

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
HARRISBURG, PA 17120**

Public Meeting held February 9, 2023

Commissioners Present:

Gladys Brown Dutrieuille, Chairman
Stephen M. DeFrank, Vice Chairman
Ralph V. Yanora
Kathryn L. Zerfuss
John F. Coleman, Jr.

Pennsylvania Public Utility Commission

v.

Aqua Pennsylvania Wastewater, Inc.

Docket Nos.
R-2022-3037141
C-2023-3037579

ORDER

BY THE COMMISSION:

On December 7, 2022, Aqua Pennsylvania Wastewater, Inc. (APW), Utility Code 230240, filed with the Pennsylvania Public Utility Commission (Commission) Supplement No. 3 to Tariff Sewer-PA P.U.C. No. 3 (Supplement No. 3) to become effective on February 5, 2023. On December 22, 2022, APW filed Supplement No. 5 to Tariff Sewer-PA P.U.C. No. 3 to voluntarily extend the effective date of Supplement No. 3 to February 10, 2023. Subsequently, APW filed a revised Supplement No. 3 (Revised Supplement No. 3) on January 5, 2023, to clarify eligibility for proposed rates. Revised Supplement No. 3 was filed to allow APW to establish contract rates for certain industrial wastewater customers via a rider.

On January 11, 2023, the Office of Consumer Advocate filed a formal complaint

at Docket No. C-2023-3037579. Pursuant to Section 1308(b) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1308(b), the filing will be suspended by operation of law until August 10, 2023, unless permitted by Commission Order to become effective at an earlier date.

Investigation and analysis of this proposed tariff supplement and the supporting data indicates that the proposed tariff supplement may be unlawful, unjust, unreasonable, and contrary to the public interest. It also appears that consideration should be given to the reasonableness of APW's existing rates, rules, and regulations; **THEREFORE,**

IT IS ORDERED:

1. That an investigation on Commission motion be, and hereby is, instituted to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in Aqua Pennsylvania Wastewater, Inc.'s proposed revised Supplement No. 3 to Tariff Sewer-PA P.U.C. No. 3.

2. That Aqua Pennsylvania Wastewater, Inc.'s proposed revised Supplement No. 3 to Tariff Sewer-PA P.U.C. No. 3 is suspended by operation of law until August 10, 2023, unless otherwise directed by Order of the Commission.

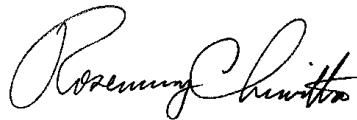
3. That within ten (10) days following the entry date of this Order, pursuant to 52 Pa. Code § 53.71, Aqua Pennsylvania Wastewater, Inc. shall e-file (or file) a tariff supplement, which shall bear no effective date, with the Commission and post the tariff supplement at the offices of Aqua Pennsylvania Wastewater, Inc. announcing that the aforementioned tariff supplement is suspended until August 10, 2023. A sample copy of a suspension supplement is provided in Attachment A of this Order.

4. That the investigation instituted in Ordering Paragraph 1 of this Order shall include consideration of the lawfulness, justness, and reasonableness of the existing rates, rules, and regulations of Aqua Pennsylvania Wastewater, Inc.

5. That this case be assigned to the Office of Administrative Law Judge for Alternative Dispute Resolution, if possible, and for the prompt scheduling of such hearings as may be necessary culminating in the issuance of a recommended decision.

6. That a copy of this Order shall be served upon Aqua Pennsylvania Wastewater, Inc., the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation and Enforcement and any persons who have filed formal complaints against the proposed tariff supplement.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive, flowing style.

Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: February 9, 2023

ORDER ENTERED: February 9, 2023

ATTACHMENT A
Sample Suspension Supplement

Supp. No. _____ to
_____ Pa. P.U.C. No. _____.

(COMPANY NAME)

(TERRITORY SERVED BY COMPANY)

The application of rates proposed in Supplement No. _____ to Tariff _____ Pa. P.U.C. No. _____ filed to become effective _____, is hereby suspended until _____, at Docket No. _____. Presently effective rates contained in Tariff _____ Pa. P.U.C. No. _____ and supplements thereto, will continue in effect until otherwise amended. Issued in compliance with Title 66 Pa.C.S. § 1308.