

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	: R-2026-3061282
Office of Small Business Advocate	: C-2026-3061627
Margaret O'Brien	: C-2026-3061588
Alex Arduino	: C-2026-3061478
v.	
Montgomery Sewer Co., Inc.	

**MONTGOMERY SEWER CO., INC.  
PREHEARING CONFERENCE MEMORANDUM**

In accordance with 52 PA. Code § 5.224 Montgomery Sewer Co., Inc. files this Prehearing Conference Memorandum and in support thereof avers the following:

I. **History**

1. After 38 years of exemplary service without an increase in rates, on March 23, 2026, Montgomery Sewer Co., Inc. (“Montgomery”) filed with this Pennsylvania Public Utility Commission (“Commission”) a formal complaint proposing changes in rates, terms and other provisions calculated to produce \$84,600 (to be corrected and amended at the Hearing to \$124,200) in additional revenues, an increase in residential and commercial customers bills per year from \$400 to \$700 to become effective July 1, 2026.

2. On March 31, 2026, Margaret O’Brien filed a Formal Complaint to the proposed rate increase. Her Complaint was docketed at C– 2026–3061588.

3. On April 1, 2026, Alex Arduino filed a Formal Complaint to the proposed rate increase. His Complaint was docketed at C–2026–3061478.

4. On April 7, 2026, Steven C Gray, Esquire, entered a Notice of Appearance on behalf of the Office of Small Business Advocate (“OSBA”). Additionally, OSBA filed a Formal Complaint, a public statement and verification at Docket Number C-2026–3061627.

5. By Order entered April 30, 2026, the Commission instituted an investigation into the lawfulness, justness and reasonableness of the proposed rates, rules and regulations contained in Montgomery’s proposed Sewer–PA PUC No. 2; and that the proposed Sewer-PA PUC No. 2 is suspended by operation of law until February 1, 2027.

6. This matter was assigned to the Office of Administrative Law Judge for alternative dispute resolution for the prompt scheduling of hearings, as may be necessary culminating in the issuance of a recommended decision.

7. In accordance with the Commission’s April 30, 2026, Order, the matter was assigned to Administrative Law Judge Barbara Shadie Nause.

## II. **Discussion pursuant to 52 PA. Code Section 5.224**

### 1. **Proposed plan and schedule of discovery**

– Montgomery proposes three (3) months for completion of written discovery, and two (2) additional months thereafter for completion of depositions.

– Montgomery proposes after completion of depositions, if any, an exchange of expert witness reports, if any. Any Pretrial Motions in Limine may be submitted prior to the Hearing.

### 2. **Possibility of Settlement** – Reasonable.

3. **Issues** – Whether Montgomery’s filing a request for new rates to support ongoing wastewater service system improvements should be approved by the Commission.

4. **Amount of hearing time needed** - Montgomery estimates that two (2) days or less will be required for the hearing.

5. **Witnesses**

1. Anne E. Hassan, President, Montgomery Sewer Co., Inc.

2. Kevin Hassan, Property Manager, Montgomery Sewer Co., Inc.

3. Tom Hall, Plant Operator, 1984 through 2025

4. John Dean, Vice President of EEMA, Inc., Plant Operator 2025-2026

5. Fred Ebert, President of Ebert Engineering, Inc., Consulting Waste Water Engineer 2023-2026

6. **Schedule for submission of testimony, hearings, and briefs**

As of the date of filing this Montgomery Prehearing Conference Memorandum, the proposed hearing dates, close of the record, main briefs and reply briefs dates have not been suggested because the 2027 public meeting schedule has not been published. It is anticipated that a proposed schedule will be discussed at the May 12, 2026 Prehearing Conference.

7. **Public input hearings**

Montgomery does not request public input hearings, but if they are scheduled they will attend.

8. **Any other appropriate matter**

Montgomery reserves the right to raise any other appropriate matter, should one arise, at

the time of the Prehearing Conference.

Respectfully submitted,

HAMBURG, RUBIN, MULLIN,  
MAXWELL & LUPIN

Date: May 7, 2026

By: \_\_\_\_\_



STEVEN H. LUPIN, ESQUIRE  
IDENTIFICATION NO. 17987  
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**CERTIFICATE OF SERVICE**

I, Steven H. Lupin, Esquire, hereby certify that a true and correct copy on this day serving copies of Montgomery Sewer Co., Inc.'s Prehearing Conference Memo upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant):

Steven C. Gray, Esquire  
Office of Small Business Advocate  
Commonwealth of Pennsylvania Office of  
Small Business Advocate Forum Place  
555 Walnut Street, 1st Floor Harrisburg, PA 17101  
Served via email on May 7, 2026 (OSBA)  
Email: [sgray@pa.gov](mailto:sgray@pa.gov); [ra-sba@pa.gov](mailto:ra-sba@pa.gov)


Margaret O'Brien  
116 Jonathan Drive  
North Wales, PA 19454  
Served via email on May 7, 2026  
Email: [margeobrien@msn.com](mailto:margeobrien@msn.com)

Alex Arduino  
153 Orchard Drive  
North Wales, PA 19454  
Served via email on May 7, 2026  
Email: [AJMA99@vahoo.com](mailto:AJMA99@vahoo.com)

Barbara Shadie Nause,  
Administrative Law Judge  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
Served via first class mail and  
email on May 7, 2026  
Email: [bshadienau@pa.gov](mailto:bshadienau@pa.gov)

Respectfully submitted,

HAMBURG, RUBIN, MULLIN,  
MAXWELL & LUPIN

By: \_\_\_\_\_

Date: May 7, 2026

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