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July 28, 2017

*Via Electronic Filing*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street – Second Floor North  
PO Box 3265  
Harrisburg, PA 17105-3265

RE: Columbia Water Company; Docket No. R-2017-2598203; **RESPONSE TO BUREAU OF TECHNICAL UTILITY SERVICES DATA REQUESTS**

Dear Secretary Chiavetta:

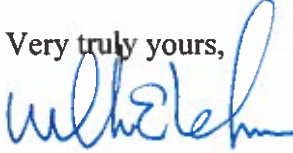
The purpose of this letter is to inform the Pennsylvania Public Utility Commission (“Commission”) that Columbia Water Company (“CWC”) will not be filing answers to the data requests in the nature of discovery propounded by the Commission’s Bureau of Technical Utility Services (“TUS”) on July 10, 2017 for the reasons stated below.

On June 27, 2017, CWC filed Supplement No. 86 to increase rates effective August 29, 2017. On July 10, 2017, TUS propounded on CWC Data Request Numbers R-1 through R-19. On July 17, 2017 a Formal Complaint against the proposed rate case increase was filed by CWC’s customer Donna Hess. On that same day, the Commission’s Bureau of Investigation and Enforcement (“I&E”) entered its Notice of Appearance. On July 19, 2017, both the Office of Consumer Advocate (“OCA”) and the Office of Small Business Advocate (“OSBA”) filed Formal Complaints against the rate case. I&E’s notice of appearance and the formal complaints filed by Ms. Hess, OCA, and OSBA, have converted this matter into a contested proceeding subject to discovery in litigated matters as permitted by the Commission’s Rules of Practice and Procedure. In fact, I&E, as of the date of this letter, in its litigation role, has issued multiple sets of discovery requests. Consequently, consistent with the Commission’s procedures implementing the Supreme Court’s *Lyness* decision, which mandates separating advisory functions from prosecutory functions once litigation has commenced, CWC will not be responding to TUS’ discovery/data requests.

CWC will, of course, be responding to all the complainant and intervener interrogatories as part of the upcoming Office of Administrative Law Judge rate case investigation.

Rosemary Chiavetta, Secretary  
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Thank you for your attention to this matter. If you have any questions, please feel free to contact me at (717) 236-1300.

Very truly yours,  


Thomas J. Sniscak  
Christopher M. Arfaa  
William E. Lehman

*Counsel for Columbia Water Company*

TJS/WEL/das

Enclosures

cc: Per Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

### BY ELECTRONIC & FIRST CLASS MAIL

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Dated this 28<sup>th</sup> day of July, 2017.