

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of the York Water Company for	:	
Approval of Emergency Interconnect Agreement	:	U-2017-2610587
Between the York Water Company and	:	
Dallastown-Yoe Water Company	:	
Red Lion Municipal Authority	:	
	:	C-2017-2616962
	:	
v.	:	
	:	
	:	
The York Water Company and	:	
Dallastown-Yoe Water Authority	:	

**PRE-HEARING CONFERENCE MEMORANDUM OF THE DALLASTOWN-YOE
WATER AUTHORITY**

NOW COMES the Dallastown-Yoe Water Authority and files this Pre-Hearing Conference Memorandum in accordance with the Court’s Pre-Hearing Conference Order.

BACKGROUND:

On May 10, 2017, the Dallastown-Yoe Water Authority (the “Authority”) entered into an Emergency Interconnect Agreement with the York Water Company (“York Water”), whereby York Water agreed to design, construct, operate, and maintain an emergency interconnection for the Authority’s multi-municipal water distribution system. On or about June 16, 2017, York Water filed the Emergency Interconnect Agreement with the Pennsylvania Public Utility Commission (the “PUC”). On or about July 5, 2017, Red Lion Municipal Authority (“RLMA”) filed a letter with the PUC opposing the Emergency Interconnect Agreement. On or about July 17, 2017, RLMA filed a Formal Complaint, docketed to the above U caption, naming York Water and the Authority as Respondents, alleging, *inter alia*, that the Emergency Interconnect Agreement was in violation of the York Water PUC-approved Tariff Supplement 20 to Water, Pa.

PUC No. 14, and further, improperly interfered with the Authority's performance under a Water Sales Agreement between the Authority and RLMA. On or about August 18, 2017, RLMA filed an Amended Complaint naming only York Water as the Respondent.

SERVICE:

All service on and communications to the Dallastown-Yoe Water Authority should be addressed to:

Peter T. Ruth, Esquire
Attorney for Dallastown-Yoe Water Authority
221 W. Philadelphia Street, Suite E600
York, PA 17401-2994

POSSIBLE SETTLEMENT:

Dallastown-Yoe Water Authority has not participated in any settlement discussions between RLMA and York Water.

PROPOSED PLAN AND DISCOVERY SCHEDULE:

Dallastown-Yoe Water Authority does not presently anticipate engaging in any discovery in regard to the above-captioned matters.

OTHER PROPOSED ORDERS FOR DISCOVERY:

Dallastown-Yoe Water Authority does not presently request any proposed orders concerning discovery for the above-captioned matters.

SCHEDULE FOR TESTIMONY, HEARING, AND BRIEFS:

Dallastown-Yoe Water Authority is amenable to any timeframes proposed by the named parties, to wit, York Water and RLMA, as approved by the PUC.

NAME AND ADDRESSES OF WITNESSES TO BE PRESENTED:

Dallastown-Yoe Water Authority does not presently intend to call any witnesses in this matter; however, the following witness may be called upon for testimony concerning the Emergency Interconnect Agreement:

- A) Connie L. Stokes
Dallastown-Yoe Water Authority Manager
Dallastown Borough Administration Building
175 East Broad Street
Dallastown, PA 17313

If called as a witness, Ms. Stokes will testify as to the discussions between the Authority and York Water concerning the Emergency Interconnect Agreement.

ISSUES TO BE ADDRESSED:

The PUC must determine the following:

- A) Whether the Emergency Interconnect Agreement violates the York Water's PUC-approved Tariff.
- B) Whether the Emergency Interconnect Agreement and York Water's supply of the water to maintain such interconnection violates section 1501 of the PUC Code, 66 Pa.C.S. § 1501.

STATEMENT OF EVIDENCE:

As an unnamed Respondent in RLMA's Amended Complaint, Dallastown-Yoe Water Authority does not presently anticipate offering any evidence related to the aforementioned issues; however, Ms. Stokes, if called as a witness, would testify as to the discussions between York Water and the Authority concerning the Emergency Interconnect Agreement.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of September, 2017, the Pre-Hearing Conference Memorandum on behalf of Dallastown-Yoe Water Authority was mailed to the following individuals by first class United States mail, postage pre-paid:

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By: /s/ Peter T. Ruth

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