**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, Inc. :

Pursuant to Sections 1102 and 1329 of the Public :

Utility Code for Approval of its Acquisition of the : A-2017-2605434

Wastewater System Assets of Limerick Township :

**PREHEARING CONFERENCE ORDER**

An Initial Prehearing Conference is scheduled in this case for Wednesday, June 28, 2017, 10:00 a.m. in Hearing Room No. 5, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120. There is a statutory six-month deadline for final Commission action in this proceeding. Cooperation among the parties throughout this proceeding will be both necessary and expected in order to meet this deadline. Accordingly, the parties are hereby directed to comply with the following requirements:

1. Parties must serve me directly (electronically at [sthaas@.pa.gov](mailto:sthaas@.pa.gov) and by hard copy) with any document you file in this proceeding**.** If you send any document or correspondence, you must send a copy to all other parties in the case. The current service list is attached to this order. My correct mailing address is: Administrative Law Judge Steven K. Haas, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg PA 17105-3265.

2. Pursuant to 52 Pa. Code §§1.21-1.23, you may represent yourself if you are an individual or a sole proprietorship, 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, limited liability company, association, joint venture, other business organization, trust, trustee, legal representative, receiver, agency, governmental entity, municipality or other political 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 ensure that their appearance is entered in accordance with the provisions of 52 Pa. Code § 1.24(b).

3. Failure of a party to participate in the prehearing conference shall constitute a waiver of all objections to the agreements reached, and any order or ruling with respect thereto.

4. Please review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222. Be prepared to discuss possibilities for settlement, discovery issues, service among parties and all other procedural issues relevant to this proceeding. In addition, note subsection (d), which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. 52 Pa. Code § 5.222.

5. As noted above, there is a statutory six-month deadline for final Commission action in this proceeding. The following schedule, which was established using the model litigation schedule set forth in the Commission’s July 21, 2016 Tentative Implementation Order at Docket No. M-2016-2543193 as a guide, will be adopted if the parties are unable to agree upon a viable alternative:

Prehearing conference June 28, 2017 (Wed)

Direct testimony of other parties June 30, 2017 (Fri)

Rebuttal testimony July 7, 2017 (Fri)

Surrebuttal testimony July 12, 2017 (Wed)

Evidentiary hearings July 17-18, 2017 (Mon & Tue)

Receipt of transcript July 19, 2017 (Wed)

Main Briefs August 9, 2017 (Wed)

**Reply Briefs August 18, 2017 (Fri)**

**Recommended decision September 18, 2017 (Mon)**

Exceptions September 28, 2017 (Thu)

**Replies to Exceptions October 6, 2017 (Fri)**

**Public meeting November 8, 2017 (Wed)**

Bolded dates are not negotiable. Others may be revised at the prehearing conference upon agreement of all parties.

6. On or before 4:00 p.m. on Monday, June 26, 2017, each litigating party shall file and serve a prehearing memorandum which shall include a list of the issues and sub-issues the party intends to address, a statement of the party’s position on each of the issues and sub-issues listed, the names, business addresses, and telephone numbers of witnesses the party expects to call and the subject matter of each witness’ testimony. The parties are directed to confer prior to the prehearing conference to discuss and attempt to agree upon a final litigation schedule.

7. Please review the regulations relating to discovery, specifically 52 Pa. Code § 5.331(b), which provides, inter alia, that participants try to initiate discovery as early in the proceeding as possible, and 52 Pa. Code § 5.322, which encourages parties to exchange information on an informal basis. The parties are expected to pursue resolution of discovery issues among themselves; motions to compel should be filed only after such efforts have failed.

Dated: June 9, 2017 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Steven K. Haas

Administrative Law Judge

**A-2017-2605434 APPLICATION OF AQUA PENNSYLVANIA WASTEWATER, INC.**

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