



COMMONWEALTH OF PENNSYLVANIA

March 26, 2020

E-FILED

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

Re: Aqua Pennsylvania Wastewater, Inc.'s Acquisition of Delaware County Regional Water Quality Control Authority, Delaware and Chester Counties Sanitary Wastewater Collection and Treatment System / Docket No. A-2019-3015173

Dear Secretary Chiavetta:

Enclosed please find the Notice of Intervention, Public Statement, and Verification, on behalf of the Office of Small Business Advocate ("OSBA"), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erin K. Fure".

Erin K. Fure
Assistant Small Business Advocate
Attorney ID No. 312245

Enclosures

cc: Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania	:	
Wastewater, Inc. (hereinafter referred to	:	
as "Aqua" or "Applicant") pursuant to	:	Docket No. A-2019-3015173
Sections 1102 and 1329 of the Public	:	
Utility Code for:	:	
	:	
(1) approval of the acquisition by Aqua of	:	
the wastewater system assets of the	:	
Delaware County Regional Water Quality	:	
Control Authority ("DELCORA")	:	
situated within Delaware and Chester	:	
Counties, Pennsylvania;	:	
	:	
(2) approval of the right of Aqua to begin	:	
to offer, render, furnish and supply	:	
wastewater service to the public in	:	
portions of Delaware and Chester	:	
Counties, Pennsylvania; and	:	
	:	
(3) an order approving the acquisition	:	
that includes the ratemaking rate base of	:	
the DELCORA wastewater system assets	:	
pursuant to Section 1329(c)(2) of the	:	
Public Utility Code.	:	
	:	
Request for Approval of Contracts,	:	
including Assignments of Contracts,	:	
between Aqua and DELCORA, Pursuant	:	
to Section 507 of the Public Utility Code	:	

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate ("OSBA") files this Notice of Intervention with respect to the Application that was filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") on March 3, 2020 by Aqua Pennsylvania Wastewater, Inc. ("Aqua" or

“Company”), with respect to the proposed (1) approval of Aqua’s acquisition of the wastewater assets of the Delaware County Regional Water Quality Control Authority (“DELCORA”); (2) approval of the right of Aqua to begin providing wastewater service in the requested territory; and, (3) inclusion in an order for the ratemaking rate base of the Assets as determined under Section 1329(c)(2) of the Public Utility Code. In support of this Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50) to represent the interest of small business customers as a party in proceedings before the Commission.
2. Intervention in this case is necessary to ensure that the interests of small business customers served by Aqua, as well DELCORA, are adequately represented.

3. Representing the OSBA in this proceeding is:

Erin K. Fure
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
efure@pa.gov

Dated: March 26, 2020

Application of Aqua Pennsylvania :
Wastewater, Inc. (hereinafter referred to :
as “Aqua” or “Applicant”) pursuant to : **Docket No. A-2019-3015173**
Sections 1102 and 1329 of the Public :
Utility Code for: :

(2) approval of the right of Aqua to begin to offer, render, furnish and supply wastewater service to the public in portions of Delaware and Chester Counties, Pennsylvania; and

(3) an order approving the acquisition that includes the ratemaking rate base of the DELCORA wastewater system assets pursuant to Section 1329(c)(2) of the Public Utility Code.

**Request for Approval of Contracts,
including Assignments of Contracts,
between Aqua and DELCORA, Pursuant
to Section 507 of the Public Utility Code**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that

the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of an intervention regarding the Application of Aqua Pennsylvania Wastewater, Inc. ("Aqua" or "Company"), with respect to the proposed (1) approval of Aqua's acquisition of the wastewater assets of the Delaware County Regional Water Quality Control Authority ("DELCORA"); (2) approval of the right of Aqua to begin providing wastewater service in the requested territory; and, (3) inclusion in an order for the ratemaking rate base of the Assets as determined under Section 1329(c)(2) of the Public Utility Code.

The Small Business Advocate has intervened in this case to ensure that the interests of small business customers served by Aqua, as well as DELCORA are adequately represented.

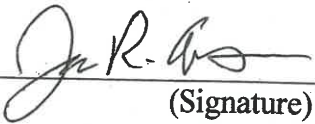
In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the proposed transaction. The Small Business Advocate will ask the Commission to deny any proposed rate increase or other changes in the Company's present tariffs that apply to small business customers that are not proven by the Company to be lawful, just, reasonable and non-discriminatory to all its customer classes.

Dated: March 26, 2020

VERIFICATION

I, John R. Evans, hereby state that the facts set forth herein above 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: 03/26/20


(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Aqua Pennsylvania Wastewater, Inc.'s	:	
Acquisition of Delaware County Regional	:	
Water Quality Control Authority,	:	Docket No. A-2019-3015173
Delaware and Chester Counties Sanitary	:	
Wastewater Collection and Treatment	:	
System		

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).


The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
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Harrisburg, PA 17120
crainey@pa.gov

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DATE: March 26, 2020



Erin K. Fure
Assistant Small Business Advocate
Attorney ID No. 312245