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August 31, 2020

Rosemary Chiavetta, Secretary  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg PA 17105-3265

Re: Application of Aqua Pennsylvania Wastewater,  
Inc. pursuant to Sections 507, 1102, and 1329 of  
the Public Utility Code for, inter alia, approval of  
the acquisition of the wastewater system assets of  
the Delaware County Regional Water Quality  
Control Authority, Docket No. A-2019-3015173

Dear Secretary Chiavetta:

Enclosed for filing in the above-referenced proceeding please find the Prehearing Memorandum of Southwest Delaware County Municipal Authority.

This document is being served on the Administrative Law Judge and all parties of record. The document was filed electronically with the Commission on this date.

Sincerely,



Enclosure

cc: Angela Jones, Administrative Law Judge  
All parties of record

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

|  |   |                           |
|--|---|---------------------------|
| Application of Aqua Pennsylvania Wastewater,         | : |                           |
| Inc. pursuant to Sections 507, 1102 and 1329 of      | : |                           |
| the Public Utility Code for, inter alia, approval of | : |                           |
| the acquisition of the wastewater system assets of   | : | Docket No. A-2019-3015173 |
| the Delaware County Regional Water Quality           | : |                           |
| Control Authority                                    | : |                           |

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PREHEARING MEMORANDUM OF  
SOUTHWEST DELAWARE COUNTY MUNICIPAL AUTHORITY

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In accordance with the Administrative Law Judge's Further Corrected Prehearing Conference Order dated August 17, 2020, and 52 Pa. Code § 5.222(d)(1), Southwest Delaware County Municipal Authority ("SWDCMA") hereby files this Prehearing Memorandum and provides the following information to the Administrative Law Judge and the active parties to this proceeding.

Procedural History: On July 17, 2020, SWDCMA filed a Protest against the proposed acquisition of the wastewater assets of Delaware County Regional Water Quality Control Authority ("DELCORA") by Aqua Pennsylvania Wastewater, Inc. ("Aqua").

Issues: SWDCMA has reviewed Aqua's Application and exhibits, the direct testimony of witnesses from Aqua and DELCORA, and numerous responses to interrogatories provided by Aqua and DELCORA (including responses to discovery propounded by SWDCMA). Based on that information, SWDCMA intends to address the following issues:

- Whether DELCORA has the right to transfer to Aqua the property used to serve SWDCMA;

- Whether an agreement exists between Aqua and SWDCMA that Aqua is permitted to file with the Commission under 66 Pa. C.S. § 507;
- Whether it is consistent with the public convenience and necessity for Aqua to acquire the assets and contract rights of DELCORA;
- Whether Aqua's acquisition of the assets and contract rights of DELCORA would affirmatively promote the service, accommodation, convenience, or safety of the public in some substantial way; and
- Whether it is consistent with the public interest, the law, and the Pennsylvania Constitution for Aqua to acquire the assets of DELCORA without providing appropriate credit to customers who contributed property to DELCORA.

Witnesses: SWDCMA intends to provide written direct testimony from Cecelia Nelson, Authority Administrator, and Thomas Agnew, Vice Chairman of Authority, business address: 1 Gamble Lane, Aston, PA 19014, business phone: (610) 494-1335.

Service List: SWDCMA requests that its entry on the service list should be for its counsel, as follows:

Scott J. Rubin  
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Pursuant to 52 Pa. Code § 1.54(b)(3), counsel consents to the electronic service of all documents at the e-mail address shown above.

Settlement: SWDCMA is willing to discuss full or partial settlements or stipulations with Aqua and/or DELCORA to attempt to limit the issues that must be litigated before this Commission.

Schedule: Counsel for SWDCMA has been working with counsel for other parties to develop a schedule for this proceeding. It is hoped that a consensus schedule will be provided to the Administrative Law Judge at or before the prehearing conference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott J. Rubin".

Scott J. Rubin (PA Sup. Ct. ID 34536)

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Counsel for Southwest Delaware County Municipal  
Authority

Dated: August 31, 2020

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CERTIFICATE OF SERVICE

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I hereby certify that I have this day served a true copy of the foregoing document upon the following parties by electronic mail. Service by first-class mail will be provided to any party that requests such service.

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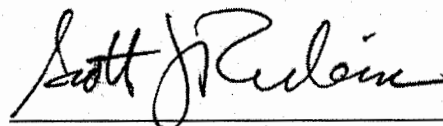
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August 31, 2020  
Date



Scott J. Rubin, Counsel for  
Southwest Delaware County Municipal Authority