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October 24, 2018

VIA ELECTRONIC FILING

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

**Re: Pennsylvania Public Utility Commission, *et al.*,
v. Pittsburgh Water and Sewer Authority
Docket Nos. R-2018-3002645, R-2018-3002647,
and C-2018-3004864**

Dear Secretary Chiavetta:

Please accept for electronic filing in the above-referenced proceeding the enclosed Petition to Withdraw Complaint on behalf of Peoples Natural Gas Company LLC.

Thank you for your assistance with this matter. Please direct any questions to me at 412 208 6527 or william.h.roberts@peoples-gas.com.

Very truly yours,

cc: Administrative Law Judge Mark A. Hoyer
Administrative Law Judge Conrad A. Johnson
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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William H. Roberts II

Dated this 24th day
of October, 2018

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE MARK A. HOYER
AND ADMINISTRATIVE LAW JUDGE CONRAD A. JOHNSON

Peoples Natural Gas Company LLC	:	
	:	Docket No. R-2018-3002645
v.	:	C-2018-3004864
	:	
Pittsburgh Water and Sewer Authority - Water	:	
	:	
Peoples Natural Gas Company LLC	:	
	:	Docket No. R-2018-3002647
v.	:	
	:	
Pittsburgh Water and Sewer Authority - Wastewater	:	

PETITION TO WITHDRAW COMPLAINT

Pursuant to 52 Pa. Code § 5.94(a), Complainant, Peoples Natural Gas Company LLC (“Peoples”), by and through its attorney, William H. Roberts II, petitions to withdraw its Amended Complaint in the captioned matter. In so petitioning, Peoples avers as follows:

1. By Amended Formal Complaint filed on October 5, 2018, Peoples complained that the proposed water and wastewater rate increase of the Pittsburgh Water and Sewer Authority (“PWSA”) may be unjust, unreasonable and in violation of the law. Peoples also complained that the proposed allocation of the revenue increase and proposed rate design may be unlawfully

discriminatory, in violation of the Public Utility Code, 66 Pa. C.S. §§ 1301 and 1304, and may otherwise be contrary to sound ratemaking principles and public policy. Peoples averred that to the extent that Peoples is a customer, or is a tenant directly affected by the rates charged by PWSA, it has standing to participate in this proceeding.

2. Peoples also averred that PWSA has the burden of proof in this proceeding to demonstrate by a preponderance of the evidence that its expenses, including pipeline repair and replacement expenses and back-office function expenses, are prudently-incurred. Further, that in order to meet this burden, PWSA should be required to demonstrate that its summary refusal to explore viable public-private partnerships and privatization options, which could materially reduce expenses for PWSA's ratepayers, is reasonable.

3. On October 15, 2018, PWSA filed Preliminary Objections to Peoples' Amended Formal Complaint in which PWSA, among other things, objected that Peoples lacked standing to pursue its Amended Complaint. While Peoples still believes that public benefits may be available from public-private partnerships and privatization options with PWSA, its efforts to make this showing have been and seemingly will continue to be resisted, thereby requiring a significant future commitment of Peoples' resources.

4. On October 23, 2018, Aqua America, Inc., and Peoples announced that Aqua America has entered into an agreement to purchase Peoples and its affiliated natural gas companies. Peoples desires and intends to focus its resources on issues related to its acquisition and the required regulatory approvals related thereto. For this reason, Peoples petitions to withdraw its formal complaint in this proceeding and to withdraw from further participation in these dockets.


5. No party will be harmed by Peoples withdrawal from these proceedings. In fact, permitting a party to withdraw from a proceeding, when it no longer wishes to pursue its claims, promotes judicial economy and therefore promotes the public interest.

6. Peoples has concurrently filed its Answer to Preliminary Objections in which Peoples supported its standing to pursue its Amended Complaint. Peoples filed its Answer solely as a precaution in the event that this Petition is not granted. If this Petition is granted, Peoples respectfully submits that PWSA's Preliminary Objections to Peoples' Amended Complaint and Peoples' Answer to PWSA's Preliminary Objections will be moot.

WHEREFORE, Peoples Natural Gas Company LLC respectfully requests that it be granted leave to withdraw its complaint in the above-captioned matter.

Respectfully submitted,

PEOPLES NATURAL GAS COMPANY LLC

By: 

William H. Roberts II
Sr. Counsel
Peoples Natural Gas Company LLC
375 North Shore Drive
Pittsburgh, PA 15212

Date: October 24, 2018

VERIFICATION

I, William H. Roberts II, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 10.24.2018

William H Roberts II

(Signature)