



COMMONWEALTH OF PENNSYLVANIA

April 25, 2019

**E-FILED**

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

**Re: Pennsylvania Public Utility Commission v. Newtown Artesian Water Company /  
Docket No. R-2019-3006904**

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate ("OSBA"), in the above-captioned proceeding. I respectfully request that a copy of any documents filed in this case also be shared with our witness at the address below:

Brian Kalcic  
Excel Consulting  
225 S. Meramec Avenue, Suite 720 T  
St. Louis, MO 63105  
[excel.consulting@sbcglobal.net](mailto:excel.consulting@sbcglobal.net)

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sharon E. Webb".

Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995

*Enclosures*

cc: Brian Kalcic  
Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	
<b>v.</b>	:	<b>Docket No. R-2019-3006904</b>
	:	
<b>Newtown Artesian Water Company</b>	:	

**OFFICE OF SMALL BUSINESS ADVOCATE  
PREHEARING MEMORANDUM**

**I. INTRODUCTION**

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Sharon E. Webb, Assistant Small Business Advocate. Please address all correspondence as follows:

Sharon E. Webb  
Assistant Small Business Advocate  
Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)  
[swebb@pa.gov](mailto:swebb@pa.gov)

## II. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA's case in this proceeding will be:

Brian Kalcic  
Excel Consulting  
225 S. Meramec Avenue, Suite 720 T  
St. Louis, MO 63105  
[excel.consulting@sbcglobal.net](mailto:excel.consulting@sbcglobal.net)

The OSBA will participate in the proceeding to assure that the interests of small business customers are adequately represented and protected. The OSBA has identified the following issues:

1. Whether the rates, terms, and other provisions of Supplement No. 136 to Tariff Water - Pa. P.U.C. No. 9 ("Supplement No. 136")--which was filed on March 1, 2019 by The Newtown Artesian Water Company ("Company")--would result in the implementation of a rate structure which would be unjust, unreasonable, unduly discriminatory and otherwise contrary to law, particularly as it pertains to small business customers.
2. Whether those materials filed by the Company are sufficient to justify the rate increase requested, particularly as pertains to small business customers.
3. Whether the Company's requested return on common equity will provide an excessive return on the Company's investments and is unjust, unreasonable and contrary to law.

As appropriate and necessary, the OSBA will investigate and analyze the claims of all parties, setting forth the OSBA's positions through the presentation of testimony by its expert witness, the cross-examination of witnesses appearing for other parties, and the briefing of the issues that arise in this proceeding.

The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding.

**III. HEARING AND BRIEFING SCHEDULE**

The OSBA will work with the other parties to create a mutually acceptable procedural schedule.

Respectfully submitted,



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Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995

Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)

Dated: April 25, 2019

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** :  
:  
v. : **Docket No. R-2019-3006904**  
: **Docket No. C-2019-3008912**  
**Newtown Artesian Water Company** :

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via email and/or First-Class mail (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).


The Honorable Darlene Heep  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
[dheep@pa.gov](mailto:dheep@pa.gov)

Phillip D. Demanchick, Esquire  
Erin L. Gannon, Esquire  
Christine Maloni Hoover, Esquire  
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[tniesen@tntlawfirm.com](mailto:tniesen@tntlawfirm.com)  
(Counsel for NAWC)

DATE: April 25, 2019

  
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Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995