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Thomas S. Wyatt
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June 28, 2017

VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Suite 3130
Harrisburg, PA 17105

**RE: APPLICATION OF PENNSYLVANIA-AMERICAN WATER COMPANY-
WASTEWATER UNDER SECTION 1329 OF THE PENNSYLVANIA
PUBLIC UTILITY CODE, FOR APPROVAL OF THE USE FOR
RATEMAKING PURPOSES OF THE LESSER OF THE FAIR MARKET
VALUE OR THE NEGOTIATED PURCHASE PRICE OF THE
MUNICIPAL AUTHORITY OF THE CITY OF MCKEESPORT, DOCKET
NO. A-2017-2606103**

Dear Secretary Chiavetta:

Enclosed herewith for filing today in the above-captioned proceeding are (1) a Petition for Intervention by the Municipal Authority of the City of McKeesport and (2) a Petition for Intervention by the City of McKeesport.

Copies will be served on all known parties, as evidenced by the attached Certificates of Service.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T. Wyatt', is written over the typed name 'Thomas S. Wyatt'.

Thomas S. Wyatt

cc: All Parties of Record

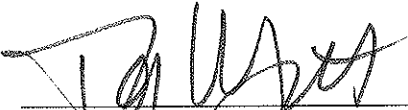
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Pennsylvania-American Water : A-2017-2606103
Company-Wastewater under Section 1329 of the :
Pennsylvania Public Utility Code, 66 Pa. C.S. :
§ 1329, for approval of the use for ratemaking :
purposes of the lesser of the fair market value or the :
negotiated purchase price of The Municipal :
Authority of the City of McKeesport's assets related :
to its wastewater collection and treatment system :
and other related transactions. :

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.66, YOU MAY ANSWER THE ENCLOSED PETITION TO INTERVENE WITHIN TWENTY (20) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PETITION TO INTERVENE MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL FOR THE CITY OF MCKEESPORT.

Dated: June 28, 2017



Thomas Wyatt, Esquire
PA I.D. # 89342
Dilworth Paxson LLP
1500 Market Street, Suite 3500E
Philadelphia, PA 19102
(215) 575-7286
twyatt@dilworthlaw.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Pennsylvania-American Water	:	A-2017-2606103
Company-Wastewater under Section 1329 of the	:	
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and other related transactions.	:	

PETITION TO INTERVENE

Pursuant to 52 Pa. Code §§ 5.71, 5.72 and 5.74, The City of McKeesport (“McKeesport”) by and through its attorneys, Dilworth Paxson LLP, hereby files with the Pennsylvania Public Utility Commission (“Commission”) this Petition to Intervene in the Application captioned above of Pennsylvania-American Water Company (“Pennsylvania-American” or “Applicant”) by which Pennsylvania-American seeks approval to acquire the wastewater system and assets of the Municipal Authority of the City of McKeesport (the “Authority”); approval of the right to begin to offer, render and supply wastewater service within portions of the City of McKeesport, the City of Duquesne, Port Vue Borough, the Borough of Dravosburg, West Mifflin Borough, Liberty Borough, White Oak Borough, North Versailles Township, Glassport Borough, Lincoln Borough, and Versailles Borough; and for an order approving the acquisition that includes the ratemaking rate base of the McKeesport wastewater system. The Application directly affects the interests of McKeesport, which are not adequately represented by any existing party. For the reasons that follow, McKeesport respectfully requests that the Commission grant its Petition to Intervene, and in support thereof, avers as follows:

1. Petitioner The City of McKeesport, Allegheny County, Pennsylvania, is a duly organized and validly existing Pennsylvania City of the Third Class under the laws of the Commonwealth of Pennsylvania, 11 P.S. §§ 10101, et seq., and McKeesport's Home Rule Charter, with a business address of 500 5th Avenue, McKeesport, Pennsylvania 15132.

2. McKeesport is a party interested in the above-captioned docket, as it is a party to the agreement under which Pennsylvania-American seeks approval to acquire the McKeesport wastewater system assets; and the municipality which organized and authorized the creation of The Municipal Authority of the City of McKeesport, which owns the community wastewater system subject to the sale.

3. McKeesport supports the Application filed by Pennsylvania-American at this docket.

4. 52 Pa. Code § 5.72 sets forth the eligibility requirements for a party to intervene and provides in part as follows:

(a) Persons. A Petition to Intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

- (1) A right conferred by statute of the United States or Commonwealth;
- (2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding;
- (3) Another interest of such nature that participation of the petitioner may be in the public interest.

5. McKeesport seeks intervention in the proceeding for due cause shown for the following reasons:

(a) McKeesport is a party to the agreement of sale (the “Sale Agreement”) of the wastewater system proposed for sale to Pennsylvania-American which provides wastewater service to approximately 7,538¹ residential and commercial customers within portions of the City;

(b) As contemplated in the Sale Agreement, McKeesport will be the ultimate recipient of the proceeds of the sale, and

(c) The Application of Pennsylvania-American relies on McKeesport’s consent to the sale of the wastewater system.

6. McKeesport has a substantial and bona fide interest in the subject matter of this docket and its interests cannot be represented or protected adequately by other existing parties to this docket.

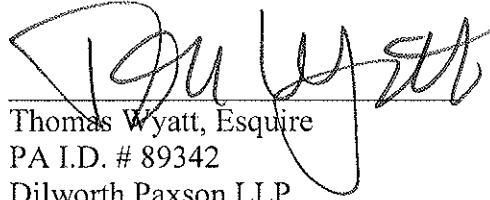
7. As a party to the Sale Agreement and ultimate recipient of the proceeds from the sale of the wastewater system, McKeesport submits that its intervention is in the public interest.

8. McKeesport intends to play an active role in the PUC’s decision-making process and its participation herein will not unduly prejudice any party.

¹ Number of accounts as of December 31, 2014.

WHEREFORE, The City of McKeesport respectfully requests that the Commission grant the instant Petition for Intervention in the above-captioned proceeding.

Respectfully submitted,

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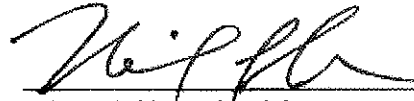
Thomas Wyatt, Esquire
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VERIFICATION

I, Michael Cherepko, Mayor of The City of McKeesport, hereby verify that the statements made in the foregoing petition are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating unsworn falsification to authorities).

Dated: 6-27-17

The City of McKeesport,



Michael Cherepko, Mayor

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ORDER OF COURT

AND NOW, this _____ day of _____, 2017, upon consideration of the foregoing Petition to Intervene of The City of McKeesport in the above-captioned matter it is hereby **ORDERED, ADJUDGED and DECREED**, that said Petition is **GRANTED**.

BY THE COURT:

_____, J.

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing Petition to Intervene upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

Susan Simms Marsh, Esquire
Pennsylvania-American Water Company
800 West Hershey Park Drive
Hershey, PA 17033
(Via United States Mail and email)

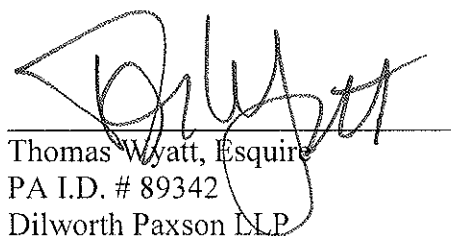
David P. Zambito, Esquire
Jonathan P. Nase, Esquire
George A. Bibikos, Esquire
Cozen O'Connor
17 North Second Street
Suite 1410
Harrisburg, PA 17101
Counsel for Pennsylvania-American Water Company
(Via United States Mail and email)

Gina L. Miller, Esquire
Erika L. McLain, Esquire
Bureau of Investigation and Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265
(Via United States Mail and email)

Dated: June 28, 2017

Administrative Law Judge Mark A. Hoyer
P.O. Box 3265
Harrisburg, PA 17105-3265
mhoyer@pa.gov
(Via United States Mail Priority Mail Express and email)

Christine M. Hoover, Esquire
Erin L. Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street
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Harrisburg, PA 17101-1923
(Via United States Mail and email)


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