



100 Pine Street • PO Box 1166 • Harrisburg, PA 17108-1166
Tel: 717.232.8000 • Fax: 717.237.5300

Elizabeth P. Trinkle
Direct Dial: 717.237.5378
Direct Fax: 717.260.1759
etrinkle@mwn.com

September 26, 2014

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

VIA ELECTRONIC FILING

**RE: Pennsylvania Public Utility Commission v. City of Lancaster – Bureau of Water
Docket No. R-2014-2418872**

Dear Secretary Chiavetta:


Attached please find for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the Petition to Intervene of Kellogg Company regarding the above-referenced docket.

As shown on the attached Certificate of Service, all parties to this proceeding are being duly served. Thank you.

Very truly yours,

McNEES WALLACE & NURICK LLC

By


Elizabeth P. Trinkle

EPT:mas
Enclosures

www.mwn.com

HARRISBURG, PA • LANCASTER, PA • SCRANTON, PA • STATE COLLEGE, PA • COLUMBUS, OH • WASHINGTON, DC

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION :
 :
v. : Docket No. R-2014-2418872
 :
CITY OF LANCASTER – BUREAU :
OF WATER :

**PETITION TO INTERVENE OF
KELLOGG COMPANY**

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to the provisions of 52 Pa. Code §§ 5.71-5.74, the Kellogg Company ("Kellogg") hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, Kellogg states as follows:

1. Petitioner is the Kellogg Company.
2. The names and address of Petitioner's attorneys are:

James P. Dougherty (I.D. No. 59454)
Elizabeth P. Trinkle (I.D. No. 313763)
McNEES WALLACE & NURICK LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Phone: (717) 232-8000
Fax: (717) 237-5300
jdougherty@mwn.com
etrinkle@mwn.com

3. Kellogg Company is an industrial customer receiving service from the City of Lancaster. Kellogg uses substantial volumes of water in its manufacturing and operational processes. The Commission's disposition of the City of Lancaster's rate increase may adversely


impact rates Kellogg pays for water service or the terms and conditions under which they receive water service. Therefore, consistent with 52 Pa. Code § 5.72(a), Kellogg has a significant interest in this proceeding that is not otherwise represented by any other party of record.

4. Additionally, Kellogg is aware that this Petition is late filed and, as such, agrees to fully accept the current status of the proceeding. Further, Kellogg understands that the presiding Administrative Law Judge ("ALJ") is authorized to grant this Petition to Intervene pursuant to Section 5.74 of the Commission's Regulations, as evidentiary hearings have not yet commenced in this proceeding. 52 Pa. Code § 5.74(d).

WHEREFORE, Kellogg Company respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene with full party status.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 
James P. Dougherty (I.D. No. 59454)
Elizabeth P. Trinkle (I.D. No. 313763)
McNEES WALLACE & NURICK LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Phone: (717) 232-8000
Fax: (717) 237-5300
jdougherty@mwn.com
etrinkle@mwn.com

Counsel to Kellogg Company

Dated: September 26, 2014

CERTIFICATE OF SERVICE

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

VIA EMAIL AND FIRST-CLASS MAIL

John J. Gallagher, Esq.
711 Forrest Road
Harrisburg, PA 17112
jgallagher@jglawpa.com


Christine Maloni Hoover, Esq.
Lauren M. Burge, Esq.
Office Of Consumer Advocate
5th Floor Forum Place
555 Walnut Street
Harrisburg, PA 17101
choover@paoca.org
lburge@paoca.org

Steven C. Gray, Esq.
Office Of Small Business Advocate
300 North Second Street, Suite 1102
Harrisburg, PA 17101
sgray@pa.gov

Richard A. Kanaskie, Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street, 2nd Floor West
Harrisburg, PA 17120
rkanaskie@pa.gov

VIA FIRST-CLASS MAIL

Frank D. Kitzmiller
PO Box 1041 Preston Road
Lancaster, PA 17601



Elizabeth P. Trinkle

Counsel to Kellogg Company

Dated this 26th day of September, 2014 at Harrisburg, Pennsylvania.