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May 21, 2026

VIA UPS NEXT DAY AIR

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

VIA EMAIL

Stephanie M. Wimer
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement.
stwimer@pa.gov

DATE OF DEPOSIT

MAY 21 2026

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Pennsylvania Public Utility Commission, Bureau of Investigation and
Enforcement v. West Mayfield Borough
Docket No. C-2026-3062310

Dear Mr. Homsher and Ms. Wimer:

I enclose herewith the Answer to the Formal Complaint regarding the above-referenced case.

Very truly yours,



Joseph M. Budicak

JMB/msh
Enclosure

Copy to: West Mayfield Borough
w/enclosure

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE OF DEPOSIT

MAY 21 2026

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
INVESTIGATION AND ENFORCEMENT

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Complainant,

Docket No. C-2026-3062310

v.

WEST MAYFIELD BOROUGH,

Respondent,

ANSWER TO FORMAL COMPLAINT

NOW COMES the Respondent, West Mayfield Borough, with its Answer to the Formal Complaint and avers as follows:

I. COMMISSION JURISDICTION AND AUTHORITY

1. Paragraph 1 is admitted.
2. Paragraph 2. is neither admitted nor denied as the Respondent is without personal knowledge of the same.
3. Paragraph 3. is neither admitted nor denied as the Respondent is without personal knowledge of the same.
4. Paragraph 4. is admitted.
5. Paragraph 5. is admitted to the extent that the Respondent is a "facility owner" only as to a sewer line.
6. Paragraph 6. is admitted as to the definition.
7. Paragraph 7. is a conclusion of law and no response is required thereto.
8. Paragraph 8. is admitted as to the accuracy of the definition.

9. Paragraph 9. is admitted.
10. Paragraph 10. requires no response thereto because the same is a conclusion of law.
11. Paragraph 11. requires no response thereto because the same is a conclusion of law.
12. Paragraph 12. requires no response thereto because the same is a conclusion of law.
13. Paragraph 13. requires no response thereto because the same is a conclusion of law.

II. FACTUAL BACKGROUND

14. Paragraph 14. is admitted.
15. Paragraph 15. requires no response thereto because the same is a conclusion of law.
16. Paragraph 16. is denied. West Mayfield did respond on February 2025. It is denied that the One Call System automatically recorded West Mayfield as “No Response” at 12:21 P.M. Rather, as stated in footnote 2 of this paragraph, the system automatically sends the “No Response” within 2 hours so it would have been at 12:21 A.M. not 12:21 P.M.

17. Paragraph 17. is admitted.
18. Paragraph 18. is admitted.
19. Paragraph 19. is neither admitted nor denied as Respondent is without personal knowledge of the same.

20. Paragraph 20. is neither admitted nor denied as Respondent is without personal knowledge of the same.

21. Paragraph 21. is admitted.
22. Paragraph 22. is admitted.
23. Paragraph 23. is denied. Contrary to the assertion, the strike by Columbia Gas does not necessarily demonstrate that the excavation work was substantially advanced before the submission of the February 20th ticket. Moreover, given the very limited resources of the Respondent, the response was made as soon as practical.

24. Paragraph 24. is admitted.

25. Paragraph 25. is admitted.

26. Paragraph 26. is neither admitted nor denied as the Respondent is without personal knowledge of the same.

27. Paragraph 27. is admitted.

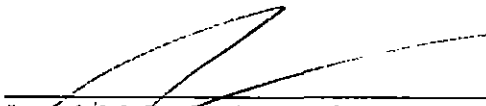
28. Paragraph 28. is admitted.

III. VIOLATION

Respondent, given its limited resources, did respond to the emergency excavation ticket as soon as practical under the circumstances. Fifteen (15) hours is not unreasonable under the circumstances.

WHEREFORE, Respondent respectfully requests that the relief set forth by the Formal Complaint is denied and that this proceeding be dismissed.

Respectfully submitted,



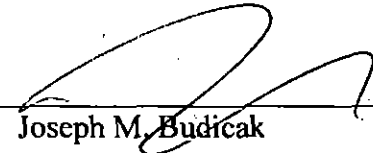
Joseph M. Budicak, Esquire
Attorney for Respondent

VERIFICATION

I, Joseph M. Budicak, on behalf of the Borough of West Mayfield, verify that the answers and statements set forth in the foregoing are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

WEST MAYFIELD BOROUGH

Date: 5/22/26

By: 
Joseph M. Budicak

DATE OF DEPOSIT

MAY 21 2026

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via UPS Next Day Air on the 22nd day of May, 2026, on the following:

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

DATE OF DEPOSIT

And by email on the following:

Stephanie M. Wimer
Deputy Chief Prosecutor
stwimer@pa.gov

MAY 21 2026

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**



Joseph M. Budicak, Esquire

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JOSEPH M. BUDICAK ESQ 401 THIRTEENTH STREET NEW BRIGHTON PA 15066	LTR	1 OF 1
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