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June 21, 2017

Via Electronic Filing

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

In re: Docket No. A-2017-2605434
Application of Aqua Pennsylvania Wastewater, Inc. pursuant to Sections 1102 and 1329
of the Public Utility Code for Approval of its Acquisition of the Wastewater System
Assets of Limerick Township

Dear Secretary Chiavetta:

We are counsel to Aqua Pennsylvania Wastewater, Inc. in the above matter and are submitting, via electronic filing with this letter, the Company's Answer to the Joint Petition of the Office of Consumer Advocate and the Bureau of Investigation and Enforcement for Additional Public Meeting. Copies of the Answer are being served upon the persons and in the manner set forth on the certificate of service attached to it.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By

Thomas T. Niesen

cc: Certificate of Service (w/encl.)
Gladys M. Brown, Chairman (w/encl.)
Andrew G. Place, Vice Chairman (w/encl.)
John F. Coleman, Jr., Commissioner (w/encl.)
Robert F. Powelson, Commissioner (w/encl.)
David W. Sweet, Commissioner (w/encl.)
Cheryl Walker Davis, Director-OSA (w/encl.)
Alexander R. Stahl, Esquire (via email, w/encl.)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, Inc., : Docket No. A-2017-2605434
**pursuant to Sections 1102 and 1329 of the Public :
Utility Code for: (1) approval of the acquisition by :
Aqua of the wastewater system assets of Limerick :
Township situated within a portion of Limerick :
Township and within a portion of the Borough of :
Royersford, Montgomery County, Pennsylvania; (2) :
approval of the right of Aqua to begin to offer, :
render, furnish and supply wastewater service to the :
public in a portion of Limerick Township, :
Montgomery County, Pennsylvania; and (3) an :
order approving the acquisition that includes the :
ratemaking rate base of the Limerick Township :
wastewater system assets pursuant to Section :
1329(c)(2) of the Public Utility Code :**

**ANSWER OF AQUA PENNSYLVANIA WASTEWATER, INC. TO THE
JOINT PETITION OF THE OFFICE OF CONSUMER ADVOCATE AND
THE BUREAU OF INVESTIGATION AND ENFORCEMENT
FOR ADDITIONAL PUBLIC MEETING**

AND NOW comes Aqua Pennsylvania Wastewater, Inc. (“Aqua”), by its attorneys, and, pursuant to 52 Pa. Code Section 5.61, answers the Joint Petition of the Office of Consumer Advocate and the Bureau of Investigation and Enforcement for Additional Public Meeting (“Joint Petition”) as follows:

1. This proceeding concerns the Application of Aqua, filed with the Public Utility Commission (“Commission”) on May 19, 2017, for approval of its acquisition of the wastewater system assets of Limerick Township pursuant to Sections 1102 and 1329 of the Public Utility Code.

2. By Secretarial Letter dated May 31, 2017, served by electronic service on June 6, 2017, the Commission acknowledged receipt of the Application. The Application was assigned to Docket No. A-2017-2605434.

3. As this is a proceeding pursuant to Section 1329, Section 1329(d)(2) provides that the Commission shall issue a final order within six months of the filing date of the Application. Having acknowledged the filing of the Application on May 31, 2017, the Commission is required to issue its final order by the end of November 2017.

4. There is, however, only one public meeting presently scheduled for the month of November and it is scheduled for early in the month on November 8, 2017. Commission action on November 8, 2017 potentially impacts the litigation schedule for the proceeding by approximately three weeks.

5. The Joint Petition asks the Commission to schedule a special public meeting on November 30, 2017 or, in the alternative, move the December public meeting, presently scheduled for December 7, 2017, to December 6, 2017. The alternative request is based on the theory that the six month statutory consideration period should run from June 6, 2017, the date of electronic service of the May 31, 2017, secretarial letter.

6. Aqua does not object to the scheduling of a special public meeting later in the month of November. Assuming that the Commission grants the Application, consideration later in the month should provide Aqua and Limerick Township sufficient time, along with a running of the thirty day appeal period, to close the transaction before the end of the year, which Aqua and the Township desire to do.

7. The Commission may conclude, however, that it would be unwise to schedule the special meeting for November 30, 2017, the last day of the six month consideration period, as doing so would allow no time for the Commission to prepare and enter an opinion and order within the six month period if the Commission were to want to modify the recommendation of

the presiding administrative law judge or the office of special assistants. With the foregoing in mind, Aqua suggests that a better date for a special public meeting would be November 21, 2017.

8. We would emphasize in regard to the foregoing that the Commission, at its public meeting of June 13, 2017, considered Aqua's New Garden Township Application at A-2016-2580061 and modified the recommended decision of the presiding administrative law judge. The office of special assistants is now preparing an opinion and order consistent with the Commission's directives to be entered no later than June 30, 2017, the end of the six month consideration period. Had consideration occurred at the very end of the six month period, there would have been no time for the office of special assistants to prepare an opinion and order.

9. Additionally, if the Commission is inclined to entertain the joint petition and schedule a special public meeting later in November, Aqua believes and respectfully submits that the Commission should do so quickly as the matter is rapidly moving forward. A prehearing conference is presently scheduled for June 28. If the presiding administrative law judge and the parties are to create a litigation schedule reflective of the special public meeting, the Commission will need to address the joint petition prior to the prehearing conference.

10. Finally, Aqua opposes the alternative request presented in the joint petition that asks the Commission to consider the Application at a rescheduled public meeting on December 6, 2017. The alternative request is based on the theory that the six month statutory consideration period runs from June 6, 2017, the date of electronic service of the May 31, 2017, secretarial letter. Section 1329 requires that the six month consideration period run from the date of the filing of the Application. The date of filing is May 31, 2017 and, by statute, the six month period ends on November 30, 2017.

WHEREFORE Aqua Pennsylvania Wastewater, Inc. submits this Answer to the Joint Petition of the Office of Consumer Advocate and the Bureau of Investigation and Enforcement for Additional Public Meeting.

Respectfully submitted,

AQUA PENNSYLVANIA WASTEWATER, INC.

By  _____

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Counsel for Aqua Pennsylvania Wastewater, Inc.

Date: June 21, 2017

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, Inc., : Docket No. A-2017-2605434
pursuant to Sections 1102 and 1329 of the Public Utility :
Code for: (1) approval of the acquisition by Aqua of the :
wastewater system assets of Limerick Township situated :
within a portion of Limerick Township and within a :
portion of the Borough of Royersford, Montgomery :
County, Pennsylvania; (2) approval of the right of Aqua :
to begin to offer, render, furnish and supply wastewater :
service to the public in a portion of Limerick Township, :
Montgomery County, Pennsylvania; and (3) an order :
approving the acquisition that includes the ratemaking :
rate base of the Limerick Township wastewater system :
assets pursuant to Section 1329(c)(2) of the Public Utility :
Code :

CERTIFICATE OF SERVICE

I hereby certify that I have this 21st day of June, 2017, served a true and correct copy of the foregoing Answer of Aqua Pennsylvania Wastewater, Inc. to the Joint Petition of the Office of Consumer Advocate and the Bureau of Investigation and Enforcement for Additional Public Meeting, upon the persons and in the manner set forth below:

VIA ELECTRONIC AND 1ST CLASS MAIL

The Honorable Stephen K. Haas
Office of Administrative Law Judge
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