



Brian Ardire

Director, Corporate Counsel

Pennsylvania-American Water Company

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July 12, 2018

VIA eFile

Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Section 529 Investigation of North Heidelberg Sewer Company
I-2018-3001161

Dear Secretary Chiavetta:

Enclosed for filing with the Commission, in the above-referenced proceeding, is the Prehearing Conference Memorandum of Pennsylvania-American Water Company. As directed in the Prehearing Conference Order, I am serving an electronic copy, as well as a hard copy via UPS Overnight Delivery, on Administrative Law Judge Steven Haas.

A copy of the Prehearing Conference Memorandum has also been served upon each of the parties listed on the enclosed Certificate of Service.

Should you have any questions concerning this filing, please contact me.

Sincerely,

Brian Ardire

Enclosures

cc: Honorable Steven K. Haas
Per Certificate of Service

providing the same type of service as NHSC. The letter further stated that PAWC may file a Petition to Intervene by deadline June 22, 2018. PAWC filed a Petition to Intervene on June 21, 2018.

II. COUNSEL

Counsel for PAWC are:

Susan Simms Marsh, Esq. (PA ID 44689)
Pennsylvania-American Water Company
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Hershey, PA 17033
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III. SERVICE OF DOCUMENTS

PAWC's attorneys are authorized to accept service on behalf of PAWC in this proceeding. PAWC requests hard copies of documents be served to Attorney Marsh at the address above. PAWC agrees to receive service of documents electronically in this proceeding and requests that all listed counsel for PAWC receive electronic service.

IV. ISSUES & PAWC'S POSITION

The issue is whether or not the Commission should order the acquisition of NHSC pursuant to Section 529. In deciding this, the Commission carefully considers which proximate, capable public utility

is best able to serve the interests of the customers of the utility to be acquired. To date, the Commission has already determined that another capable public utility has the “expertise and experience operating waste water systems,” and a “familiarity and understanding of the circumstances,” that makes them best able to serve the interests of NHSC’s customers by means of receivership, during the pendency of the Section 529 proceedings. (See PaPUC Order entered February 9, 2018, Docket No. M-2018-26545983- Pg. 15; See also Initial Receivership Status Report). Should the Commission decide acquisition of NHSC is most appropriate, PAWC respectfully submits that the same public utility company is in the best position to continue serving the interests of NHSC’s customers.

Furthermore, PAWC respectfully submits that the other proximate, capable public utility company is approximately one or two miles closer to NHSC’s service area than is PAWC’s. Therefore, the other company is in a better position to easily and efficiently serve NHSC’s customers.

V. WITNESSES

PAWC expects to call the following witness and provide their testimony:

Mr. David Lentowski

Mr. Lentowski is an Operations Project Manager for PAWC. Mr. Lentowski’s business address is 4 Wellington Boulevard, Reading, PA 19610. Mr. Lentowski’s business phone number is (484) 855-1008. Mr. Lentowski will address issues related to the proximity of the identified, capable public utilities to NHSC’s current service territory.

PAWC also reserves the right to call additional witnesses, if necessary, and agrees to notify Judge Haas and the parties immediately should PAWC determine any witnesses will be called.

VI. LITIGATION SCHEDULE

PAWC will work with Judge Haas and all parties to develop a mutually agreeable litigation schedule.

V. SETTLEMENT

PAWC is willing to participate in settlement discussions in this matter.

Respectfully submitted,

By: 

Brian Ardire, Esq. (PA ID 209386)
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800 West Hersheypark Drive
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Dated: July 12, 2018

COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that I have on this day served a true and correct copy of the Prehearing Conference Memorandum of Pennsylvania-American Water Company upon the participants listed below, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54:

VIA UPS OVERNIGHT DELIVERY

Carrie B. Wright, Esq.
Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
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Christine Maloni Hoover, Esq.
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FirstEnergy
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PO Box 16001
Reading, PA 19612-6001

The Prehearing Conference Memorandum has been electronically filed on the Pennsylvania Public Utility Commission's eFiling System.

A handwritten signature in black ink, appearing to read "Brian Ardire", is written over a solid horizontal line.

Brian Ardire
Director, Corporate Counsel
Pennsylvania-American Water Company
800 West Hersheypark Drive
Hershey, Pennsylvania 17033
(717) 531-3362

Dated this 12th day of July, 2018