**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et al. : R-2017-2631441

James Vessella : C-2017-2634797

Bea DeCiancio : C-2017-2635838

Office of Consumer Advocate : C-2017-2636654

John D’Urso : C-2017-2636679

Margaret Foust : C-2018-2644372

:

v. :

:

Reynolds Water Company :

**FIRST INTERIM ORDER**

Addition of New Complainant

On October 30, 2017, Reynolds Water Company (Reynolds or Company) filed Supplement No. 5 To Tariff – Water Pa. P.U.C. No. 4 to become effective January 1, 2018. It proposed to increase Reynolds Water Company’s total annual operating revenues by approximately $236,640 or 45.4% above the level of pro forma revenues for the future test year ending June 31, 2018.

Reynolds proposed to increase annual revenues by $236,640, or 45.1%, which would become effective on or about January 1, 2018. Reynolds engages in the business of furnishing water services to approximately 722 total customers (551 residential customers) in portions of the Townships of Pymatuning, Hempfield, and Delaware in Mercer County. For the typical residential customer using 9,000 gallons per quarter, the average bill would increase by 45.4% from $92.76 per quarter to $134.87 per quarter.

On December 21, 2017, the OALJ scheduled a call-in telephonic prehearing conference for December 29, 2017. Formal Complaints have been filed in this matter by James J. Vessella, Bea DeCiancio, John D’Urso and the Office of Consumer Advocate (OCA), at Docket Nos. C-2017-2634797, C-2017-2635838, C-2017-2636679, and C-2017-2636654, respectively. Prehearing Memoranda were submitted by Reynolds, the Bureau of Investigation and Enforcement (BIE), and OCA.

The presiding officer conducted a telephonic prehearing conference on Friday, December 29, 2017 at which counsels for Reynolds, OCA, BIE were present and James Vessella appeared. At the prehearing conference, the parties discussed and agreed upon various matters. The parties indicated a willingness and intention to engage in the Commission’s mediation process.

Reynolds agreed to file Supplement No. 7 which would postpone the effective date of the proposed rates by an additional sixty days, or to October 1, 2018. To date, Supplement No. 7 has not been filed.

Lastly, the parties requested the presiding officer suspend establishing a litigation schedule until after February 28, 2018 in order to provide the parties with time in which to engage in the mediation process. On January 2, 2018, the presiding officer issued the Prehearing Order which memorialized the matters discussed and agreed upon by the parties in attendance.

One individual has filed a formal complaint concerning this proposed rate increase since the date of the prehearing conference on December 29, 2017. On January 24, 2018, Margaret Foust filed a formal complaint against Reynolds Water Company at Docket No. C-2018-2644372 which contests the 45.4% proposed rate increase. The following directions are provided to Ms. Foust as a new party to this proceeding:

1. Youmust serve a copy of **every** document you mail and/or file in this case on me and on every other party on the Service List, including, but not limited to discovery requests, motions, testimony, and briefs.
2. Because you joined this proceeding after the prehearing conference that was held on December 29, 2017, you have waived all objections to the agreements reached and matters decided at the prehearing conference, including, but not limited to, any special discovery rules and the litigation schedule established for this case. 52 Pa. Code §§5.222(e) & 5.224.
3. If you do not intend to participate actively and fully in this case, then you are not required to appear at and participate in any prehearing conference or evidentiary hearing.
4. From the date of this Order until the conclusion of this proceeding, you will receive copies of my Orders, Hearing Notices, the Recommended Decision and the Commission’s Decision.
5. You have the right to appear and testify at any Public Input Hearing scheduled in this case, if scheduled, but persons testifying at the Public Input Hearing will not be permitted to also testify at the technical evidentiary hearings.
6. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, limited liability company, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

Therefore, the undersigned Administrative Law Judge enters the following Order and provisions:

1. Reynolds Water Company and the Office of Consumer Advocate will notify the presiding officer when a formal complaint is filed in this proceeding.

2. The formal complaint filed by Margaret Foust against Reynolds Water Company at Docket No. C-2018-2644372 is consolidated with the rate proceedings referenced above.

Dated: February 2, 2018

Katrina L. Dunderdale

Administrative Law Judge

**R-2017-2631441- PENNSYLVANIA PUBLIC UTILITY COMMISSION v. REYNOLDS WATER COMPANY**

***(Revised 1/26/18)***

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