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October 30, 2018

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

**RE: Implementation of Chapter 32 of the Public Utility Code Re: Pittsburgh Water and
Sewer Authority
Docket Nos. M-2018-2640802 and M-2018-2640803**

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Pennsylvania-American Water Company is its Petition to Intervene in the above-referenced matter. A copy of this Petition has been served in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Best Regards,

STEVENS & LEE



Michael A. Gruin

Enclosure

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Implementation of Chapter 32 of the : Docket Nos. M-2018-2640802 and
Public Utility Code Re. Pittsburgh Water : M-2018-2640803
and Sewer Authority :
:
:

PETITION TO INTERVENE OF PENNSYLVANIA-AMERICAN WATER COMPANY

Pursuant to 52 Pa. Code §5.71, and the notice published in the *Pennsylvania Bulletin* on Saturday, October 13, 2018, Pennsylvania-American Water Company, by and through the undersigned counsel, submits this Petition to Intervene in the above-referenced matter and in support thereof respectfully avers as follows:

1. The Petitioner is Pennsylvania-American Water Company (“PAWC”), a utility certificated to provide water service throughout various regions of Pennsylvania, including certain portions of the City of Pittsburgh that are also serviced by Pittsburgh Water and Sewer Authority (“PWSA”).

2. PAWC’s address is as follows:

800 West Hersheypark Drive
Hershey, PA 17033

3. The names and addresses of PAWC’s attorneys are as follows:

Susan Simms Marsh, Esquire (PA ID No. 44689)
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4. On March 15, 2018, the Pennsylvania Public Utility Commission (“Commission”) issued its Final Implementation Order in the *Implementation of Chapter 32 of the Public Utility Code re Pittsburgh Water and Sewer Authority*, Docket Nos. M-2018-2640802 (water) and M-2018-2640803 (wastewater).

5. Chapter 32 of the Public Utility Code, 66 Pa.C.S. § 3204, requires the PWSA to file a compliance plan which includes provisions to bring PWSA’s existing information technology, accounting, billing, collection and other operating systems and procedures into compliance with the requirements applicable to jurisdictional water and wastewater utilities under the Public Utility Code and applicable rules, regulations and orders of the Commission.

6. On September 26, 2018, the Commission issued a Secretarial Letter outlining the procedure for the Commission’s review of the PWSA’s Compliance Plan.

7. On September 28, 2018, PWSA filed its Petition for Approval of its Compliance Plan, pursuant to Section 3204(b) and (c) of the Public Utility Code (66 Pa.C.S. § 3204 (b)).

8. Notice of the filing of PWSA’s Compliance Plan was published in the Pennsylvania Bulletin on October 13, 2018.

9. The City of Pittsburgh, predecessor to PWSA and Western Pennsylvania Water Company, predecessor to PAWC entered into an Agreement dated December 28, 1973 (“December 28, 1973 Agreement”), which provides for PAWC to issue its bill to PAWC customers and include an adjustment for customers who reside in the City of Pittsburgh. The amount of the adjustment is the difference, if any, between the bill calculated on current PAWC rates and a bill calculated on the

current water rate schedule of PWSA. This adjustment is known to customers of PAWC as the City of Pittsburgh Discount.

10. PWSA's Compliance Plan includes provisions related to the December 28, 1973 Agreement and the City of Pittsburgh Discount.

11. The Commission's regulations at 52 Pa. Code § 5.72(a) provide that "A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

- a. A right conferred by statute of the United States or of the Commonwealth.
- b. An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.
- c. Another interest of such nature that participation of the petitioner may be in the public interest.

12. PAWC clearly meets the standard for intervention.

13. The PWSA Compliance Plan specifically references the December 28, 1973 Agreement on pages 112-113, and indicates that PWSA is proposing to end the City of Pittsburgh discount in PWSA's next base rate case.

14. The interests of PAWC are not represented by any other participant in this proceeding, the outcome of which will be binding upon PAWC.

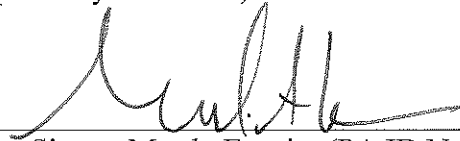
15. Because PAWC has a direct and substantial interest in this proceeding, and because no other entity can represent PAWC's interests, PAWC requests that it be permitted to intervene as a party in order to adequately represent and protect its interests in this proceeding.

16. PAWC will comply with the procedural order and schedule issued by the Presiding Officer in this proceeding, and reserves the right to fully participate in the proceeding to the extent

necessary, including, but not limiting to, filing comments, serving discovery, submitting written testimony, participating in evidentiary hearings, and submitting Briefs.

WHEREFORE, Pennsylvania-American Water Company respectfully requests that its Petition to Intervene be granted and that it be accorded full party status in the above-captioned proceeding.

Respectfully submitted,



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October 30, 2018


**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Implementation of Chapter 32 of the : Docket Nos. M-2018-2640802 and
Public Utility Code Re. Pittsburgh Water and : M-2018-264-803
Sewer Authority :

VERIFICATION

I, John Cox, Director of Rates and Regulations, Mid-Atlantic, American Water Works Service Company, Inc., hereby state that the facts set forth in the foregoing Petition to Intervene of Pennsylvania-American Water Company 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 if 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: October 30, 2018



John Cox
Director of Rates and Regulations

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the foregoing Petition to Intervene upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and First Class Mail

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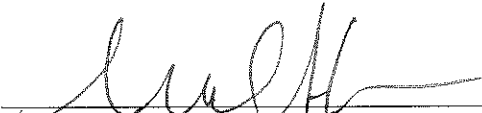
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Dated: October 30, 2018