

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Office of Consumer Advocate	:	
Office of Small Business Advocate	:	
Margaret Foust	:	R-2026-3064271 (water)
	:	C-2026-3064670
v.	:	C-2026-3064619
	:	C-2026-3065371
Reynolds Water Company	:	

Pennsylvania Public Utility Commission	:	
Office of Consumer Advocate	:	
Office of Small Business Advocate	:	
Margaret Foust	:	R-2026-3064275 (wastewater)
	:	C-2026-3064682
v.	:	C-2026-3064620
	:	C-2026-3065349
Reynolds Disposal Company	:	

PREHEARING ORDER

On July 31, 2026, Reynolds Water Company (RWC or Reynolds Water) filed Supplement No. 14 to Tariff Water – Pa. P.U.C. No. 4, to become effective September 29, 2026, requesting the Pennsylvania Public Utility Commission (Commission) approve a general distribution rate increase to its water rates pursuant to 52 Pa. Code Section 53.54, and 66 Pa. C.S. Sections 1308, 1311(c), and 1330, which would increase RWC’s total annual operating revenues by approximately \$359,994, or 54.5% overall.

RWC serves approximately 750 residential, commercial and industrial customers in portions of Pymatuning, Hempfield, and Delaware Townships, Mercer County, Pennsylvania.

On July 31, 2026, Reynolds Disposal Company (RDC or Reynolds Disposal) filed Supplement No. 9 to Tariff Sewage – Pa. P.U.C. No. 4, to become effective September 29, 2026,

requesting the Commission approve a general distribution rate increase to its wastewater rates, which would increase RDC's total annual operating revenues by approximately \$289,025, or between 26.8% and 46.7% overall depending on rate class.

RDC serves approximately 971 residential, commercial and industrial customers in portions of Pymatuning, Hempfield, and Delaware Townships, Mercer County, Pennsylvania.

On August 20, 2026, the Office of Small Business Advocate (OSBA) filed Formal Rate Complaints, docketed at C-2026-3064619 (water) and C-2026-3064620 (wastewater).

On August 21, 2026, the Office of Consumer Advocate (OCA) filed Formal Rate Complaints docketed at number C-2026-3064670 (water) and C-2026-3064682 (wastewater).

On September 1, 2026, the Commission's Bureau of Investigation and Enforcement (I&E) filed a Notice of Appearance in both the water and wastewater cases.

On September 10, 2026, the Commission entered an Order pursuant to Section 1308(d) of the Public Utility Code at both docket numbers, suspending RWC's and RDC's proposed Tariffs by operation of law until April 29, 2026; instituting an investigation to determine the lawfulness, justness, and reasonableness of the proposed and existing rates, rules, and regulations; and assigning the Rate Filing to the Office of Administrative Law Judge (OALJ) for the prompt scheduling of hearings as may be necessary culminating in the issuance of a recommended decision.

On September 14, 2026, the Commission issued an Initial Prehearing Conference Notice, scheduling a prehearing conference for September 18, 2026. On September 15, 2026, I issued a Prehearing Conference Order.

On September 17, 2026, in accordance with the Prehearing Conference Order, Prehearing Memoranda were filed by the Company, I&E, OCA, and OSBA.

A prehearing conference was held on September 18, 2026, as scheduled. The following parties were present and represented by counsel: RWC and RDC (collectively, Reynolds or the Company), BIE, OCA, and OSBA. The parties discussed a variety of matters detailed below.

The instant Order, *inter alia*, memorializes the matters discussed at the Prehearing Conference; consolidates the water case, wastewater case, and corresponding formal complaints; and provides information to the Company's customers who may want to participate in this matter.

Litigation Schedule

The parties agreed upon the following litigation schedule, which was adopted:

<u>Date</u>	<u>Event</u>
TBD	Public Input Hearings
October 22, 2026	Written Direct Testimony of All Other Parties Due
TBD (if necessary)	Other Parties' Supplemental Direct Testimony Regarding Public Input Hearing Testimony Due
November 12, 2026	Written Rebuttal Testimony Due
December 3, 2026	Written Surrebuttal Testimony Due
December 4, 2026, at 12:00 p.m.	Witness Matrix, Written Oral Rejoinder Testimony or Outline, and Master List of Proposed Exhibits Due to ALJ
December 7, 2026, at 1:00 p.m. December 8, 2026, at 9 a.m.	In-Person Evidentiary Hearings and Oral Rejoinder in Pittsburgh
December 21, 2026	Main Briefs Due
January 8, 2027	Reply Briefs or Submission of Joint Settlement Petition Executed By Representatives of All Parties, Together With All Parties' Statements In Support of Settlement Due <u>in Hand</u>

The parties are reminded of the Commission's requirements for the preparation and filing of written testimony. 52 Pa.Code §§ 5.412 and 5.412a. Written testimony must be accompanied by all exhibits to which it relates. Technical terms and concepts are to be clearly defined and explained in the testimonies and briefs. **No written testimony will be admitted into evidence unless accompanied by a verification or affidavit of the witness.**

Parties serving prepared testimony in proceedings pending before the Commission pursuant to 52 Pa.Code § 5.412(f) shall be required, within thirty (30) days after the final hearing in an adjudicatory proceeding, to e-file with the Secretary's Bureau a copy of all testimony furnished to the court reporter during the proceeding consistent with 52 Pa.Code § 5.412a.

The above-stated dates are in-hand dates for service on the Parties and the Presiding ALJ. The Parties and the Presiding ALJ agree to accept email transmission of such material, so long as the subject email is received by 4:30 p.m. on the date. The email address of the Presiding ALJ is: edevoe@pa.gov.

Evidentiary Hearings

Hearings will begin promptly at **1:00 p.m. on December 7, 2026, and 9 a.m. on December 8, 2026.** The parties must confer before commencement of the hearings to schedule their witnesses so as to avoid "holes" or "dead time" during the hearings.

In addition, the following procedures were adopted at the Prehearing Conference:

1. Evidentiary hearing exhibits need not include all pre-served testimony which is circulated to the ALJ and parties in this proceeding in accordance with the above-referenced procedural schedule. However, such pre-served testimony may be identified for movement into the record at the hearing through an inventory of pre-served testimony which is provided as a hearing exhibit.

2. Evidentiary hearing exhibits may be provided to the ALJ and parties by 10:00 am the day before the start of evidentiary hearings with the exception of hearing exhibits related to rejoinder which may be provided by the end of the day that they are presented.

3. For evidentiary hearings conducted in-person, evidentiary hearing exhibits may be sent to the court reporter electronically. This is in the interest of the environment and saving ratepayers money from the expenditure of printing voluminous hard copies.

4. For evidentiary hearings conducted in-person, attorneys may submit requests to the ALJ five days before the start of the evidentiary hearings for permission for witnesses to appear telephonically.

Parties

As of the date of this Order, the Company, I&E, OCA, and OSBA are the only active parties involved in this case.

On September 9, 2026, Formal Rate Complaints were filed by RWC/RDC customer Margaret Foust at Docket Nos. C-2026-3065371 (water) and C-2026-3065349 (wastewater).

Any customer complainant who wishes to participate as an active party in this matter must file correspondence with the Commission's Secretary's Bureau indicating his or her intent to do so. Unless a customer complainant files such correspondence, he or she shall be treated as an inactive party. Inactive parties will be sent copies of all hearing notices, will be able to testify and present exhibits at a public input hearing, and will be served with and provided an opportunity to object to or provide written comments on any petition for settlement, and will be served with and provided an opportunity to file exceptions to the recommended decision.

The active parties are directed to monitor filings with the Commission's Secretary's Bureau and advise the undersigned of any additional formal complaints or petitions

to intervene filed after the date of this Order. A Service List of these parties is appended to this Order.

Service

All active parties agreed to accept service by email. There is no need for parties to follow email service with service by First-Class Mail.

All written testimony and exhibits served on the Presiding Officer must also be served on her technical advisors. Additional information regarding service on the technical advisors will be provided to the active parties by email.

Consolidation

At the prehearing conference, the undersigned consolidated the water rate case at R-2026-3064271, the wastewater rate case at R-2026-3064275, and the corresponding OCA and OSBA Rate Complaints under Docket No. R-2026-3064271. The instant Order further consolidates the customer complaints filed by Ms. Foust with R-2026-3064271.

Public Input Hearings

At the Prehearing Conference, the parties agreed to have two in-person public input hearings and two public input hearings by Microsoft Teams.

The Company shall publish notice, with at least two weeks' notice, in: (1) the general readership section (not legal section) of local newspaper(s) within the service territory; (2) on its website; (3) in social media posts, at least twice per week during each week prior to the scheduled public input hearing; and, if practicable, (4) in the form of a bill insert to customers.

The active parties shall work together to generate the notice to be published.

Further, pre-registration is strongly encouraged, but not required, for the public input hearings to be held by Microsoft Teams. Pre-registration for the in-person public input hearings will not be accepted. Any proposed exhibits for the public input hearings shall be submitted to the Presiding ALJ by 10:00 a.m. the day of the public input hearing at which the witness intends to testify.

Issues

In their respective prehearing memoranda, the active parties identified various issues they may wish to pursue. The reader is directed to these documents to review a recitation of these issues. Additional issues may arise as the discovery process unfolds.

Discovery

The parties shall engage in informal discovery whenever and wherever possible in an attempt to resolve any discovery disputes amicably. 52 Pa.Code § 5.322. If this process fails, the parties have recourse to the Commission's procedures for formal discovery, as herein modified. 52 Pa.Code §§ 5.321, *et seq.* The parties must not send the Presiding ALJ discovery material or cover letters, unless attached to a motion to compel. **All motions to compel must contain a certification of counsel of the informal discovery undertaken and their efforts to resolve their discovery disputes informally.** If a motion to compel fails to contain such certification, the Presiding ALJ will contact the parties and direct them to pursue informal discovery.

At the prehearing conference, the parties agreed to the following modifications of the Commission's procedures for formal discovery, which were adopted and effective immediately:

- A. Answers to written interrogatories and requests for document production, entry for inspection, or other purposes shall be served in-hand within ten (10) calendar days of service.

- B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within three (3) business days of service of the interrogatories; unresolved objections shall be served in writing to the propounding party within five (5) business days of service of the interrogatories and/or requests for production.
- C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within five (5) business days of service of written objections.
- D. Answers to motions to dismiss objections and/or answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of such motions.
- E. Requests for admissions will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.
- F. Answers to on-the-record data requests shall be served in-hand within five (5) calendar days of the requests.
- G. Any discovery or discovery-related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day before a holiday will be deemed to have been served on the next business day for purposes of calculating the due date for any responsive filing.

After rebuttal is served, the deadlines shall be reduced as follows:

- A. Answers to interrogatories and responses to requests for document production, entry for inspection, or other purposes shall be served within five (5) calendar days of service of the interrogatories or requests for production.
- B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within two (2) business days of service; unresolved objections shall be served on the

propounding party in writing within three (3) business days of service of the interrogatories and/or requests for production.

- C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of written objections.
- D. Answers to motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of such motions.
- E. Requests for admission shall be deemed admitted unless answered or objected to within three (3) calendar days of service.
- F. Discovery requests and discovery related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

Protective Order

The parties must comply with 52 Pa.Code § 5.362 regarding the preparation and filing of a motion for a protective order. If a party files a motion for a protective order, it must submit a copy of the proposed protective order to the Presiding ALJ by email **in a *Microsoft Office Word* format.**

Settlement

The parties are reminded it is the Commission's policy to encourage settlements. 52 Pa.Code § 5.231(a). The parties are strongly urged to seriously explore this possibility.

Regardless of whether the parties reach a full or partial settlement in this matter, the evidentiary hearing will convene on December 7, 2026, even if only to permit the parties an

opportunity to move their evidence into the record. Testimonies and exhibits may be admitted into the record upon oral motion as long as the other parties waive cross-examination of the witness and an appropriate verification has been filed with the Commission's Secretary's Bureau.

If the parties settle this matter such that they want to request the hearing be cancelled and evidence admitted via a stipulation, they must advise the Presiding Officer no later than **12:00 p.m. on Friday, December 4, 2026**. The hearing will only be cancelled upon my receipt of a fully executed joint stipulation, signed by all parties, listing all evidence to be admitted, and including stipulations from all parties that all parties waive cross-examination for all witnesses and the listed evidence should be admitted.

A joint settlement petition, if any, must be executed by representatives of all active parties, and, together with all parties' statements in support of settlement, must be filed with the Secretary's Bureau and received in-hand by the Presiding ALJ no later than **4:30 p.m. on Friday, January 8, 2027**. Any settlement petition must contain proposed findings of fact sufficient to support a finding that the proposed settlement is in the public interest, proposed conclusions of law, and proposed ordering paragraphs.

The parties shall submit an electronic copy of all statements in support to the Presiding ALJ in a *Microsoft Office Word* format. Additional criteria regarding settlement documents will be communicated to the parties, if the parties advise the Presiding Officer that a settlement has been reached..

Stipulations

If settlement is not feasible, the parties are encouraged to stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve precious administrative hearing resources.
52 Pa.Code §§ 5.232 and 5.234.

All stipulations entered into by the parties must be reduced to writing, signed by the parties to be bound thereby, and moved into the record in this case either orally at an evidentiary hearing or through a motion filed with the Secretary's Bureau.

Cross-Examination

Friendly cross-examination or cumulative cross-examination during hearings will not be permitted. 52 Pa.Code §§ 5.76 & 5.243.

Briefs

The parties must comply with 52 Pa.Code §§ 5.501, *et seq.*, regarding the preparation and filing of briefs. Page limitations and additional criteria for briefs will be discussed on or before the last day of hearing.

Modification

Any of the provisions of this Prehearing Order may be modified upon motion and good cause shown by any party in interest.

Date: September 24, 2026

_____/s/
Emily I. DeVoe
Administrative Law Judge

**R-2026-3064271 - PENNSYLVANIA PUBLIC UTILITY COMMISSION v. REYNOLDS
WATER COMPANY(WATER)**

SETH A MENDELSON ESQUIRE
4250 CRUMS MILL ROAD SUITE 201
HARRISBURG PA 17112
717.941.1202
smendelson@saxtonstump.com
Served via eService September 24, 2026

REBECCA LYTTLE ESQUIRE
OFFICE OF SMALL BUSINESS ADVOCATE
555 WALNUT STREET 1ST FLOOR
HARRISBURG PA 17101
717.783.2525
relyttle@pa.gov
Served via email September 24, 2026

JANNA E WILLIAMS ESQUIRE
OLIVIA M SPERGEL ESQUIRE
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET
HARRISBURG PA 17101
717.783.5048
jwilliams@paoca.org
ospergel@paoca.org
Served via eService September 24, 2026

JOANNA TOFT-FUNK ESQUIRE
CARRIE B WRIGHT ESQUIRE
PA PUC BIE
400 NORTH STREET
HARRISBURG PA 17120
717.783.6184
717.783.6156
jtoftfunk@pa.gov
carwright@pa.gov
Served via eService September 24, 2026