

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**Status Report Regarding
Estate of Joseph M. Aichholz, Jr., Deceased**

Pursuant to the order entered on February 1, 2019 by Administrative Law Judge Steven K. Haas, I, Sean M. Cooper, counsel for North Heidelberg Sewer Company (NHSC), am now filing this initial status report regarding the administration of the estate of Joseph M. Aichholz, Jr., deceased, former owner and Chief Executive Officer of NHSC. For the reasons explained below, I recommend that the current proceeding, the Section 529 Investigation of North Heidelberg Sewer Company, Docket No. I-2018-3001161, continue to be delayed.

I. Background

On or about January 12, 2019, Mr. Aichholz's family informed me that he had passed away earlier that morning. On January 14, 2019, I sent an email to all involved parties notifying them of Mr. Aichholz Jr.'s passing. In the email, I explained that I had been unable to reach the Mr. Aichholz Jr.'s family to confirm who had the authority to make decisions for the company regarding the resolution of the underlying Section 529 matter.

On January 28, 2019, with my approval, the Bureau of Investigation and Enforcement (I&E) filed a Motion to Delay Procedural Schedule at Docket No. I-2018-3001161. On February 1, 2019, Administrative Law Judge Steven K. Haas entered an order granting the motion and directing me, as counsel to NHSC, to file status reports every 60-days regarding the administration of Mr. Aichholz Jr. estate as it pertains to the current ownership and control of NHSC.

II. Current Status

Mr. Aichholz died intestate in Berks County, Pennsylvania, leaving behind what appears to be a complex and most likely insolvent estate. Mr. Aichholz's daughter, Donna Reitz, is currently acting as the primary contact regarding the settling Mr. Aichholz's affairs. However, to my knowledge, no letters of administration have been issued, and no administrator has been appointed for the estate.

According to the company's Articles of Incorporation obtained from the Commonwealth's Department of State (DOS), NHSC is organized as a Pennsylvania Business Corporation with 1,000,000 aggregate shares of common stock. Due to Mr. Aichholz's large volume of disorganized and often hand-written personal records, his family has not yet determined if the company has any shareholders other than Mr. Aichholz. No corporate bylaws have been located. The Articles are attached as Appendix A of this report.

According to a current DOS entity report, NHSC has four officers of record. The report is attached as Appendix B of this report. Mr. Aichholz is listed as the President of NHSC, while his son, Joseph "Jody" Aichholz, III, is listed as the Secretary, Treasurer, and Vice President. The family indicated to me that Mr. Aichholz almost always acted unilaterally regarding his business affairs, and as such his family is not sure if he took any actions to modify this list or to establish any other corporate directors or officers. The family has not yet uncovered any records that would corroborate or challenge this list, however, the family members generally agree that this list is most likely accurate.

Based on my limited interactions with Jody Aichholz, his level of business sophistication is low, and he appears to have little knowledge regarding the "front office" operations of NHSC. Though capable of running the company, he has shown little interest in doing so. However, as the

officer of record, he appears to have the authority to act on behalf of the corporation allowing the underlying matter to proceed.

III. Conclusion

As of the date of this report, additional time is needed for the family to determine if there are other shareholders of NHSC who may have an interest in the underlying matter. To the best of my knowledge, relevant corporate records may have been among the records left in Mr. Aichholz Jr.'s office at NHSC's place of business in Bernville when it was handed over to the receiver earlier this year. Following the submission of this report, I will work with the receiver's counsel to determine if any further records have been located.

Jody Aichholz appears to have the authority to act on behalf of NHSC as its Vice President, Secretary, and Treasurer of record. Given the volume and nature of his father's records and his desire to bring this matter to a close, extending the current litigation delay would allow NHSC to pursue amicable settlement of this matter and will generally improve the usefulness of Jody's participation in this matter. Since Aqua Pennsylvania Wastewater, Inc. has been running the company since March 2018 and there is no danger to the public or NHSC's customers, I recommend that this matter continue to be delayed.

Date: 4/1/2019

Respectfully submitted,



Sean M. Cooper
Cooper Law PLLC
PO Box 312
Elizabethtown, PA 17022
P: 717.559.5291 | F: 855.559.5292
sean@cooperlawpa.com
Attorney for NHSC

Appendix A
Articles of Incorporation

9041 375

Microfilm Number _____ Filed with the Department of State on AUG 28 1990

Entity Number 1598142 Christopher A. Levin
Secretary of the Commonwealth

ARTICLES OF INCORPORATION
DSCB:15-1306(Rev 89)

Indicate type of domestic corporation (check one):

- Business-stock (15 Pa. C.S. Section 1306)
- Professional (15 Pa C.S. Section 2903)
- Business-nonstock (15 Pa. C.S. Section 2102)
- Management (15 Pa. C.S. Section 2701)
- Business-statutory close (15 Pa. C.S. Section 2304a is applicable)
- Cooperative (15 Pa. C.S. Section 7701)

1. The name of the corporation is: North Heidelberg Sewer Company
This corporation is incorporated under the provisions of the Business Corporation Law of 1988.

2. The address of this corporation's initial (a) registered office in this Commonwealth or (b) commercial registered office provider and the county of venue is:

(a) Barnville-Robersonia Road and Rt. 181, Barnville, Pennsylvania 19806
Number and Street City State Zip County

(b) _____
Name of Commercial Registered Office Provider County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The aggregate number of shares authorized is: One Million (1,000,000) shares common stock.
(other provisions, if any, attach 8 1/2 x 11 sheet)

4. The name and address, including street and number, if any, of each incorporator is:

Name	Address	Signature	Date
James R. Fegley, Esq.	Kozloff, Diener, Payne & Fegley, P.C. 2640 Westview Drive P. O. Box 6286 Wyomissing, PA 19610		8/24/90

5. The specified effective date, if any, is: N/A
month, day, year, hour, if any

6. Any additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet.

7. Statutory close corporation only: Neither the corporation nor any shareholder shall make an offering of any of its shares of any class that would constitute a 'Public Offering' within the meaning of the Securities Act of 1933 (15 U.S.C. Section 77A et seq.).

8. Business cooperative corporations only: (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: _____

Appendix B
Pennsylvania Department of State Entity Report



Commonwealth of Pennsylvania
Bureau of Corporations and Charitable Organizations
401 North Street, Room 206, P.O. Box 8722
Harrisburg, PA 17105-8722
(717) 787-1057
www.dos.pa.gov/corps

Entity Report

March 31,2019

Examination of the indices in the Department of State on the above date show a Business Corporation was filed on August 28,1990 entitled:

NORTH HEIDELBERG SEWER COMPANY

Entity # 1598142

Citizenship: Domestic

With Address At: BERNVILLE-ROBESONIA RD & RT 183 ,
BERNVILLE ,PA, 19506-0

Corporate Officers on Record:

Secretary	JOSEPH AICHHOLZ III	PO BOX 609 , BERNVILLE, PA 19506-0609
Treasurer	JOSEPH AICHHOLZ III	PO BOX 609 , BERNVILLE, PA 19506-0609
Vice President	JOSEPH AICHHOLZ III	PO BOX 609 , BERNVILLE, PA 19506-0609
President	JOSEPH M AICHHOLZ JR	PO BOX 609 , BERNVILLE, PA 19506-0609

Filing History :

Date	Microfilm	Filing
8/28/1990	9041	Creation Filing

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

CERTIFICATE OF SERVICE

I, Sean M. Cooper, certify that on this date, I served the foregoing Status Report to the parties whose names appear below, via electronic mail.

The Honorable Steven K. Haas
Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
sthaas@pa.gov

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

Alexander R. Stahl
Aqua Pennsylvania Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010
AStahl@aquaamerica.com

Susan Simms Marsh
Pennsylvania American Water Company
800 North Hersheypark Drive
Hershey, PA 17033
Susan.Marsh@amwater.com

Carrie B. Wright
Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
carwright@pa.gov

Tori L. Giesler
Aron J Beatty
FirstEnergy
2800 Pottsville Pike
PO Box 16001
Reading, PA 19612-6001
tgiesler@firstenergycorp.com
ajbeatty@firstenergycorp.com

Thomas T. Niesen
Thomas, Niesen & Thomas, LLC
212 Locust Street, Suite 302
Harrisburg, PA 17101
tniesen@tntlawfirm.com

John D. Hollenbach
VP and General Manager
Suez Water Pennsylvania, Inc.
4211 East Park Circle
Harrisburg, PA 17111
john.hollenbach@suez.com

Date: 4/1/2019



Sean M. Cooper
Cooper Law PLLC
PO Box 312
Elizabethtown, PA 17022
P: 717.559.5291 | F: 855.559.5292
sean@cooperlawpa.com