

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Aqua America, Inc., Aqua :  
Pennsylvania, Inc., Aqua Pennsylvania Wastewater, : Docket No. A-2018-3006061  
Inc., Peoples Natural Gas Company LLC and Peoples : Docket No. A-2018-3006062  
Gas Company LLC for all of the Authority and the : Docket No. A-2018-3006063  
Necessary Certificates of Public Convenience to :  
Approve a Change in Control of Peoples Natural Gas :  
Company LLC, and Peoples Gas Company LLC, By :  
Way of the Purchase of All of LDC Funding LLC’s :  
Membership Interests by Aqua America, Inc. :

**PETITION TO INTERVENE OF LABORERS’ DISTRICT COUNCIL OF WESTERN PENNSYLVANIA**

Pursuant to 52 Pa. Code §§ 5.71, *et.seq.*, the Laborers’ District Council of Western Pennsylvania, by and through its undersigned counsel, hereby petitions to intervene in the above-captioned proceedings, and sets forth the following in support of its Petition:

1. The Petitioner Laborers’ District Council of Western Pennsylvania, (hereinafter referred to as “District Council”) is a democratic labor organization that represents approximately 13,000 members in 33 counties in Western Pennsylvania. Its offices are located at 12 Eighth Street, Pittsburgh, PA 15222.
2. District Council is comprised of individual local labor organizations that serve the various geographic areas within its jurisdiction, and provides administrative and organizational services to its members and member unions.
3. The Petitioner has a substantial interest in these proceedings. For in excess of 25 years the Petitioner has entered into collective bargaining agreements with numerous employer/contractors in Western Pennsylvania which contract with Peoples on pipe replacement and installation projects.

4. The Petitioner estimates that there are up to 600 of its members employed on a regular basis on Peoples installation and restoration projects.

5. Union members who are employed on these Peoples projects participate in extensive training in safety and construction processes and standards prior to and in the course of employment. The Petitioner owns and operates a training center in Western Pennsylvania which provides an 80 hour pipeline technology class and certification to laborers seeking employment in the field.

6. Peoples relies on outside construction contractors for performance of infrastructure improvement, including mainline pipe replacement and the removal of “at risk” pipes consistent with the Commission-approved Combined Distribution Long-Term Infrastructure Improvement Plan (“LTIIP”). Furthermore, the Applicants have stated they are considering a “more aggressive program” to accelerate pipe modernization. Despite the importance of outside construction contractors and their employees in providing these services, and the possible acceleration of infrastructure replacement activities, the Applicants have not disclosed how contractor employees, contractor standards, or contract procurement will be affected by the transaction. Many of these outside contractors have collective bargaining agreements with the Petitioner for provision of qualified laborers.

7. The potential determinations in this proceeding may have a direct impact on Petitioners’ members with respect to issues including, but not limited to workforce development, investments, safety and training requirements.

8. As the bargaining representative of the workers employed by Peoples’ contractors on these construction projects, the Petitioner’s intervention serves the public interest as well as the

interests of the members. Petitioner can provide the Commission relevant and necessary information related to the proceedings, including wage rates, training requirements, construction standards, local employment impacts and workforce development investments that may affect safe and reliable natural gas distribution services. No other party in this proceeding can represent the interests of the Petitioner.

9. Petitioner will be represented by, and requests that all documents be served upon its counsel:

Melvin L. Vatz, Esq.  
247 Fort Pitt Boulevard, 4<sup>th</sup> Floor  
Pittsburgh, PA 15222  
Phone: 412-391-3030  
Fax: 412-281-9509  
Email: [mvatz@vatzlaw.com](mailto:mvatz@vatzlaw.com)

Petitioner requests that courtesy copies of all documents be served upon the following:

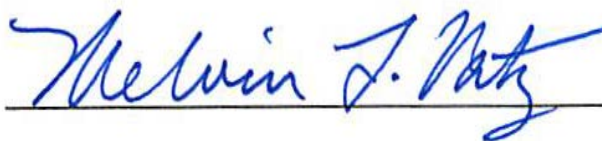
Brian Petruska, Esq.  
General Counsel  
LiUNA, Mid-Atlantic Region  
11951 Freedom Drive, Suite 310  
Reston, Virginia 20190  
Email: [bpetruska@maliuna.org](mailto:bpetruska@maliuna.org)

10. Pursuant to 52 Pa.Code §§ 1.53 and 1.54, counsel consents to service of all documents by electronic mail.

11. Petitioner will actively participate in all proceedings in this matter affecting its interests.

WHEREFORE, Petitioner respectfully requests that the Commission grant its Petition for Intervention.

Respectfully submitted,

A handwritten signature in blue ink that reads "Melvin L. Vatz". The signature is written in a cursive style and is positioned above a solid horizontal line.

Melvin L. Vatz  
247 Fort Pitt Blvd, 4<sup>th</sup> Floor  
Pittsburgh, PA 15222  
Pa. I.D. #23655  
412-391-3030  
[mvatz@vatzlaw.com](mailto:mvatz@vatzlaw.com)

Attorney for Petitioner, Laborers' District Council  
of Western Pennsylvania

**VERIFICATION**

I, Philip Ameris, President, Laborers' District Council of Western Pennsylvania, 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).

12/19/2018  
Date

  
Philip Ameris

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of Petition to Intervene of Laborers' District Council of Western Pennsylvania, upon the following parties by electronic mail (where an email address is shown).

Michael W. Hassell/Michael W. Gang/Garret P. Lent  
Post & Schell  
17 N. Second Street, 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
[mhassell@postschell.com](mailto:mhassell@postschell.com); [mgang@postschell.com](mailto:mgang@postschell.com); [glent@postschell.com](mailto:glent@postschell.com)  
[ksitler@postschell.com](mailto:ksitler@postschell.com)  
Representing Aqua America, Inc.

Kimberly Joyce/Alexander R. Stahl  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010  
[kajoyce@aquaamerica.com](mailto:kajoyce@aquaamerica.com); [astahl@aquaamerica.com](mailto:astahl@aquaamerica.com)  
Representing Aqua America, Inc.

David P. Zambito/Jonathan Nase  
Cozen O'Connor  
17 N. Second Street, Suite 1410  
Harrisburg, PA 17101  
[dzambito@cozen.com](mailto:dzambito@cozen.com); [jnase@cozen.com](mailto:jnase@cozen.com); [kgrant@cozen.com](mailto:kgrant@cozen.com)  
Representing Peoples Gas Companies

William H. Roberts, II  
Peoples Service Company LLC  
375 North Shore Drive, Suite 600  
Pittsburgh, PA 15212  
[William.h.robertsii@peoples-gas.com](mailto:William.h.robertsii@peoples-gas.com)  
Representing Peoples Gas Company, LLC

Daryl Lawrence  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Harrisburg, PA 17101  
[dlawence@paoca.org](mailto:dlawence@paoca.org)  
Representing Office of Consumer Advocate

Richard Kansaskie  
Bureau of Investigation & Enforcement  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
[rkanaskie@pa.gov](mailto:rkanaskie@pa.gov)  
Representing Bureau of Investigation & Enforcement

Erin K. Fure  
Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
[efure@pa.gov](mailto:efure@pa.gov)  
Representing Office of Small Business Advocate

Scott J. Rubin  
333 Oak Lane  
Bloomsburg, PA 17815  
[scott.j.rubin@gmail.com](mailto:scott.j.rubin@gmail.com)  
Representing Utility Workers Union of America, Local 612

December 19, 2018

s/Melvin L. Vatz, Esq.  
Melvin L. Vatz, Esq.