



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

May 8, 2026

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Connell Equipment Inc. t/d/b/a RLE Enterprises
Docket No. C-2026-3061355
I&E Reply to New Matter

Dear Secretary Homsher:

Enclosed for electronic filing please find the Reply of the Bureau of Investigation and Enforcement to the New Matter of Connell Equipment Inc. t/d/b/a RLE Enterprises with regard to the above-referenced proceeding.

Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Colby B. Widdowson', is written over a light blue circular stamp.

Colby B. Widdowson
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 326185
(717) 787-2139
cwiddowson@pa.gov

CBW/ac
Enclosures

cc: Per Certificate of Service
Stephanie Wimer, Deputy Chief Prosecutor – I&E-Enforcement (*via email*)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2026-3061355
	:	
Connell Equipment Inc.	:	
t/d/b/a RLE Enterprises	:	
Respondent	:	

**REPLY OF
THE BUREAU OF INVESTIGATION AND ENFORCEMENT
TO THE NEW MATTER OF
CONNELL EQUIPMENT INC. T/D/B/A RLE ENTERPRISES**

NOW COMES, the Bureau of Investigation and Enforcement (“I&E” or “Complainant”) of the Pennsylvania Public Utility Commission (“Commission”) by and through its prosecuting attorneys, and files this Reply to the New Matter of Connell Equipment Inc. t/d/b/a RLE Enterprises (“RLE Enterprises,” “RLE,” or “Respondent”), pursuant to 52 Pa. Code § 5.63(a). In support thereof, I&E avers as follows:

44. Admitted. By way of further answer, private ownership of sewer laterals does not relieve an excavator’s obligations under the Underground Utility Line Protection Law (“PA One Call Law”).

45. Denied as stated and as a legal conclusion to which no response is required. By way of further answer, the duties imposed upon an excavator at 73 P.S. § 180 extend beyond “facility owner lines.”

46. Admitted in part and denied in part. Admitted in so much that the sewer laterals are owned by the individual property owners. By way of further answer, private ownership of sewer laterals does not relieve an excavator's obligations under the PA One Call Law. The remainder of the paragraph is denied as a legal conclusion, to which no response is required.

47. Admitted.

48. Denied, in that I&E is without knowledge as to what Hanover Township informed Pennsylvania American Water Company and Respondent at the complex ticket meeting.

49. Denied as stated. Cameras or other technologies can be used to verify the presence and location of laterals and other appurtenances on pipelines prior to excavation. Additionally, soft digging practices, such as hand digging and vacuum trucks, can be used to locate lines and facilities.

50. Denied, in that I&E is without knowledge as to any agreement between Hanover Township, Pennsylvania American Water Company, and Respondent.

51. Admitted in part and denied in part. Admitted in so far as Respondent did not damage the sewer main owned and operated by Hanover Township. Denied as to the legal conclusion that Hanover Township was not the facility owner, as defined at 73 P.S. § 176, of the sewer laterals. By way of further answer, customer-owned sewer laterals are a "line" of "facility" as defined by the PA One Call Law at Section 176.

52. Admitted.

53. Admitted in part and denied in part. Denied, in that I&E is without knowledge as to the timeframe in which the sewer lateral was repaired. The remainder of the allegations in Paragraph 53 are admitted.

54. Denied, in that I&E is without knowledge as to whether or not the customer's line is in better or worse condition after it was damaged and then repaired.

55. Denied, in that I&E is without knowledge as to what Respondent was told by the Pennsylvania One Call System. By way of further answer, the submission of an alleged violation report ("AVR") is not at issue in I&E's Formal Complaint.

56. Admitted in part and denied in part. Admitted in that Respondent filed six AVR's related to the allegations in I&E's Formal Complaint. Denied in that I&E is without knowledge as to the contractual requirements between Respondent and Pennsylvania American Water Company or the motivation for Respondent filing AVRs.

57. Paragraph 57 is a legal conclusion, to which no response is required. By way of further answer, 73 P.S. § 180 is clear on the duties of an excavator under the PA One Call Law.

58. Admitted. By way of further answer, the Commission is not bound by the informal determinations of the Damage Prevention Committee and engages in a de novo review of the Damage Prevention Committee's informal determinations. See 73 P.S. § 182.8(c)(3).

59. Paragraph 59 is a legal conclusion as to Respondent's liability for violations of the PA One Call Law, to which no response is required. If an answer were required, Paragraph 59 would be denied as stated. The Commission is not bound by the

informal determinations of the Damage Prevention Committee and engages in a de novo review of the Damage Prevention Committee's informal determinations. See 73 P.S. § 182.8(c)(3). By way of further answer, on September 9, 2025, at Case Numbers 53965 and 53940, the Damage Prevention Committee made an informal determination that Respondent violated of the PA One Call Law, related to the conduct alleged in I&E's Formal Complaint, and assessed a cumulative administrative penalty of \$3,000.00.

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that, after consideration of the record, the Office of Administrative Law Judge and the Commission deny Respondent's New Matter and request to dismiss the Complaint and find Respondent in violation of each count as set forth in the Complaint.

Respectfully submitted,



Colby Widdowson
Prosecutor
PA Attorney ID No. 326185

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
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Harrisburg, PA 17120
(717) 787-2139
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Date: May 8, 2026

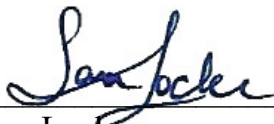
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2026-3061355
	:	
Connell Equipment Inc.	:	
t/d/b/a RLE Enterprises	:	
Respondent	:	

VERIFICATION

I, Sara Locke, Damage Prevention Supervisor, Damage Prevention Section, Bureau of Investigation and Enforcement, 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: May 8, 2026



Sara Locke
Damage Prevention Supervisor
Damage Prevention Section
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**


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Connell Equipment Inc.	:	
t/d/b/a RLE Enterprises	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by First Class Mail and Electronic Mail:

Terrence McDonald, Esquire
103 East Drinker Street
Dunmore, PA 18512
terry@terrymcdonaldlaw.com
terrencemcdonaldesquire@gmail.com
Counsel for Respondent



Colby B. Widdowson
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 326185
(717) 787-2139
cwiddowson@pa.gov

Dated: May 8, 2026