



THOMAS T. NIESEN  
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November 29, 2012

*Via Electronic Filing*

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

In re: Dockets Nos. A-2012-2322416, A-2012-2322448, A-2012-2322501, and A-2012-2322509; Joint Applications of Aqua Pennsylvania, Inc./Little Washington Wastewater Company and Total Environmental Solutions, Inc.

Dear Secretary Chiavetta:

We are counsel to Aqua Pennsylvania, Inc. (Aqua PA) and Little Washington Wastewater (LWWC) in the above matters and are writing to you on behalf of Aqua PA/LWWC and our Joint Applicant Total Environmental Solutions, Inc. in regard to the City of DuBois' "Reply to Answer and New Matter" dated November 21, 2012. There is no provision in the Rules and Regulations of the Public Utility Commission authorizing this most recent City pleading and Joint Applicants submit that the pleading should be struck and disregarded. We further submit that the City's Protest *Nunc Pro Tunc* should be dismissed with prejudice for the reasons presented in our Joint Answer filed with you on November 9, 2012.

In respect to the intervention and interest of the Office of Consumer Advocate (OCA) in these matters, we have been authorized by the OCA to advise you that the OCA has no objection to the Joint Applications, in their present form, moving forward for Commission consideration without hearing in the event the City's late-filed Protest is dismissed or rejected.

Very truly yours,

THOMAS, LONG, NIESEN & KENNARD

By

Thomas T. Niesen

cc: Certificate of Service  
Keith E. Gabage  
Thomas J. Sniscak, Esq.  
Erin L. Gannon, Esq.

121129-Chiavetta (City Reply).wpd

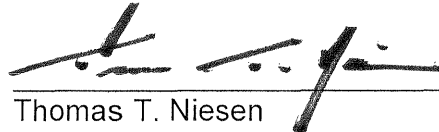
**CERTIFICATE OF SERVICE**

I hereby certify that I am this 29<sup>th</sup> day of November, 2012, serving a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

**VIA EMAIL AND FIRST CLASS MAIL, POSTAGE PREPAID**

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