussion

Pursuant to Commission regulations,⁴ “[e]ach exceptions must . . . identify the finding of fact or conclusion of law to which exception is taken and cite relevant pages of the decision,” and “[s]upporting reasons for the exceptions shall follow each specific exception.” The Exceptions do not conform to Commission regulation.

The Complainant lists 7 enumerated Exceptions and specifically requests the Commission “for some very narrow oversight,” “evaluate how Aqua/Essential in PA, not in IL . . . handled the matter” and “at minimum” “compel Aqua for their receipts.” He argues that it “is within the [Commission’s] purview . . . and is DIRECTLY about actions, inactions, etc. involving parties located in PA, Bryn Mawr PA, and literally no one person from Illinois.” (Emphasis in original)

Exception 4 states: “I’m also unclear reading the ruling generally if the decision was based on jurisdiction. Or was it dismissed as my complaint was deemed..unworthy?”

Judge Hoyer’s findings of facts and conclusions of law were clear and direct. Judge Hoyer specifically ruled that the Commission did not have the jurisdiction to rule on his Complaint. The Pennsylvania Public Utility Code (Code) delegated to the Commission the

⁴ 52 Pa. Code § 5.533(b).

general administrative power and authority to supervise and to regulate all public utilities doing business within the Commonwealth. 66 Pa.C.S. §§ 102, 501(a). Neither Aqua IL nor Essential are a regulated utility doing business in Pennsylvania, regardless of either company's mailing address in Bryn Mawr, Pennsylvania.

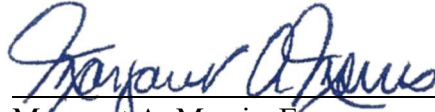
Finally, it should be noted that, as reflected on its website, the Illinois Commerce Commission (ICC) regulates Aqua IL as an Illinois regulated utility.

V. Conclusion

The Exceptions are without merit. The allegations in the Formal Complaint and as further detailed in the Exceptions do not involve service rendered by a Pennsylvania regulated utility. The Code specifically authorizes the Commission to regulate public utilities doing business in the Commonwealth. The Code does not authorize the Commission to regulate or to render a decision involving utility service provided by either Aqua IL or Essential.

For the reasons set forth above, Aqua Pennsylvania, Inc respectfully requests that the Commission adopt, without modification, the Initial Decision of the Honorable Mark Hoyer and dismiss the Formal Complaint of Alexander Miklos.

Respectfully submitted,



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Dated: April 23, 2026

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