**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, *et al.* : R-2018-3001306

: R-2018-3001307

v. :

:

Hidden Valley Utility Services, L.P. – :

Water and Wastewater :

**INTERIM ORDER**

Admitting Hearing Record

from Related Proceedings

During the evidentiary hearing conducted in these proceedings on November 16, 2018, the Office of Consumer Advocate (OCA) orally moved to admit into evidence the hearing record from two complaint proceedings conducted before the Commission which involved Hidden Valley Utility Services (HVUS). The two complaint proceedings were Tanya J. McCloskey, Acting Consumer Advocate v. Hidden Valley Utility Services, LP – Water, at Docket No. C-2014-2447138, and Tanya J. McCloskey, Acting Consumer Advocate v. Hidden Valley Utility Services, LP – Wastewater, at Docket No. C‑2014-2447169 (collectively referred to as McCloskey Case).

At the hearing on November 16, 2018, the Administrative Law Judges ruled orally from the bench and granted OCA permission to admit the documents, however, the Administrative Law Judges required OCA to render the motion into writing and to include a specific list of the documents to be admitted from the McCloskey Case. No party present objected to the admission of the documents.

On November 21, 2018, OCA filed a Motion to Admit into Evidence the Record of Other Proceedings pursuant to 52 Pa.Code § 5.407. OCA noted the other parties (HVUS, the Bureau of Investigation and Enforcement, and Hidden Valley Foundation) indicated there was no opposition to OCA’s Motion. OCA provided an itemized list of the documents to be admitted into the proceedings herein from the McCloskey Case, which consist of transcripts, testimonies and exhibits. The public input hearing transcript contains testimony from two public input hearings held on June 25, 2015 within HVUS’ service territory, at which HVUS and counsel participated and cross-examined customers.

OCA asserts the 2015 testimony addressed many of the same quality of service issues raised in the current proceedings, including customers’ ability to drink, cook, shower and launder clothes, and the effect on appliances and fixtures. The 2015 testimony also addressed the allegation of prolonged water quality issues in Hidden Valley. OCA further asserts the testimony of the parties in the McCloskey Case provides each party’s position and recommendations regarding water and wastewater quality of service at that time.

THEREFORE,

IT IS ORDERED:

That the documentation submitted by OCA, marked as “McCloskey Case Hearing Record,” is hereby admitted into evidence, pursuant to 52 Pa.Code § 5.403(a)(1) and § 5.404, and is itemized below:

a. Transcript of June 25, 2015 Public Input Hearings, pages 34 through 238;

b. Transcript of November 17, 2015 Hearing, pages 239 through 413;

c. OCA Statement 1 Water, Direct Testimony of Ashley E. Everette, and

Exhibits AEE-1W and AEE-2W;

d. OCA Statement 1-S Water, Surrebuttal Testimony of Ashley E. Everette, and

Exhibits AEE-3W and AEE-4W;

e. OCA Statement 1-SR Water, Surrejoinder Testimony of Ashley E. Everette;

f. OCA Statement 1 Wastewater, Direct Testimony of Ashley E. Everette, and

Exhibits AEE-1WW and AEE-2WW;

g. OCA Statement 1-S Wastewater, Surrebuttal Testimony of

Ashley E. Everette, and Exhibits ZEE-3WW and AEE-4WW;

h. OCA Statement 1-SR Wastewater, Surrejoinder Testimony of

Ashley E. Everette;

i. OCA Statement 2 Water, Direct Testimony of Terry L. Fought, and

attached Exhibits;

j. OCA Statement 2-S Water, Surrebuttal Testimony of Terry L. Fought,

and attached Exhibits;

k. OCA Statement 2-SR Water, Surrejoinder Testimony of Terry L. Fought;

l. OCA Statement 2 Wastewater, Direct Testimony of Terry L. Fought, and

attached Exhibits;

m. OCA Statement 2-S Wastewater, Surrebuttal Testimony of Terry L. Fought,

and attached Exhibit;

n. Kollar Statement 1, Direct Testimony of Robert J. Kollar;

o. Kollar Statement 1-S, Surrebuttal Testimony of Robert J. Kollar;

p. HVUS Statement 1-R, Rebuttal Testimony of James M. Kettler, and

Exhibits JMK 1 and 2;

q. HVUS Statement 2-R, Rebuttal Testimony of James M. Kettler, and

Exhibits JMK 3 and 4;

r. HVUS Statement 3-R, Rejoinder Testimony of James M. Kettler, and

Exhibit JMK 5;

s. Administrative Law Judge Exhibit 1 (Errata Sheet, Terry Fought);

t. Administrative Law Judge Exhibit 2 (Joint Petition for Settlement of

Separate Water and Wastewater Application);

u. Administrative Law Judge Exhibit 3 (Transcript Public Input Hearing

of October 7, 2014);

v. Administrative Law Judge Exhibit 4 (Company’s Water filing 2014); and

w. Administrative Law Judge Exhibit 1 (Company’s Wastewater filing 2014).

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Mark A. Hoyer

Deputy Chief Administrative Law Judge

Date: November 29, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Katrina L. Dunderdale

Administrative Law Judge

**R-2018-3001306 - PA PUBLIC UTILITY COMMISSION ET AL V.**

**HIDDEN VALLEY UTILITY SERVICES, L.P. – WATER**

**R-2018-3001307 - PA PUBLIC UTILITY COMMISSION ET AL V.**

**HIDDEN VALLEY UTILITY SERVICES, L.P. – WASTEWATER**

*(Revised 10/26/18)*

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***C-2018-3002470***

***C-2018-3002475***

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TONI GORENC

2802 SARAH STREET

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***C-2018-3002480***

***C-2018-3002481***

TONI GORENC

1767 GREENFIELD TERRACE

HIDDEN VALLEY PA 15502

***C-2018-3002480***

***C-2018-3002481***

DAVID BRODLAND

163 BROWNS RUN

HIDDEN VALLEY PA 15502

***C-2018-3002485***

***C-2018-3002487***

DAVID BRODLAND

2014 BLAINMONT DRIVE

PITTSBURGH PA 15241-2203

***C-2018-3002485***

***C-2018-3002487***

ROBERT AND KATHERINE BAIR

5119 SUMMIT DRIVE

HIDDEN VALLEY PA 15502

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JEROME AND BARBARA CYPHER

5304 SUMMIT DRIVE

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***C-2018-3002683***

JEROME AND BARBARA CYPHER

17 WILMONT AVENUE

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***C-2018-3002683***

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