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LAMB | McERLANE PC

ATTORNEYS AT LAW

T. Maxwell O'Keefe
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June 27, 2018

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

Re: Application and related filings of Pennsylvania-American Water Company under Sections 507, 1102(a), and 1329 of the Pennsylvania Public Utility Code, 66 Pa. C.S. §§ 507, 1102(a), 1329, for approval of its acquisition of wastewater system assets of Sadsbury Township, related wastewater service rights, fair market valuation ratemaking treatment, deferral of the post-acquisition improvement costs, and certain contracts with municipal corporations - **Sadsbury Township Petition to Intervene** - Docket No. A-2018-3002437

Dear Secretary Chiavetta:

Enclosed for filing with the Commission on behalf of Sadsbury Township, please find an original and three (3) copies of Sadsbury Township's Petition to Intervene in the above-captioned proceedings. Please file this Petition on behalf of Sadsbury Township and enter my appearance as counsel for Petitioner. Copies of this document have been served in accordance with the attached Certificate of Service.

If you have any questions regarding this filing, please direct them to me. I have included an extra copy of the document for return of a time-stamped copy to our office in the enclosed envelope to acknowledge docketing.

Thank you very much for your cooperation and assistance.

Very truly yours,

LAMB McERLANE PC

By: 

T. Maxwell O'Keefe

TMO:kml

Enclosure

cc: Gina L. Miller, Esquire/Erika McLain, Esquire (w/encl.)
John Evans (w/encl.)
Tanya McCloskey, Esquire/Christine M. Hoover, Esquire (w/encl.)
Susan Simms Marsh, Esquire (w/encl.)
David P Zambito, Esquire/Jonathan Nase, Esquire/George A. Bibikos, Esquire (w/encl.)
Sadsbury Township (w/encl.)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application and related filings of Pennsylvania- :
American Water Company under Sections 507, 1102(a), :
and 1329 of the Pennsylvania Public Utility Code, 66 Pa. :
C.S. §§ 507, 1102(a), 1329, for approval of its acquisition : Docket No. A-2018-3002437
of wastewater system assets of Sadsbury Township, :
related wastewater service rights, fair market valuation :
ratemaking treatment, deferral of the post-acquisition :
improvement costs, and certain contracts with municipal :
corporations

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 SADSBUY TOWNSHIP.

LAMB McERLANE PC

Dated: 6/27/18

By: 

Thomas M. O'Keefe
Attorney I.D. #208685
mokeefe@lambmcerlane.com
24 East Market Street
PO Box 565
West Chester, PA 19381-0565
610-430-8000

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**BEFORE THE
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In re: Application and related filings of Pennsylvania- :
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PETITION TO INTERVENE

Pursuant to 52 Pa. Code § 5.71, *et seq.*, Sadsbury Township (hereinafter, "Sadsbury") by and through its attorneys, Lamb McErlane PC, hereby files with the Pennsylvania Public Utility Commission (hereinafter, the "Commission") this Petition to Intervene in the Application captioned above of Pennsylvania-American Water Company (hereinafter, "PAWC" or "Applicant") by which PAWC seeks approval to acquire the wastewater system assets of Sadsbury; approval of the right to begin to offer, render, furnish and supply wastewater service in a portion of Sadsbury Township, Chester County, Pennsylvania; for an order approving the acquisition that includes the ratemaking base of the Sadsbury wastewater system; and for the approval of contracts, including assignment of contracts, between PAWC and Sadsbury, pursuant to Section 507 of the Public Utility Code. The Application directly affects the interests of Sadsbury, which are not adequately represented by an existing party. For the reasons that follow, Sadsbury respectfully requests that the Commission grant its Petition to Intervene, and in support thereof, avers as follows:

1. Petitioner, Sadsbury Township, Chester County, Pennsylvania, is a municipality duly organized and existing under the laws of the Commonwealth of Pennsylvania pursuant to The Second Class Township Code, 53 P.S. §§ 65101, et seq., with a business address of 2920 Lincoln Highway, Sadsburyville, PA 19369.
2. Sadsbury Township is a party interested in the above-captioned docket, as it is a party to the agreement under which PAWC seeks approval to acquire the wastewater system assets.
3. Sadsbury supports the Application filed by PAWC 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:
 - i. A right conferred by statute of the United States or Commonwealth;
 - ii. An interest which may be directly affected and as to 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;
 - iii. Another interest of such nature that participation of the petitioner may be in the public interest.
5. Sadsbury seeks intervention in the proceeding for due cause shown as it is the owner of the wastewater system proposed for sale to Aqua which provides wastewater service to approximately 950 residential and 48 commercial customer connections.

6. Sadsbury 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 the potential seller of the wastewater system, Sadsbury submits that it is an indispensable party to this Application and that its intervention is in the public interest.
8. Sadsbury intends to play an active role in the PUC's decision-making process and its participation herein will not unduly prejudice any party.

WHEREFORE, Sadsbury Township respectfully requests that the Commission grant the instant Petition to Intervene in the above-captioned proceeding.

Dated: 6/27/18

By: 

LAMB McERLANE PC

Thomas M. O'Keefe
Attorney I.D. #208685
mokeefe@lambmcerlane.com
24 East Market Street
PO Box 565
West Chester, PA 19381-0565
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CERTIFICATE OF SERVICE

In re: Application and related filings of Pennsylvania- :
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I hereby certify that I have this day served a true and correct copy of the foregoing Petition to Intervene upon the parties, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party), in the manner and upon the persons listed below.

VIA FIRST CLASS MAIL

Gina L. Miller, Esq.
Erika McLain, Esq.
Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Susan Simms Marsh, Esq.
Pennsylvania American Water Company
800 Hersheypark Drive
Harrisburg, PA 17033


John Evans
Office of Small Business Advocate
300 North Street
Suite 202
Harrisburg, PA 17101

David P Zambito, Esq.
Jonathan Nase, Esq.
George A. Bibikos, Esq.
Cozen O'Connor
17 North Second Street
Suite 1410
Harrisburg, PA 17101

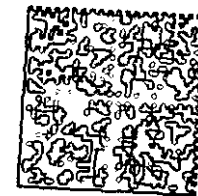
Tanya McCloskey, Esq.
Christine M. Hoover, Esq.
Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17101-1923

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ATTORNEYS AT LAW

24 E. Market St. PO Box 565, West Chester PA 19381

TO:

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