

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of York Water Company For Expedited	:	
Order Authorizing Limited Waivers of	:	
Certain Tariff Provisions and Granting	:	P-2016-2577404
Accounting Approval to Record Cost of	:	
Certain Customer-Owned Service Line	:	
Replacements to the Company's Services	:	
Account	:	

PREHEARING CONFERENCE ORDER

On November 28, 2016, York Water Company (York Water) filed a Petition For Expedited Order Authorizing Limited Waivers of Certain Tariff Provisions and Granting Accounting Approval to Record Cost of Certain Customer-Owned Service Line Replacements to the Company's Services Account at Docket No. P-2016-2577404. York Water requested an order granting the waivers by December 22, 2016.

On December 16, 2016, the Commission's Bureau of Investigation and Enforcement (I&E) filed an Answer averring the petition was insufficient and unsupported by record evidence. I&E requested discovery and an evidentiary hearing prior to a Commission determination regarding whether the relief requested was in the public interest. On December 19, 2016, the Office of Consumer Advocate (OCA) filed an Answer, which generally supported the Petition but also expressed some reservations.

In accordance with the provisions of 66 Pa. C.S. A. §333 and 52 Pa.Code §§ 5.221 – 5.223, on January 5, 2017, an Initial Prehearing Conference was scheduled for January 12, 2017, and the above-captioned matter was assigned to me.

ORDER

THEREFORE,

IT IS ORDERED:

1. That an Initial Prehearing Conference shall be held at 10:00 a.m. on Thursday, January 12, 2017, in Hearing Room #2, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA.
2. That absent a continuance for good cause, all parties must be prepared to participate in the scheduled prehearing conference. Failure of a party to participate in the conference, after being served with notice of the time thereof, without good cause shown, shall constitute a waiver of all objections to the agreements reached and an order or ruling with respect thereto.
3. That all parties shall review the regulations relating to discovery, specifically 52 Pa. Code § 5.331(b), which provides, among other things, that “a party shall initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code § 5.322, which encourages parties to exchange information on an informal basis. All parties are urged to cooperate in discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371 – 5.372.
4. That pursuant to 52 Pa. Code §§1.21 – 1.23, you may represent yourself, if you are an individual, 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 insure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).

5. That you must serve me directly with a copy of any document that you file in this proceeding. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

6. That the parties shall review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222, and in particular, subsection (d) which provides, in part:


(d) 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.

7. That all of the following matters shall be considered at the prehearing conference:

- (a) Issues.
- (b) Witnesses.
- (c) Procedural Schedule.
- (d) Other matters that may aid in expediting the orderly conduct and disposition of the proceeding and the furtherance of justice, including, but not limited to the following:
 - (i) The exchange and acceptance of exhibits proposed to be offered into evidence.
 - (ii) The obtaining of admissions as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents which might properly shorten the hearing.
 - (iii) Transcript turnaround.
 - (iv) Discovery rules modifications.
 - (v) A briefing outline.

8. That on or before **Wednesday, January 11, 2017**, the parties shall serve Administrative Law Judge Elizabeth Barnes and each other with a Prehearing Conference Memorandum addressing each of the subjects included in Paragraph 7 above.

Date: January 5, 2017


Elizabeth H. Barnes
Administrative Law Judge

P-2016-2577404 - PETITION OF THE YORK WATER COMPANY FOR EXPEDITED
ORDER AUTHORIZING LIMITED WAIVERS OF CERTAIN TARIFF PROVISIONS AND
GRANTING ACCOUNTING APPROVAL TO RECORD COST OF CERTAIN
CUSTOMER-OWNED SERVICE LINE REPLACEMENTS TO THE COMPANY'S
SERVICES ACCOUNT.

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