**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Pennsylvania American Water :

Company and the Sewer Authority of the City of :

Scranton for Approval of (1) the transfer, by sale, of:

substantially all of the Sewer Authority of the City :

of Scranton’s Sewer System and Sewage Treatment :

Works assets, properties and rights related to its : A-2016-2537209

wastewater collection and treatment system to :

Pennsylvania American Water Company, and (2) :

rights of Pennsylvania American Water Company to:

begin to offer or furnish wastewater service to the :

public in the City of Scranton and the Borough of :

Dunmore, Lackawanna County, Pennsylvania :

**PREHEARING CONFERENCE ORDER**

In accordance with the provisions of 66 Pa.C.S. § 333 and 52 Pa.Code §§ 5.221-5.224, the Commission has scheduled an initial telephonic prehearing conference in the above-captioned case.

ORDER

THEREFORE,

IT IS ORDERED:

1. That an initial telephonic prehearing conference shall be held at 10:00 a.m. on Tuesday, May 10, 2016. **The parties must call the toll free number shown on the hearing notice to participate in the telephonic prehearing conference. Failure to call the toll free number and participate in the telephonic prehearing conference shall constitute a failure to appear and shall constitute a waiver of all objections to any agreements reached at the telephonic prehearing conference and a waiver of all objections to any order or ruling with respect the agreements reached. 52 Pa.Code § 5.222(e).**

2. That pursuant to 52 Pa.Code § 1.55, each party shall be limited to one entry on the service list. Parties shall provide the name, business address, business telephone number, business telefacsimile number (if any), and business e-mail address (if any) of the person they wish to have listed on the service list.

3. That on or before **Friday, May 6, 2016**, parties shall file and serve initial prehearing conference memoranda which shall include:

a.) The information described in Paragraph 2, above.

b.) A statement regarding possible settlement of the case, subject to approval of the Pennsylvania Public Utility Commission.

c.) A proposed plan and schedule of discovery.

d.) Other proposed orders with respect to discovery.

e.) A proposed schedule for the submission of written testimony, conducting an in-person hearing, and submission of briefs.

f.) Names, business addresses, and telephone numbers of witnesses the party expects to call and the subject matter of each witness’ testimony.

g.) A list of the issues and sub-issues of this proceeding which the party intends to address and a statement of the party’s position on each of the issues and sub-issues listed.

h.) A statement describing the evidence the party proposes to present at hearing, relating the evidence to each of the issues and sub- issues the party intends to address.

4. That pursuant to 52 Pa.Code §§ 1.21 & 1.22, if you are an individual, you may represent yourself or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted Pro Hac Vice, represent you. **However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted Pro Hac Vice, represent you in this proceeding.**  Unless you are an attorney, you may not represent someone else. Attorneys shall enter their appearance in accordance with the provisions of 52 Pa.Code § 1.24(b).

5. That parties shall review the regulations pertaining to prehearing conferences, in particular 52 Pa.Code § 5.222(d), which provides that parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. The preparation should include, among other things, advance study of all relevant materials, and advance informal communication between the participants, including requests for additional data and information, to the extent it appears feasible and desirable.

6. That the parties shall conduct discovery pursuant to 52 Pa.Code §§ 5.321-5.373. The parties shall cooperate and exchange information on an informal basis. The parties shall cooperate rather than engage in numerous or protracted discovery disagreements that require our participation to resolve. All motions to compel shall contain a certification by counsel setting forth the specific actions the parties have undertaken to resolve their discovery disputes informally. If a motion to compel does not contain this certification, we shall contact the parties and direct them to resolve the matter informally and provide the certification if they are unsuccessful. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa.Code §§ 5.361, 5.371-5.372.

7. That a request for a change of the scheduled initial prehearing conference date shall state the agreement or opposition of other parties, and shall be submitted in writing no later than five (5) days prior to the initial prehearing conference. 52 Pa.Code § 1.15(b). Requests for change must be sent to us, with copies to all parties of record. The correct address is:

 David A. Salapa

 Steven K. Haas

 Administrative Law Judges

 P.O. Box 3265,

 Harrisburg, PA 17105-3265

 Telephone: (717) 783-1399

 Fax: (717) 787-0481

Date: April 27, 2016

 David A. Salapa

 Administrative Law Judge

 Steven K. Haas

 Administrative Law Judge

**A-2016-2537209 – JOINT APPLICATION OF PENNSYLVANIA AMERICAN WATER COMPANY**

*(Revised 4/26/16)*

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