

November 6, 2020

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265

In re: Docket No. A-2019-3015173
Application of Aqua Pennsylvania Wastewater, Inc. – DELCORA

Dear Secretary Chiavetta:

We are counsel to Aqua Pennsylvania Wastewater, Inc. in the above matter and are submitting, via electronic filing with this letter, the Company's Answer in Opposition to the Motion of Sunoco Partners Marketing and Terminals L.P for Complete Rejoinder Outlines and Request for Expedited 2-Hour Response Period. Copies of the Answer are being served upon the persons and in the manner set forth on the certificate of service attached to it.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By 

Thomas T. Niesen

cc: Certificate of Service (w/encl.)
The Honorable Angela T. Jones, Administrative Law Judge (via email, w/encl.)
Alexander R. Stahl, Esquire (via email, w/encl.)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Administrative Law Judge Angela T. Jones, Presiding

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

**ANSWER OF AQUA PENNSYLVANIA WASTEWATER, INC. TO MOTION
OF SUNOCO PARTNERS MARKETING AND TERMINALS L.P. FOR
COMPLETE REJOINDER OUTLINES AND REQUEST FOR
EXPEDITED 2-HOUR RESPONSE PERIOD**

AND NOW COMES Aqua Pennsylvania Wastewater, Inc. (“Aqua” or the “Company”), by its attorneys, and answers the Motion of Sunoco Partners Marketing and Terminals L.P. (“SPMT”) for Complete Rejoinder Outlines and Request for Expedited 2-Hour Response Period (“Motion”).

In opposition to the Motion, Aqua submits as follows:

1. In compliance with Prehearing Conference Ordre #2, Aqua, earlier today, prior to the Noon deadline, served Outlines of the Rejoinder Testimony of William Packer, John Pileggi, Michael DiSantis, Harold Walker, III, and Jason B. Miller. Pertinent to the Motion are the Outlines of Rejoinder Testimony of Mr. Packer, Mr. Pileggi and Mr. Miller.

2. The outlines appropriately refer to specific topics in the surrebuttal testimony of SPMT testimony. Mr. Packer’s outline identifies a single topic. Mr. Pileggi’s testimony

identifies two. Mr. Miller's outline identifies several topics but, in each instance, the topic is clear and based directly on the surrebuttal testimony of SPMT.

3. SPMT provides no support for its claim that the outlines violate long standing practice. The outline format, on the contrary, is consistent with established protocol as Aqua addressed with SPMT earlier this afternoon when it also offered to address this matter with Judge Jones via telephone call rather than formal motion:

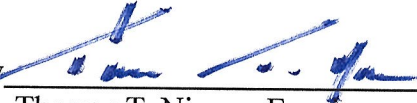
Ms. Snyder – We believe the oral rejoinder outlines follow the usual protocol. It is obvious in regard to each of the listed topics that the witness disagrees with the SPMT witness. Otherwise, we would not be offering rejoinder testimony. The rejoinder obligation is an “outline” only and we believe what we have provided is sufficient. Your request for an explanation of the bases for the witness’ position seems to be more in the nature of written Q’s and A’s (in a non-Q and A format) rather than an “outline.” If you continue to feel that what has been provided is not sufficient or consistent with the requirement of an “outline” then we suggest a call with Judge Jones this afternoon to address the issue rather than the filing of a motion

4. SPMT is not being ambushed. There is no ambush with the outlines having identified the topic to be addressed. The Aqua witnesses disagree with the SPMT witnesses, which is, again, why oral rejoinder will be offered. SPMT states that it is “not looking for detailed ‘Q & A’ testimony but only basic information on the witnesses’ position on the topics listed.” Aqua submits that basic information is presented in the outlines.

WHEREFORE, Aqua Pennsylvania Wastewater, Inc. requests that Administrative Law Judge Jones deny the Motion of Sunoco Partners Marketing and Terminals L.P. for Complete Rejoinder Outlines and Request for Expedited 2-Hour Response Period.

Respectfully submitted,

AQUA PENNSYLVANIA WASTEWATER, INC.

By  _____

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Counsel for Aqua Pennsylvania Wastewater, Inc.

Date: November 6, 2020

CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of November 2020 served a true and correct copy of the foregoing Answer of Aqua Pennsylvania Wastewater, Inc. to the Motion of Sunoco Partners Marketing and Terminals L.P. for Complete Rejoinder Outlines and Request for Expedited 2-Hour Response Period, upon the persons and in the manner indicated below:

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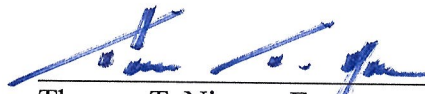
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