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April 4, 2012

David A. Salapa, Administrative Law Judge  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Utility Workers Union of America System Local  
537 v. Pennsylvania-American Water Company  
Docket No. C-2012-2287204

Dear ALJ Salapa:

This letter will address two procedural matters in the above-referenced proceeding.

First, in accordance with 52 Pa. Code § 5.322, counsel for Pennsylvania-American Water Company, Susan Simms Marsh, and I have reached an informal agreement regarding discovery in this proceeding. We have agreed to hold all discovery in abeyance until there is a ruling on the Respondent's Motion to Dismiss, dated February 28, 2012. This agreement tolls the due date for responses to all pending discovery requests, including interrogatories and requests for admissions, served by each party on the other. In the event that Respondent's Motion to Dismiss is denied, we have agreed that each party shall have twenty (20) days in which to provide responses. It also includes an agreement that we will not serve further discovery requests until there is a ruling on the Motion to Dismiss. As a result of this informal agreement, it is not necessary for Your Honor to rule on the following motions:

- Complainant's Motion to Dismiss Objections and Compel that Interrogatories be Answered, dated March 20, 2012;
- Respondent's Motion for Protective Order, dated April 2, 2012.

Second, in light of the procedural posture of this case and the need for both parties to engage in further discovery prior to an evidentiary hearing, Ms. Marsh and I respectfully request Your Honor to change the Initial Hearing scheduled for April 24, 2012, into a Prehearing Conference. Ms. Marsh and I are both able to attend such a Prehearing Conference in person. This assumes, however, that Your Honor is able to rule on the Motion to Dismiss prior to that date. If Your Honor's schedule is such that a ruling is not feasible prior to that date, then we would request that Your Honor cancel the April 24 hearing and schedule a Prehearing Conference subsequent to the issuance of a decision on the Motion to Dismiss.

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Ms. Marsh has reviewed this letter and has authorized me to state that she is in full agreement with the representations and requests made herein.

The document was filed electronically with the Commission on this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Seth A. Mendelsohn". The signature is written in a cursive style with a large, stylized initial "S".

cc: Susan Simms Marsh and Seth A. Mendelsohn  
Rosemary Chiavetta, Secretary