BURKE VULLO REILLY ROBERTS

ATTORNEYS AT LAW

1460 Wyoming Avenue Forty Fort, PA 18704 Phone (570) 288-6441 + Fax (570) 288-4598

> Formerly Burke & Burke Thomas F. Burke, Sr. (1932-1972)

www.bvrrlaw.com

JOSEPH L. VULLO jlvullo@bvrrlaw.com

January 11, 2021

via Electronic Mail

Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission 400 North Street, 2nd Floor P.O. Box 3265 Harrisburg, PA 17105-3265

RE: Pennsylvania Public Utility Commission v. Pennsylvania-American Water

Company

Docket No. R-2020-3019369

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Commission on Economic Opportunity's Reply Exceptions in the above-referenced matter.

Copies of this letter and the Reply Exceptions are being served on the Administrative Law Judge and the parties of record as evidenced in the attached Certificate of Service. Pursuant to the Commission's Emergency Order issued on March 20, 2020, and as indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully,

Joseph V. Vullo

JLV/jar encls.

cc: Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY

COMMISSION,

.

V.

Docket Nos. R-2020-3019369

PENNSYLVANIA-AMERICAN

WATER COMPANY

REPLY EXCEPTIONS OF COMMISSION ON ECONOMIC OPPORTUNITY

Counsel for CEO:

JOSEPH L. VULLO, ESQUIRE

I.D. No. 41279

1460 Wyoming Avenue Forty Fort, PA 18704

(570) 288-6441

e-mail: jlvullo@bvrrlaw.com

Dated: January 11, 2021

I. Introduction

By Secretarial Letter dated December 22, 2020, Administrative Law Judge (ALJ) Conrad A. Johnson issued a Recommended Decision (RD) in the requested base rate increase of Pennsylvania American Water Company (PAWC or the Company). The Commission on Economic Opportunity, as an active party to this proceeding, opposed the Company's request for a rate increase through testimony and legal argument presented to the ALJ.

The purpose of these Reply Exceptions is simply to join in and support certain Exceptions filed by the Office of Consumer Advocate (OCA) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA). CEO joins in the following Exceptions filed by OCA and CAUSE-PA and adopts the legal argument set forth by those parties in their respective Exceptions:

OCA Exception No. 2: The ALJ Erred by Approving the Substantial Rate Increase Contained in the Non-Unanimous Settlement

CAUSE-PA Exception 1: The ALJ erred in approving PAWC to dramatically increase rates for basic water and wastewater services in the middle of an unprecedented public health and economic crisis

II. Conclusion

Based upon the foregoing and for the reasons sets forth in the above described Exceptions and adopted herein, CEO respectfully requests that the Commission grant those Exceptions.

JOSEPH L. VULLO, ESQUIRE

I.D. No. 41279

1460 Wyoming Awnue

Forty Fort, PA 18704

(570) 288-6441

e-mail: jlvullo@bvrrlaw.com

Attorney for Commission on Economic

Opportunity

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :

COMMISSION,

V. : Docket No. R-2020-3019369

:

PENNSYLVANIA-AMERICAN : WATER COMPANY :

CERTIFICATE OF SERVICE

The undersigned certified that he served a copy of the Reply Exceptions of Commission on Economic Opportunity upon the following participants this 11th day of January, 2021, via electronic mail:

Via Electronic Mail:

Susan Simms Marsh, Esquire Elizabeth Rose Triscari, Esquire Pennsylvania-American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055 susan.marsh@amwater.com Elizabeth.triscari@amwater.com

Michael L. Kurtz, Esquire
Kurt J. Bohem, Esquire
Kenneth M. Kulak, Esquire
Anthony C. Decusatis, Esquire
Brooke E. McGlinn, Esquire
Mark A. Lazaroff, Esquire
Morgan Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Ken.kulak@moerganlewis.com
Anthony.decusatis@morganlewis.com
Brooke.mcglinn@morganlewis.com
Mark.lazaroff@morganlewis.com

David P. Zambito, Esquire Cozen O'Connor Suite 1410 17 North Second Street Harrisburg, PA 17101 dzambito@cozen.com Erin K. Fure, Esquire
Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17101
efure@pa.gov

Ria M. Pereia, Esquire John W. Sweet, Esquire Elizabeth A. Marx, Esquire Pennsylvania Utility Law Project 118 Locust Street Harrisburg, PA 17101 pulp@palegalaid.net

Christine M. Hoover, Esquire Erin L. Gannon, Esquire Lauren E. Guerra, Esquire Harrison W. Breitman, Esquire Office of Consumer Advocate 555 Walnut Street 5th Floor Forum Place Harrisburg, PA 17101 OCAPAWC2020@paoca.org Carrie B. Wright, Esquire
Bureau of Investigation & Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
carwright@pa.gov

Charles and Jennifer Spryn 899 Bullcreek Road Butler, PA 16002 sprynhouse@live.com Adeolu A. Bakare, Esquire

Jo-Anne Thompson, Esquire McNees, Wallace & Nurick, LLC 100 Pine Street P.O. Box 1166 Harrisburg, PA 17108-1166 abakare@mcneeslaw.com jthompson@mcneeslaw.com

Jan Vroman 623 Eastman Street West Mifflin, PA 15122 Jan.vroman@yahoo.com

Brian Kalcic
Excel Consulting
225 South Meramec Avenue
Suite 720T
St. Louis, MO 63105
Excel.consulting@sbcglobal.net

Jody Kyler Cohn, Esquire Boehm, Kurtz & Lowry 36 East Seventh Street Suite 1510 Cincinnati, OH 45202 mkurtz@bkllawfirm.com kboehm@bkllawfirm.com jkylercohn@bkllawfirm.com

Richard A. Baudino J. Kennedy & Associates 1347 Frye Road Westfield, NC 27053 rbaudino@jkenn.com

Dan Grieser Kilkenny Law, LLC 519 Swede Street Norristown, PA 19401 dan@skilkennylaw.com

Jennifer and Jeffrey LaBarge 123 Fairmont Avenue Reading, PA 19606 jessi@russolawllc.com

Hon. Conrad A. Johnson Administrative Law Judge Pennsylvania Public Utility Commission Piatt Place, Suite 220 301 5th Avenue Pittsburgh, PA 15222 cohohnson@pa.gov

JOSEPH L. VULLO, ESQUIRE

I.D. No. 41279

1460 Wyoming Avenue

Forty Fort, PA 18704

(570) 288-6441

e-mail: jlvullo@bvrrlaw.com

Attorney for Commission on Economic

Opportunity