

# The Manwalamink Water Company Manwalamink Sewer Company

River Road, Fort DePuy  
P.O. Box 48  
Shawnee-on-Delaware, PA 18356-0048

570-517-2390  
Fax: 570-476-9909

July 27, 2017

**RECEIVED**

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

**JUL 27 2017**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Re: PA Public Utility Commission v. The Manwalamink Water Company  
Docket No. R-2017-2603026 / C-2017-2608643  
&  
PA Public Utility Commission v. Manwalamink Sewer Company  
Docket No. R-2017-2603038 / C-2017-260-8641

Dear Ms. Chiavetta:

In regard to the above matter, enclosed please find one original copy of each of the following:

- Joint Petition for Settlement -- The Manwalamink Water Company;
- Petition to Withdraw -- Manwalamink Sewer Company;
- Supplement No. 24 to Water -- PA P.U.C. No. 5; and
- Supplement No. 23 to Sewer -- PA P.U.C. No. 1.

If you have any questions or need any additional information, please contact us.

Very truly yours,

*Robert A. Shebelsky*  
cmc

Robert A. Shebelsky  
Chairman/Chief Executive Officer

RAS/cmc

Enclosures

cc: Christine Maloni Hoover, Esq.  
Judge Andrew Calvelli  
Judge Joel Cheskis  
Tiffany A. Hunt, Esq.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility  
Commission

v.

The Manwalamink Water Company

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Docket Nos. R 2017-2603026

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PA PUBLIC UTILITY COMMISSION  
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**JOINT PETITION FOR SETTLEMENT**

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**TO ADMINISTRATIVE LAW JUDGES CALVELLI AND CHESKIS:**

AND NOW, this 20th day of July, 2017, the two active parties ("Parties" or "Joint Petitioners") to the above proceeding, consisting of the Office of Consumer Advocate ("OCA") by and through its attorney, Christine Maloni Hoover; and Robert A. Shebelsky, Chairman and Chief Executive Officer of The Manwalamink Water Company hereby respectfully submit the following Joint Petition for Settlement:

1. The Manwalamink Water Company is deemed a Pennsylvania public utility subject to the jurisdiction of the Commission by virtue of the fact that it provides water service to customers in the Village of Shawnee-on-Delaware and adjoining territory, all in the Township of Smithfield and Middle Smithfield in the County of Monroe. As reflected in the Company's instant rate filing for the pro forma test period, it furnishes water service to customers of which the following table provides a breakdown of the number of customers in each customer class as of December 31, 2016:

<u>Customer Classes</u>	<u>Total</u>
Domestic	1,210
Commercial	<u>47</u>
Total	1257

2. On April 28, 2017, the Company filed Supplement No. 22 to Tariff Water-- Pa. P.U.C. No. 5, to become effective on July 1, 2017. In this filing, the Company proposed an estimated annual increase in base rate revenues of \$82,445, or an increase of approximately 20% to customers.

3. The OCA filed a Formal Complaint against the proposed rate increase on June 8, 2017.

4. By Order entered June 14, 2017, the Commission instituted an investigation to determine the lawfulness, justness and reasonableness of the proposed rates, rules and regulations. Pursuant to 66 Pa.C.S. §1308(d), the filing was suspended by operation of law until February 1, 2018, unless permitted by Commission Order to become effective at an earlier date.

5. The parties consented to the Commission's mediation process pursuant to 52 Pa. Code §69.392. Initial informal discussions between the Company and OCA were conducted and the parties agreed to a settlement.

6. The Joint Petitioners agree that the Company will be authorized to file compliance tariffs upon entry of a Commission Order approving a recommendation by the ALJ to adopt this settlement. In this settlement, the Company's originally proposed \$82,445 increase to customers will be reduced by \$20,445 to reflect an annual increase of \$62,000 over its proforma annual revenues of \$412,225 resulting in total allowed annual

revenue from rates of \$474,224, an increase of 15% in lieu of its original 20% rate increase.

7. Additional specific terms of the Settlement (in addition to Paragraph 6 above) are as follows:

a. The Company will be authorized to implement the attached tariff rates for customers on one (1) day's notice upon entry of a Commission Order approving this settlement agreement.

b. The Company will not file a general base rate increase, as that term is defined by Section 1308(d) of the Public Utility Code, 66 Pa.C.S. § 1308(d) within twelve (12) months after the entry date of the Commission Order approving this Joint Petition for Settlement. This stay-out provision has no application to rate changes proposed as a result of changes in fundamental regulatory policies affecting the Company's base rates or potential surcharge(s) or proposed as a result of emergency circumstances in the Company's service territory, pursuant to Section 1308(e) of the Public Utility Code, 66 Pa.C.S. § 1308(e).

c. Typical monthly rates for a residential meter usage customer using 3,130 gallons of water under current, proposed and settlement rates are as follows:

Current Rates	\$23.53
Proposed Rates	\$28.24 an increase of \$4.71 or 20%.
Settlement Rates	\$27.07 an increase of \$3.54 or 15%

8. The Joint Petitioners submit that this instant settlement is in the public interest because it: (i) provides the Company with immediate additional financial relief; (ii)

provides for the maintenance of safe and adequate service; (iii) avoids the additional cost associated with litigation and the administrative burdens of continuing this proceeding, and (iv) reduces the amount of the rate increase requested by the Company, to approximately seventy-five (75) per cent of the original request.

9. This settlement is proposed by the Joint Petitioners to settle the instant case and is made without any admissions against or prejudice to any position(s) that any Joint Petitioner may adopt during subsequent litigation, including further litigation in this case if this settlement is rejected by the Commission. This settlement is conditioned upon the Commission's approval of all terms and conditions contained in Paragraph Nos. 6 and 7 above. If the Commission should fail to grant such approval or should modify the terms and conditions herein, this Settlement may be withdrawn upon written notice to the Commission and all parties within three (3) business days by any of the Joint Petitioners and, in such event, shall be of no force and effect. In the event that the Commission does not approve this Settlement or that any Joint Petitioner elects to withdraw as approved above and the proceeding continues to hearing, the Joint Petitioners reserve their respective rights to submit direct testimony as well as rebuttal and surrebuttal testimony and conduct full cross-examination, briefing and argument in this rate proceeding.

10. OCA is the only formal complainant in this matter, and is a party to this proposed settlement.

11. If the ALJs, in their Recommended Decision, recommend that the Commission adopt the settlement as herein proposed, Joint Petitioners agree to waive the filing of Exceptions. However, Joint Petitioners do not waive their rights to file Exceptions with respect to any modifications to the terms and conditions of this

Settlement, or any additional matters proposed by the ALJs in their Recommended Decision. The Joint Petitioners reserve the right to file Reply Exceptions to any Exceptions which may be filed.

12. A proof of revenue is attached as Appendix A. The proposed Tariff Supplement pages are attached as Appendix B. The Statement in Support of the Company supporting the Joint Petition for Settlement is attached as Appendix C and the Statement in Support of the OCA is attached as Appendix D.

WHEREFORE, Joint Petitioners, respectfully request as follows:

1. That the ALJs and the Commission approve the Settlement embodied in this Joint Petition, including all terms and conditions thereof.

2. That the Commission grant the Company permission to file the Tariff Supplement annexed hereto as Appendix B to become effective in accordance with its terms on one day's notice, for service rendered on and after the entry date of a Commission Order approving the Joint Petition which Supplement increases water rates in the manner described herein.

3. The Commission's investigation at R-2017-2603026 be terminated and marked closed and the OCA Complaint at Docket Number C-2017-2608643 be marked closed.

On behalf of The Manwalamink Water Company.



Executed in two counterpart originals.

\_\_\_\_\_  
Robert A. Shebelsky,  
Chairman and Chief Executive Officer

\_\_\_\_\_  
Date

On behalf of OFFICE OF CONSUMER ADVOCATE

Christine Maloni Hoover  
Christine Maloni Hoover, Esquire  
Senior Assistant Consumer Advocate

July 25, 2017  
Date



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**Appendix A**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**The Manwalamink Water Company  
Proof of Revenue**

	<u>Amount</u>	
	\$	
Proforma Annual Revenue at Existing Rates	412,225	see bill analysis attachment #1
Original Overall Rate Increase at 20%	82,445	
Original Annual Revenue at Proposed Rates	<u>494,670</u>	
Per Joint Petitioners Agreement, reduce increase to \$62,000 which is approximately 15% in lieu of its original 20% rate increase	-20,445	
Proforma Annual Revenue at Settlement Rates	<u>474,225</u>	see bill analysis attachment #2

The Manwalamink Water Company  
Revenues Under Existing Rates

Attachment #1

**WATER METERED CUSTOMERS-BILLS ANALYSIS**

<b>RESIDENTIAL</b>	<b><u>No. of Bills</u></b>	<b><u>Rate</u></b>	<b><u>Revenue</u></b>
		<b>\$</b>	<b>\$</b>
<b><u>Customer Charges:</u></b>			
5/8 & 3/4 inch	13092	7.73	101,201
1 inch	192	20.61	3,957
1 1/2 inch	132	41.22	5,441
2 inch	0	92.74	-
Total Customer Charges	13416		110,599
<b><u>Metered Charges:</u></b>			
	<b><u>1,000 Gallons</u></b>	<b><u>Rate</u></b>	
Step 1 (Block 1)			
0-100,000 Gallons/month	41,990	5.05	212,050
Step 2 (Block 2)			
>100,000 Gallons/month		3.59	-
Total Metered Charges	41,990		212,050
<b>Total Residential Revenue</b>			<b>322,649</b>

<b>COMMERCIAL</b>	<b><u>No. of Bills</u></b>	<b><u>Rate</u></b>	
<b><u>Customer Charges:</u></b>			
5/8 & 3/4 inch	291	7.73	2,249
1 inch	132	20.61	2,721
1 1/2 inch	60	41.22	2,473
2 inch	60	92.74	5,564
3 inch	36	180.32	6,492
4 inch	0	309.12	-
Total Customer Charges	579		19,499
<b><u>Metered Charges:</u></b>			
	<b><u>1,000 Gallons</u></b>	<b><u>Rate</u></b>	
Step 1 (Block 1)			
0-100,000 Gallons/month	8,958	5.05	45,238
Step 2 (Block 2)			
>100,000 Gallons/month	8,004	3.59	28,734
Total Metered Charges	16,962		73,972
<b>Total Commercial Revenue</b>			<b>93,471</b>
<b>TOTAL REVENUE</b>			<b>416,120</b>

<b>Adjustment to reflect 2.07% decrease in Volume Charge</b>			
Residential	212,050		
Commercial	73,972		
	286,022	-2.07%	(5,921)
<b>Bill Analysis Revenue Existing Rates</b>			<b>410,199</b>

Note: Bill analysis produces less revenue than per books. Proforma bill analysis must be adjusted as follows:

Bill Analysis Revenue Existing Rates	410,199
Proforma Revenue per Books	412,225
Factor (410,199 / 412,225)	0.995086

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The Marwalamink Water Company  
Revenues Under Settlement Rates

Attachment #2

**WATER METERED CUSTOMERS-BILLS ANALYSIS**

<b>RESIDENTIAL</b>	<b><u>No. of Bills</u></b>	<b><u>Rate</u></b>	<b><u>Revenue</u></b>
		<b>\$</b>	<b>\$</b>
<u>Customer Charges:</u>			
5/8 & 3/4 inch	13092	8.89	116,388
1 inch	192	23.71	4,552
1 1/2 inch	132	47.42	6,259
2 inch	0	106.69	-
Total Customer Charges	13416		127,200
<u>Metered Charges:</u>			
	<b><u>1,000 Gallons</u></b>	<b><u>Rate</u></b>	
Step 1 (Block 1)			
0-100,000 Gallons/month	41,990	5.81	243,962
Step 2 (Block 2)			
>100,000 Gallons/month		4.13	-
Total Metered Charges	41,990		243,962
<b>Total Residential Revenue</b>			<b>371,162</b>

<b>COMMERCIAL</b>	<b><u>No. of Bills</u></b>	<b><u>Rate</u></b>	
<u>Customer Charges:</u>			
5/8 & 3/4 inch	291	8.89	2,587
1 inch	132	23.71	3,130
1 1/2 inch	60	47.42	2,845
2 inch	60	106.69	6,401
3 inch	36	207.44	7,468
4 inch	0	355.61	-
Total Customer Charges	579		22,431
<u>Metered Charges:</u>			
	<b><u>1,000 Gallons</u></b>	<b><u>Rate</u></b>	
Step 1 (Block 1)			
0-100,000 Gallons/month	8,958	5.81	52,046
Step 2 (Block 2)			
>100,000 Gallons/month	8,004	4.13	33,057
Total Metered Charges	16,962		85,103
<b>Total Commercial Revenue</b>			<b>107,534</b>

<b>Adjustment to reflect 2.07% decrease in Volume Charge</b>			
Residential	243,962		
Commercial	85,103		
	329,064	-2.07%	(6,812)

<b>Bill Analysis Revenue</b>					<b>471,884</b>
Plus Adjustment	\$471,884	X	0.0050	=	2,341
<b>Proforma Proposed Rates</b>					<b>474,225</b>

Increase Customer Charges	1.150				
Increase to Volume Rates	1.150				
Factor Adjustment	1.0000	-	0.995	=	0.005000

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SECRETARY'S BUREAU

**Supplement No. 24  
To Water -- PA P.U.C. No. 5**

**THE MANWALAMINK WATER COMPANY  
RATES AND RULES  
GOVERNING THE FURNISHING OF WATER SERVICE  
IN  
THE VILLAGE OF SHAWNEE-ON-DELAWARE  
AND ADJOINING TERRITORY, ALL IN THE  
TOWNSHIP OF SMITHFIELD AND MIDDLE SMITHFIELD  
COUNTY OF MONROE  
STATE OF PENNSYLVANIA**

**Issued: July 20, 2017**

**Effective: \_\_\_\_\_**

**By: Robert A. Shebelsky, Chief Executive Officer  
The Manwalamink Water Company  
P.O. Box 48, Fort DePuy, 2<sup>nd</sup> Floor  
Shawnee-on-Delaware, PA 18356-0048**

\*\*\*\*\*NOTICE\*\*\*\*\*

**THIS SUPPLEMENT IS FILED IN COMPLIANCE WITH COMMISSIONER'S ORDER**

**THE MANWALAMINK WATER COMPANY**

**SUPPLEMENT NO. 24  
To Water -- PA P.U.C. No. 5  
Sixteenth Revised Page No. 2  
Canceling Fifteenth Revised Page No. 2**

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**CHANGE MADE BY THE SUPPLEMENT**

In the Joint Petition for Settlement at Docket Nos. R2017-2603026 and C2017-268643, the Company's originally proposed annual increase in base revenues of \$82,445 or approximately 20% will be reduced to \$62,000 or approximately 15%.

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Issued: July 20, 2017

Effective: \_\_\_\_\_

**THE MANWALAMINK WATER COMPANY**

**SUPPLEMENT NO. 24  
To Water -- PA P.U.C. No. 5  
Twelfth Revised Page No. 2A  
Canceling Eleventh Revised Page No. 2A**

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(C) Indicates Change  
(I) Indicates Increase

**THE MANWALAMINK WATER COMPANY**

**SUPPLEMENT NO. 24  
To Water -- PA P.U.C. No. 5  
Ninth Revised Page No. 3  
Canceling Eighth Revised Page No. 3**

**SCHEDULE OF RATES  
METERED RATES\***

(I)

**SERVICE CHARGE:**

<b><u>SIZE OF METER</u></b>	<b><u>CHARGE PER MONTH</u></b>
5/8 and 3/4 inch	\$8.89
1 inch	\$23.71
1-1/2 inch	\$47.42
2 inch	\$106.69
3 inch	\$207.44
4 inch	\$355.61

**VOLUME CHARGE:**

In addition to a monthly service charge presented above, a volume charge based on metered usage will be charged as follows:

		<b><u>RATE PER 1,000 GALLONS</u></b>
For the First	100,000 gallons per month	\$5.81
For All Over	100,000 gallons per month	\$4.13

**MULTIPLE UNIT BILLING:**

In cases where service is provided to several customers through a single meter, the bill will be computed as follows:

Service Charge: Based on the actual meter size serving the multiple unit customer.

Plus: Volume charge computed by dividing the metered volume by the number of units. The dollar amount for a unit will be computed by applying the above volume charge to the metered volume for a single unit and multiplying by the number of units.

The multiple unit rate is applicable to multiple dwellings located in a single building.

\* Bills for water service shall be due and payable monthly.

(I) Indicates Increase

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## THE MANWALAMINK WATER COMPANY

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**Statement in Support of The Joint Settlement Petition**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

On April 28, 2017, The Manwalamink Water Company, (Company) filed Supplement No. 22 to Tariff Water-PA. P.U.C. No. 5, to become effective on July 1, 2017 proposing an estimated annual increase in base revenues of \$82,445 or approximately 20%.

On June 8, 2017, the Office of Consumer Advocate (OCA) filed a Formal Complaint against the proposed rate increase.

By Order entered June 14, 2017, the Public Utility Commission (Commission) instituted an investigation to determine the lawfulness, justness and reasonableness of the proposed rates.

Subsequently, the parties consented to the Commission's mediation process, and initial informal discussions between the Company and OCA were conducted.

As a result of the discussions the OCA agreed to withdraw their Complaint if the Company agreed to reduce the requested rate increase to an annual increase in revenues of \$62,000 or approximately 15% and also agree not to request a rate increase for a period of one year.

The Company supports the terms of the Settlement Agreement as set forth in the Joint Petition for Settlement at Docket Nos. R 2017-2603026 and C 2017-268643. The Company believes that the Settlement Agreement results in an acceptable resolution to the proposed rate increase in that it allows the Company sufficient revenue to continue operations in a safe reliable manner, avoids costly litigation and allows the Company to place the increased rates in effect at an earlier date.

In addition, the Settlement Agreement takes into account the interests of customers by reducing their bills.

THE MANWALAMINK WATER COMPANY



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Robert A. Shebelsky, Chairman/CEO

July 20, 2017

Date



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Appendix D

JUL 27 2017

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission

v.

The Manwalamink Water Company

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Docket Nos. R-2017-2603026  
C-2017-2608643

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STATEMENT OF  
THE OFFICE OF CONSUMER ADVOCATE  
IN SUPPORT OF  
JOINT PETITION FOR FULL SETTLEMENT  
OF RATE PROCEEDING

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The Office of Consumer Advocate (OCA), one of the signatory parties to the Joint Petition for Full Settlement of Rate Proceeding (Settlement), finds the terms and conditions of the Settlement to be in the public interest for the following reasons:

**I. INTRODUCTION**

The Manwalamink Water Company (Company) provides water service to approximately 1,257 customers in the Village of Shawnee-on-Delaware and adjoining territory, all in the Townships of Smithfield and Middle Smithfield in Monroe County, Pennsylvania. On April 28, 2017, the Company filed Supplement No. 22 to Tariff Water - Pa. P.U.C. No. 5 with the Pennsylvania Public Utility Commission (Commission), to become effective July 1, 2017. The Company, by filing its tariff supplement, sought Commission approval of rate changes that would increase the level of rates that it charges for providing service to its customers. Specifically, the Company sought an annual increase in base rate revenues of \$82,445, or approximately 20%. Under the Company's proposal, the proposed rates would increase from \$23.53 to \$28.24, or by 20%, for a customer using 3,129 gallons per month with a 5/8 inch meter.

On June 8, 2017, the OCA filed a Formal Complaint and Public Statement with the Commission (Docket No. C-2017-2608643).

On June 14, 2017, the Commission issued an Order initiating an investigation into the lawfulness, justness and reasonableness of the proposed rate increase in this tariff filing, and suspended the effective date of the proposed Supplement No. 22 to Tariff Water – Pa. P.U.C. No. 5 until February 1, 2018, by operation of law. The Commission assigned the case to Administrative Law Judges Joel H. Cheskis and Andrew M. Calvelli.

The parties consented to the Commission's mediation process. The Company, and OCA engaged in a number of settlement discussions during the course of the proceeding. As a result of the settlement discussions and meetings, the Company, and OCA were able to agree to resolve all issues prior to the Company filing any testimony, resulting in the comprehensive settlement terms and conditions set forth herein. As discussed below, the OCA submits that the Settlement is in the public interest and should be adopted.

## **II. SETTLEMENT TERMS AND CONDITIONS**

### **A. REVENUE AND RATE DESIGN**

The proposed Settlement is designed to produce an annual revenue increase of \$62,000, or 15%, in lieu of the originally proposed revenue increase of \$82,445, or 20%. See Settlement ¶ 6. Based on the OCA's analysis of the Company's filing, the proposed increase under the Settlement represents an amount which, in the OCA's view, would be within the range of the likely outcomes in the event of full litigation of the case.

Under this proposal, a customer using 3,129 gallons of water per month would experience a rate increase from \$23.53 to \$27.07, or by 15%.

## **B. STAY-OUT PROVISION**

Under the proposed Settlement, the Company cannot file for another general rate increase within twelve (12) months after the entry date of the Commission Order approving the Joint Petition for Settlement. Settlement at ¶ 7(b). If the Company files as soon as the stay out expires and if the next case is fully litigated, then the current rates would be in effect for approximately 21 months. Thus, the stay out will provide for some level of rate stability for the Company's customers.

## **III. CONCLUSION**

The terms and conditions of the proposed Settlement of this rate proceeding represent a fair and reasonable resolution of the issues and claims arising in this proceeding. If approved, the proposed Settlement would provide for an increase of \$62,000 from customers in annual revenues. This amount is reduced from the \$82,445 annual increase proposed in the Company's filing. In addition, the ratepayers will benefit from the stay-out provision. Finally, the Commission and all parties would benefit from the reduction in rate case expense and the conservation of resources made possible by adoption of the Settlement in lieu of full litigation.

WHEREFORE, for the foregoing reasons, the Office of Consumer Advocate submits that the proposed Settlement is in the public interest.

Respectfully Submitted,



Christine Maloni Hoover  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 50026  
E-mail: [CHoover@paoca.org](mailto:CHoover@paoca.org)

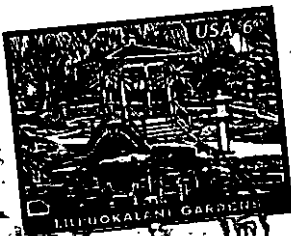
Counsel for:  
Tanya J. McCloskey  
Acting Consumer Advocate

Office of Consumer Advocate  
555 Walnut Street 5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Fax: (717) 783-7152

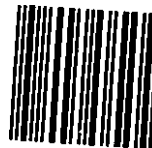
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Manwalamink Sewer Company  
P.O. Box 48  
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Pennsylvania Public Utility Commission  
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