

# Morgan Lewis

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July 20, 2017

## **VIA eFILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**Re: Pennsylvania Public Utility Commission v.  
Pennsylvania-American Water Company  
Docket No. R-2017-2595853**

Dear Secretary Chiavetta:

Enclosed for filing in the above-referenced matter is the **Answer of Pennsylvania-American Water Company to the Petition to Intervene of the Commission on Economic Opportunity**. Copies have been served on all parties of record as indicated on the attached Certificate of Service.

Very truly yours,



Anthony C. DeCusatis

ACD/ap  
Enclosures

c: Per Certificate of Service (w/encls.)

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>PENNSYLVANIA PUBLIC UTILITY COMMISSION</b>	:	
	:	
v.	:	<b>DOCKET NO. R-2017-2595853</b>
	:	
<b>PENNSYLVANIA-AMERICAN WATER COMPANY</b>	:	
	:	

**ANSWER OF  
PENNSYLVANIA-AMERICAN WATER COMPANY  
TO THE PETITION TO INTERVENE OF  
THE COMMISSION ON ECONOMIC OPPORTUNITY**

Pennsylvania-American Water Company (“PAWC” or the “Company”), pursuant to 52 Pa. Code § 5.66, hereby answers the Petition to Intervene of the Commission on Economic Opportunity (“CEO”) served on July 13, 2017, in the above-captioned matter and states as follows:

1. Admitted.
2. Admitted.
3. The averments of Paragraph No. 3 are a request for relief to which an answer is not required.
4. Admitted.
5. The averments of Paragraph No. 5 are a request for relief and a statement of intent to which an answer is not required.
6. Denied as stated. It is denied that CEO’s participation in this proceeding is “required to protect . . . the substantial interests of the low income citizens it represents.” In further answer, the interests of all customers, including low-income customers, in assuring that the rates charged by the Company are just and reasonable and satisfy other applicable standards

set forth in the Pennsylvania Public Utility Code and in regulations and orders of the Pennsylvania Public Utility Commission (“PUC” or the “Commission”) are represented by other parties in this case, including the Office of Consumer Advocate and the Bureau of Investigation and Enforcement. The Company does not, however, oppose the intervention of CEO with respect to issues that are properly within the scope of this base rate proceeding. The Company reserves the right to oppose the introduction of testimony or other evidence that it determines is not properly within the scope of this proceeding.

7. Denied as stated for the reasons set forth in the answer to Paragraph No. 6, above, which is incorporated herein by reference as if set forth at length.

8. Paragraph No. 8 is a statement of the relief CEO intends to pursue and its motivation for intervening in this proceeding. As such, Paragraph No. 8 is analogous to a request for relief, to which an answer is not required. In further answer, the Company reserves the right to oppose the introduction of testimony or other evidence by CEO that it determines is not properly within the scope of this proceeding.

9. Denied in part and admitted in part. It is admitted that the Commission has recognized that the public interest is served by programs designed to assist low-income and payment-troubled customers in obtaining and paying for water and wastewater service. It is denied that the Commission has ever imposed or recognized a rule or requirement that “any increase in rates should be accompanied by an increase in funding available to [a utility’s] low-income programs” or that it has previously found or determined that such a *per se* rule is necessary to assure a utility’s rates are “just and reasonable across all customer classes.” To the contrary, there are numerous cases in which utility rate increases have been approved without a

coordinate increase in the level of benefits furnished under such utilities' programs to assist low-income and payment troubled customers.

10. Admitted.

11. The averment of Paragraph No. 11 is an acknowledgment of the current status of this case and, as such, an answer is not required.

Although Pennsylvania-American Water Company, as set forth above, denies certain averments of CEO's Petition to Intervene, it does not oppose CEO's intervention in this case, subject to the reservation of rights by the Company in Paragraph Nos. 6-8, above.

Respectfully submitted,



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Dated: July 20, 2017

*Counsel for  
Pennsylvania-American Water Company*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>PENNSYLVANIA PUBLIC UTILITY COMMISSION</b>	:	
	:	
	:	
v.	:	<b>DOCKET NO. R-2017-2595853</b>
	:	
<b>PENNSYLVANIA-AMERICAN WATER COMPANY</b>	:	
	:	

**CERTIFICATE OF SERVICE**

I hereby certify and affirm that I have this day served a copy of the **Answer of Pennsylvania-American Water Company to the Petition to Intervene of the Commission on Economic Opportunity** on the following persons, in the manner specified below, in accordance with the requirements of 52 Pa. Code § 1.54:

**VIA ELECTRONIC AND FIRST CLASS MAIL**

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Respectfully submitted,



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Dated: July 20, 2017