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| PUC logo | COMMONWEALTH OF PENNSYLVANIA  PENNSYLVANIA PUBLIC UTILITY COMMISSION  Office of Administrative Law Judge  P.O. BOX 3265, HARRISBURG, PA 17105-3265 | **IN REPLY PLEASE REFER TO OUR FILE** |

June 14, 2017

In Re: **R-2017-2603026**

**C-2017-2608643**

(SEE ATTACHED LIST)

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**v.**

**THE MANWALAMINK WATER COMPANY**

**OFFICE OF CONSUMER ADVOCATE**

**v.**

**THE MANWALAMINK WATER COMPANY**

**N O T I C E**

It appears that the above-captioned matter could be processed by mediation between or among the parties. Mediation is an informal, non-adjudicatory process. The mediator does not give advice, represent any party, evaluate or make a decision. Instead, the mediator serves as an impartial facilitator who helps the parties resolve their disputes. In other words, mediation is a process which allows the parties to control the outcome of their dispute, as opposed to a hearing where the Administrative Law Judge and the Commission control the outcome.

Moreover, mediation is different from a settlement conference which is based on competitive negotiations. In mediation, the parties agree to work together toward a final resolution of their differences considering how any solution must address the interests of all parties.

There is no court reporter at a mediation session and discussions are **confidential,** unless otherwise provided for by law, regulation, or rule. The mediation is not binding (except for an agreement reached) and any party may withdraw from the mediation at any time. Mediation is ordinarily an efficient and economical procedure compared to a hearing which is often expensive and time-consuming.

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There can be no mediation unless the party with the burden of proof and all other necessary parties consent to mediate. If the party with the burden of proof consents, in proceedings subject to a statutory deadline for adjudication, that party must also agree, in writing, to extend the statutory deadline by at least 60 days.

**The Commission’s file will reflect that you consent to use the mediation process, unless the mediator named below hears from you to the contrary, in writing, within 7 days of the date of this notice. The mediator’s name and address are as follows:**

**Tiffany Hunt, Mediator**

**Pennsylvania Public Utility Commission**

**P.O. Box 3265**

**Harrisburg, PA 17105-3265**

**Telephone: (717) 787-3988**

**Fax: (717) 787-0481**

**Email:** [**tihunt@pa.gov**](mailto:tihunt@pa.gov)

By consenting to mediate, the Commission understands that you have made a commitment to act in good faith toward resolving the dispute in this matter. (See “Good Faith Factors for Mediation Sessions” attached.) If you cannot make this commitment, you should not consent to use the mediation process.

If the parties agree to mediation, you will receive notification by mail of the date, time and place set for the mediation session. If you have any questions regarding mediation, please call the mediator at the number provided above.

c: Mediator Hunt

ALJ Cheskis

ALJ Calvelli

File Room

OSBA

I&E

GOOD FAITH FACTORS FOR MEDIATION SESSIONS

GOOD FAITH INCLUDES, AMONG OTHER THINGS:

1. GIVING THE PARTICIPANTS, PRIOR TO THE FIRST SESSION, ALL THE INFORMATION THEY NEED TO KNOW IN ORDER TO RESOLVE THE CASE. (The Commission believes “that formal discovery procedures are not appropriate in the informal [mediation] process.” *Pa. Bul., Vol. 25, No. 20,* May 20, 1995, p. 1996. Therefore, discoverable information should be discovered informally.)

2. BEING FULLY PREPARED WITH FULL KNOWLEDGE OF THE CASE AND WITH POSSIBLE SOLUTIONS FOR RESOLVING THE CASE.

3. BEING WILLING TO CREATE OPTIONS TO RESOLVE A MATTER, CONSIDERING HOW THE SOLUTION MUST ADDRESS THE INTERESTS OF ALL THE PARTIES, AS OPPOSED TO TAKING AN UNYIELDING POSITION.

4. HAVING THE PERSON WITH THE AUTHORITY TO APPROVE THE TERMS FOR RESOLUTION ATTEND THE MEDIATION SESSION, OR, AT LEAST, BE AVAILABLE TO CONFER WITH THE PARTY’S REPRESENTATIVE DURING THE MEDIATION REGARDING APPROVAL OF TERMS.

5. DEMONSTRATING A WILLINGNESS TO LISTEN AND TO UNDERSTAND THE PERSPECTIVES OF THE OTHER PARTIES.

6. BEING WILLING TO SPEND THE ENTIRE DAY, IF NECESSARY, AT THE SESSION.

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Robert a shebelsky chairman & CEO

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Christine Maloni Hoover Esquire

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***Accepts Eservice***