**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :

:

v. : R-2017-2595853

:

Pennsylvania-American Water Company :

:

:

The Pennsylvania Office of Consumer :

Advocate :

v. : C-2017-2603058

:

Pennsylvania-American Water Company :

:

:

The Pennsylvania Office of Small :

Business Advocate :

:

v. : C-2017-2603512

:

Pennsylvania-American Water Company :

**ORDER**

On July 13, 2017, the Commission on Economic Opportunity (CEO) filed a Petition to Intervene in these proceedings.

By e-mail received on July 20, 2017, counsel for CEO advised the presiding officers that he had received no objections to the intervention based on his inquiry of the active parties.

However, on July 20, 2017, the presiding officers also received the Answer of Pennsylvania-American Water Company (PAWC) to the Petition to Intervene. That Answer was filed with the Secretary of the Commission the same day. That Answer is a “qualified” non-objection as was stated in an e-mail sent on July 20, 2017, from Administrative Law Judge Dennis J. Buckley to counsel for PAWC, copied to all active parties and CEO.

Late on July 20, 2017, the presiding officers received an e-mail from counsel for PAWC addressing the intent of PAWC in filing the Answer. This was followed by an e-mail from counsel for CEO addressing, among other matters, the scope of CEO’s proposed participation.

Having considered these filings, we are concerned that having been apprised that there were no objections to the Petition to Intervene, we received what we consider a very qualified “non objection,” from PAWC. The fact that this matter required clarifying e-mails from both counsel speaks for itself. We have other concerns that will be addressed in the Order ultimately determining whether the Petition to Intervene filed by CEO will be granted.

The Commission’s regulation at 52 Pa. Code § 5.66(a) states:

A party may file an answer to a petition to intervene within 20 days of service, and in default thereof, may be deemed to have waived objection to the granting of the petition. Answers shall be served upon all other parties.

The CEO Petition having been served on July 13, 2017, Answers are due by August 1, 2017. This Order requires that Answers to the CEO Petition to Intervene be filed by no later than August 1, 2017. As stated in Section 5.66, filing no Answer will be deemed as a waiver of objections. There will be no ruling on the CEO Petition until the active parties file Answers or waive objection by not filing. Any E-filing of a party’s Answer may be e-mailed to the judges with the Answer attached in Word format.

Date: July 21, 2017 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dennis J. Buckley

Administrative Law Judge

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Benjamin J. Myers

Administrative Law Judge

**R-2017-2595853 – Pennsylvania Public Utiltiy Commission v Pennsylvania American Water Company**

***Revised 6/30/17***

ANTHONY C DECUSATIS ESQUIRE

BROOK E MCGLINN ESQUIRE

MORGAN LEWIS AND BOCKIUS LLP

1701 MARKET STREET

PHILADELPHIA PA 19103

**215-963-5234**

***Accepts e-Service***

SUSAN SIMMS MARSH ESQUIRE

PENNSYLVANIA AMERICAN WATER CO

800 HERSHEY PARK DRIVE

HERSHEY PA 17033

**717.531.3208**

***Accepts e-Service***

CHRISTINE M HOOVER ESQUIRE

OFFICE OF CONSUMER ADVOCATE

5TH FLOOR FORUM PLACE

555 WALNUT STREET

HARRISBURG PA 17101

**717-783-5048**

**C-2017-2603058**

***Accepts e-Service***

ELIZABETH ROSE TRISCARI ESQUIRE

OFFICE OF SMALL BUSINESS ADVOCATE

300 NORTH SECOND STREET SUITE 202

HARRISBURG PA 17101

**717.783.2525**

**C-2017-2603512**

GINA L MILLER ESQUIRE

PA PUBLIC UTILITY COMMISSION

BUREAU OF INVESTIGATION AND ENFORCEMENT

400 NORTH STREET

HARRISBURG PA 17120

**717-783-8754**

***Accepts e-Service***

ADEOLU A BAKARE ESQUIRE

MCNEES WALLACE & NURICK LLC

PO BOX 1166

HARRISBURG PA 17108-1166

**717.232.8000**

***Accepts e-Service***

**C-2016-2606016**

*(For PAWLUG)*

DAVID F BOEHM ESQUIRE

BOEHM KURTZ & LOWRY

36 E SEVENTH STREET SUITE 1510

CINCINNATI OH 45202

**513.421.2255**

***Accepts e-Service***

(*FOR AK STEEL CORP)*

DAVID P ZAMBITO ESQUIRE

COZEN O’CONNOR

17 N SECOND STREET SUITE 1410

HARRISBURG PA 17101

**717.703.5892**

***Accepts e-Service***

*(FOR PAWC)*

NOEL NETEL

4167 BROOK CT

TOBYHANNA PA 18466-3051

**C-2017-2601550**

***Accepts e-Service***

BARBARA MCDADE

863 NORTH STREET

LUZERNE PA 18709

**C-2017-2603050**

THERESA SYLVESTER

1418 ELIZABETH STREET

SCRANTON PA 18504

**C-2017-2603078**

DOLORES LANDIS

2615 DOGWOOD LANE

EAST NORRITON PA 19401-1720

**C-2017-2603587**

JOHN HOOKS

437 EAST WINTER AVENUE

NEW CASTLE PA 16105

**C-2017-2603669**

CASEY HOGAN

337 EAST CHESTNUT STREET

COATESVILLE PA 19320

**484-557-4612**

**C-2017-2604355**

S STOCKTON ALLOWAY

755 MAIN STREET

PARKESBURG PA 19365

**C-2017-2604423**

FRED WESNER

PO BOX 61

5 WALNUT STREET

MCEWENSVILLE PA 17749

**C-2017-2604854**

MICHAEL SAVILLE

1126 WYOMING AVENUE

EXETER PA 18643-1918

**C-2017-2604937**

THOMAS YENCHICK

45 SECOND AVENUE

ROYERSFORD PA 19468

**C-2017-2605826**

***Accepts e-Service***

PAUL J WALASKI

65 DEPOT STREET

FOREST CITY PA 18421

**C-2017-2607003**

GAIL PURDY

612 CAMPBELL STREET

SCRANTON PA 18505

**C-2017-2607376**

RONALD RUSSO

1172 AUDUBON DRIVE

SOUTH ABINGTON TOWNSHIP PA 18411

**C-2017-2607392**

STEPHEN R SCHWARZ

9756 LELAND TERRACE

TOBYHANNA PA 18466

**C-2017-2607408**

BARRY FENICLE

405 BENYOU LANE

NEW CUMBERLAND PA 17070

**C-2017-2607439**

MARGARET L O’LEARY

79 VICTORIA STREET

WASHINGTON PA 15301-4348

**C-2017-2607455**

DELORES FERRARO

1447 ELIZABETH STREET

SCRANTON PA 18504

**C-2017-2608009**

HOFMANN INDUSTRIES INC

3145 SHILLINGTON ROAD

SINKING SPRING PA 19608

PHILIP J EDWARDS ESQUIRE

ROLAND STOCK PC

627 N FOURTH STREET

READING PA 19608

*(For Hofmann Industries Inc)*

**C-2017-2608461**

NANCY BRUCE HARRIS

1410 ROSTRON DRIVE

PITTSBURGH PA 15241

**C-2017-2608964**

VIRGINIA H COZZI

2214 SCARBOROUGH WAY

BUSHKILL PA 18324

**C-2017-2608986**

RAYMOND SAUNDERS

5132 OAKLEY COURT

BUSHKILL PA 18324

**C-2017-2609614**

REMEDIOS E LEYNES

4167 JUDGE STREET APT 60

ELMHURST NY 11373

**C-2017-2609712**

ALICE PIPER

2211 EXETER COURT

BUSHKILL PA 18324

**C-2017-2609820**

ALFRED KUMP

129 REGENT STREET

BUSHKILL PA 18324

**C-2017-2609834**

PHILIP CODELKA

5224 SCENERY DRIVE

PITTSBURGH PA 15236-2333

**C-2016-2610380**

ANGEL L PARDELLAS

304 MANCHESTER DRIVE

BUSHKILL PA 18324

**C-2017-2610358**

RONALD J SERAFIN

1016 MORGAN DRIVE

WILKES-BARRE PA 18705-3828

**C-2017-2611289**

LINDA WADDINGTON-TULLY

ROBERT TULLY

PO BOX 573

BUSHKILL PA 18324

**C-2017-2611329**

DAVID DULEBOHN

24 LAURELWOOD DRIVE

LAFLIN PA 18702-7216

**C-2017-2611486**

***Accepts e-Service***

SHANNON BROWN ESQUIRE

406 HIGHLAND AVENUE

CLARKS SUMMIT PA 18411

**C-2017-2611572**

***Accepts e-Service***

MARIA SALVE

217 EAST FOURTH STREET

BRIDGEPORT PA 19405

**C-2017-2611604**

***Accepts e-Service***

MICHAEL C POPE

8607 SPRUCE MILL DRIVE

YARDLEY PA 19067

**C-2017-2611968**