**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :

:

v. : R-2020-3019369 (Water)

:

Pennsylvania-American Water Company :

Pennsylvania Public Utility Commission :

:

v. : R-2020-3019371 (Wastewater)

:

Pennsylvania-American Water Company :

**ORDER GRANTING THE OFFICE OF CONSUMER ADVOCATE’S EXPEDITED MOTION FOR AN EXTENSION OF THE STATUTORY SUSPENSION PERIOD OF PENNSYLVANIA AMERICAN WATER COMPANY’S BASE RATE PROCEEDINGS**

On April 29, 2020, Pennsylvania-American Water Company (PAWC) filed with the Pennsylvania Public Utility Commission (Commission) water and wastewater tariff supplements proposing to increase combined annual revenues by $92.4 million for 2021 and $46.2 million for 2022, effective June 28, 2020. By Order entered May 21, 2020, the Commission suspended for investigation PAWC’s tariff supplements for seven (7) months or until January 28, 2021, pursuant to Section 1308(d) of the Public Utility Code, 66 Pa.C.S. § 1308(d).

On May 28, 2020, the Office of Consumer Advocate (OCA) filed “The Office of Consumer Advocate’s Expedited Motion For An Extension of the Statutory Suspension Period of Pennsylvania American Water Company’s Base Rate Proceedings” (Motion). In its Motion, OCA states that a forty-five (45) day extension of the statutory suspension period “is necessary to meet the mounting challenges resulting from the COVID-19 pandemic.” Motion at 8.

The presiding officer assigned to this case, Administrative Law Judge (ALJ) Conrad A. Johnson, convened a prehearing conference on June 4, 2020, in which I participated.

During the prehearing conference parties placed on the record their positions regarding OCA’s Motion. During deliberation, ALJ Johnson informed me of his position regarding OCA’s Motion.

By Emergency Order dated March 20, 2020, in response to the COVID-19

pandemic, the Commission authorized the Chief ALJ in pending rate case litigation to establish reasonable deadlines under the circumstances after consideration of the positions of the parties and the presiding ALJ. *See*, *Emergency Order Re Suspension of Regulatory and Statutory Deadlines; Modification to Filing and Service Requirements*, M-2020-3019262, at 2.

In regard to the present pending rate case litigation, after consideration of the

positions of the parties and ALJ Johnson, I find it reasonable under the circumstances to extend the statutory suspension period by forty-five (45) days or until March 15, 2021.[[1]](#footnote-1) Therefore, I grant OCA’s Motion. Further, I placed my ruling on this matter on the record during the prehearing conference.

Any party dissatisfied with my resolution of this matter may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action with the Commission within twenty (20) days from the date of service of this Order. The Petition shall be sent via email or e-filing only. The email should be addressed to: [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov). If no timely request is made, this Order will be deemed a final action of the Commission.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Office of Consumer Advocate’s Expedited Motion For An Extension of the Statutory Suspension Period of Pennsylvania American Water Company’s Base Rate Proceedings, in *Pennsylvania Public* *Utility Commission v. Pennsylvania-American Water Company,* Docket Nos. R-2020-3019369 and R-2020-3019754 is granted.

2. That the statutory suspension period in these cases are extended by forty-five (45) days or until March 15, 2021.

3. That any party dissatisfied with my resolution of this matter may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action with the Commission within twenty (20) days from the date of service of this Order. The Petition shall be sent via email or e-filing only. The email should be addressed to: [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov). If no timely request is made, this Order will be deemed a final action of the Commission.

Date: June 4, 2020 /s/

Charles E. Rainey Jr.

Chief Administrative Law Judge

SERVICE LIST

**R-2020-3019369, et al. - PA PUBLIC UTILITY COMMISSION v. PENNSYLVANIA AMERICAN WATER COMPANY***Revised 6/4/20*

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1. Forty-five (45) days from January 28, 2021 falls on Sunday, March 14, 2021. Hence, Monday, March 15, 2021 is computed as the 45th day. See, 52 Pa. Code § 1.12. [↑](#footnote-ref-1)