

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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August 20, 2018

Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17120

Re: Pa. Public Utility Commission
v.
Pennsylvania-American Water Company-
Wastewater Division Supplement No. 6 to
Tariff Wastewater-Pa. P.U.C. No. 16
Docket No. R-2018-3002504

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Prehearing Memorandum in the above-referenced proceeding.

Copies have been served per the attached Certificate of Service.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christine Maloni Hoover".

Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50026
E-Mail: CHoover@paoca.org

Attachment

cc: Honorable Marta Guhl, ALJ
Certificate of Service

*257190

CERTIFICATE OF SERVICE

Re: Pennsylvania-American Water Company- :
Wastewater Division Supplement No. 6 to : Docket No. R-2018-3002504
Tariff Wastewater-Pa. P.U.C. No. 16 :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Prehearing Memorandum, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 20th day of August 2018.

SERVICE BY E-MAIL & INTER-OFFICE MAIL

Allison C. Kaster, Esquire
Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

SERVICE BY E-MAIL & FIRST CLASS MAIL, POSTAGE PREPAID

Susan Simms Marsh, Esquire
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Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101

/s/ Christine Maloni Hoover
Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50026
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Phone: (717) 783-5048
Fax: (717) 783-7152
Dated: August 20, 2018

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, et al.	:		
	:		
v.	:	Docket No.	R-2018-3002504
	:		
Pennsylvania-American Water Company-	:		
Wastewater Division	:		

PREHEARING MEMORANDUM
OF THE
OFFICE OF CONSUMER ADVOCATE

Pursuant to Section 333 of the Public Utility Code, 66 Pa.C.S. §333, and in response to the Prehearing Conference Order issued by Administrative Law Judge (ALJ) Marta Guhl in the above-captioned matter, the Office of Consumer Advocate (OCA) provides the following information:

I. HISTORY OF THE PROCEEDING

On June 5, 2018, Pennsylvania-American Water Company Wastewater Division (PAWC or Company) filed Supplement No. 6 to Tariff Wastewater-PA P.U.C. No. 16 to become effective August 4, 2018. Supplement No. 6 proposed the addition of a rule related to taxes on deposits for construction, customer advances (CAC) and contributions in aid of construction (CIAC). On July 24, 2018, the Commission's Bureau of Investigation and Enforcement (I&E) filed a formal complaint at Docket No. C-2018-3003600. On July 25, 2018, the OCA filed a Notice of Intervention and Public Statement. On August 2, 2018, the Commission entered an Order suspending the proposed tariff supplement until February 4, 2019. In accordance with the

Commission's Order on August 8, 2018, the Company filed Tariff Supplement No. 8, which suspends Supplement No. 6 to Tariff Wastewater-PA P.U.C. No. 16 until February 4, 2019.

On August 13, 2018, a Prehearing Conference Order was issued, scheduling a telephonic prehearing on August 22, 2018. On August 15, 2018, the Office of Small Business Advocate filed a Notice of Intervention and Public Statement. On August 16, 2018, ALJ Guhl, upon the request of the OCA and with the agreement of the other parties, rescheduled the telephonic prehearing conference to August 29, 2018.

II. ISSUES

Based upon a preliminary analysis of the tariff filing, the issue that OCA anticipates including in its investigation of the tariff is the impact that the proposed tariff may have on the rates of existing PAWC customers. It is anticipated that other issues may arise and may be pursued once discovery has been conducted, and the OCA reserves the opportunity to present any new, unanticipated issues at that time. In addition, the OCA reserves the right to raise issues and respond to issues raised by other parties, as necessary to protect the interests of PAWC's customers.

III. WITNESSES

The OCA intends to present the direct, rebuttal and surrebuttal testimony, as may be necessary, of the following witness in this proceeding. Each witness will present testimony in written form and will also attach various exhibits, documents, and explanatory information which will assist in the presentation of OCA's case. In order to expedite the resolution of this proceeding, the OCA requests that copies of all interrogatories, testimony, and answers to interrogatories be mailed directly to the expert witness, as well as mailing a copy to counsel for

the OCA.

General Accounting, Financial, Policy and Ratemaking Issues

Ashley E. Everette
Regulatory Analyst
Office of Consumer Advocate
555 Walnut Street, Forum Place 5th Floor
Harrisburg PA 17101-1923
Telephone: (717) 783-5048

The OCA specifically reserves the right to call additional witnesses, as necessary. As soon as the OCA has determined whether an additional witness or witnesses will be necessary for any portion of its case, all parties of record will be notified.

IV. SERVICE ON THE OCA

The OCA will be represented in this proceeding by Senior Assistant Consumer Advocate Christine Maloni Hoover. Two copies of all documents should be served in the OCA as follows:

Christine Maloni Hoover
Senior Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street, Forum Place 5th Floor
Harrisburg PA 17101-1923

Telephone: (717) 783-5048

The OCA agrees to be served electronically if followed by service of two hard copies by first-class mail.

V. SCHEDULE

The OCA will cooperate fully with the ALJ and other parties to arrive at a mutually agreeable procedural schedule. The OCA also requests that all dates included in the schedule be considered “in-hand” dates and that electronic service by 4:30 pm on the due date will satisfy the

“in-hand” requirement, where hard copies are sent by first-class mail.

VI. DISCOVERY

The OCA does not propose any modifications to the Commission’s discovery rules.

Respectfully submitted,



Christine Maloni Hoover
Senior Assistant Consumer Advocate

Counsel for:
Tanya J. McCloskey
Acting Consumer Advocate

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DATED: August 20, 2018
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