|  |  |
| --- | --- |
| Public Meeting held August 29, 2019 | |
|  | |
| Commissioners Present: | |
|  | |
| Gladys Brown Dutrieuille, Chairman  David W. Sweet, Vice Chairman  Norman J. Kennard  Andrew G. Place  John F. Coleman, Jr. | |
|  | |
| Pennsylvania Public Utility Commission  v.  City of Lancaster – Wastewater | R-2019-3010955  C-2019-3011834  C-2019-3012096 |

**ORDER**

**BY THE COMMISSION:**

On July 19, 2019, City of Lancaster – Wastewater (Lancaster-WW), Utility Code 230220, filed Supplement No. 39 Sewer – PA P.U.C. No. 7 (Supplement No. 39) to become effective September 17, 2019. The subject tariff supplement would increase Lancaster-WW’s total annual operating revenues for wastewater service by approximately $646,727, or 46.7%.

On July 29, 2019, the Office of Consumer Advocate filed a formal complaint against Supplement No. 39 at Docket No. C-2019-3011834. On August 8, 2019, the Office of Small Business Advocate filed a formal complaint against Supplement No. 39 at Docket No. C-2019-3012096. Pursuant to the Public Utility Code, 66 Pa. C.S. § 1308(d), the filing will be suspended by operation of law until April 17, 2020, unless permitted by Commission Order to become effective at an earlier date.

Investigation and analysis of this proposed tariff supplement and the supporting data indicates that the proposed changes in rates, rules, and regulations may be unlawful, unjust, unreasonable, and contrary to public interest. It also appears that consideration should be given to the reasonableness of Lancaster-WW’s existing rates, rules, and regulations; **THEREFORE,**

**IT IS ORDERED:**

1. That an investigation on Commission motion be, and hereby is, instituted to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in City of Lancaster – Wastewater’s proposed Supplement No. 39 Sewer – PA P.U.C. No. 7.
2. That City of Lancaster – Wastewater’s proposed Supplement No. 39 Sewer – PA P.U.C. No. 7 is suspended by operation of law until April 17, 2020, unless otherwise directed by Order of the Commission.
3. That within ten (10) days of the entry date of this Order, pursuant to 52 Pa. Code § 53.71, City of Lancaster – Wastewater shall file (or e-file) a tariff supplement, which shall bear no effective date, with the Commission and post the tariff supplement at the offices of City of Lancaster – Wastewater announcing that the aforementioned tariff is suspended until April 17, 2020. A sample copy of a suspension supplement is provided in Attachment A of this Order.
4. That the investigation instituted in Ordering Paragraph No. 1 of this Order shall include consideration of the lawfulness, justness, and reasonableness of the existing rates, rules, and regulations of City of Lancaster – Wastewater.
5. That this case be assigned to the Office of Administrative Law Judge for Alternative Dispute Resolution, if possible, and for the prompt scheduling of such hearings as may be necessary culminating in the issuance of a recommended decision.
6. That a copy of this Order shall be served upon City of Lancaster – Wastewater, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and any persons who have filed formal complaints against the proposed tariff supplement of City of Lancaster – Wastewater.

**BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: August 29, 2019

ORDER ENTERED: August 29, 2019

ATTACHMENT A

Sample Suspension Supplement

Supp. No. \_\_\_\_\_\_ to

\_\_\_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_

(COMPANY NAME)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(TERRITORY SERVED BY COMPANY)

The application of rates proposed in Tariff \_\_\_\_\_\_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_\_ filed to become effective \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, is hereby suspended until \_\_\_\_\_\_\_\_\_\_\_\_\_, at Docket No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Presently effective rates contained in Tariff \_\_\_\_\_\_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_\_ and supplements thereto, will continue in effect until otherwise amended. Issued in compliance with Title 66 Pa. C.S. § 1308.