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May 17, 2023

By Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor (filing room)
Harrisburg, PA 17120

Re: Columbia Water Company; 2023 General Base Rate Increase Filing;
Docket No. R-2023-3040258; **RESPONSE TO BUREAU OF TECHNICAL
UTILITY SERVICES DATA REQUESTS**

Dear Secretary Chiavetta:

Columbia Water Company will not be filing answers to the data requests that the Commission's Bureau of Technical Utility Services propounded on May 3, 2023 and May 5, 2023 because this proceeding is now an adversarial, litigated proceeding as the Office of Small Business Advocate ("OSBA") and the Office of Consumer Advocate ("OCA") have filed formal complaints against the rate filing. Additionally, on May 17, 2023, the Bureau of Investigation and Enforcement ("I&E") entered a Notice of Appearance and served Data Requests Set RR Nos. 1-8. The Complaints of OSBA and the OCA and I&E's participation have transformed this matter into a contested proceeding subject to discovery in litigated matters pursuant to the Commission's Rules of Practice and Procedures. Consequently, consistent with the Commission's procedures implementing the Supreme Court's *Lyness* decision, which mandates separating advisory functions from the prosecutory function once litigation has commenced. Columbia Water Company will be responding to complainant interrogatories as part of the hearing process before the Office of Administrative Law Judge.

Columbia Water Company also notes that today it filed an errata of the rate increase filing that addresses TUS's concerns regarding filing requirements, including the removal of all revenues, expenses, and rate base assets associated with the East Donegal Township Municipal Authority ("EDTMA") because Columbia Water Company is not requesting a rate increase to earn a return on and of these assets as part of this proceeding, nor is it requesting a rate increase for recovery of EDTMA-related operational expenses at this time. The errata also includes a

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recalculation of the PennVEST surcharge. Columbia Water Company is not seeking to change the PennVEST surcharge in this proceeding.

Please contact the undersigned if you have questions related to this filing.

Very truly yours,

/s/ Whitney E. Snyder

Whitney E. Snyder
Thomas J. Sniscak
Phillip D. Demanchick Jr.

Counsel for Columbia Water Company

WES/das
Enclosure

cc: Paul Zander, TUS (pzander@pa.gov)
Per Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

BY ELECTRONIC MAIL ONLY:

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/s/ Whitney E. Snyder
Whitney E. Snyder
Thomas J. Sniscak
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Dated this 17th day of May, 2023