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|  | Public Meeting held May 23, 2019 | |
| Commissioners Present: |  | |
| Gladys Brown Dutrieuille, Chairman  David W. Sweet, Vice Chairman  Norman J. Kennard  Andrew G. Place  John F. Coleman, Jr. | | |
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| Pennsylvania Public Utility Commission  v.  Eaton Sewer and Water Company, Inc. – Wastewater Division | | R-2019-3009559 |

**ORDER**

**BY THE COMMISSION:**

On April 29, 2019, Eaton Sewer and Water Company, Inc. – Wastewater Division (Eaton-WD), Utility Code 230049, filed Supplement No. 2 to Wastewater – PA. P.U.C. No. 3 to become effective August 1, 2019. The subject tariff supplement would increase Eaton-WD’s total annual operating revenues for wastewater service by approximately $73,973, or 45.14%.

On May 10, 2019, the Office of Small Business Advocate filed a Formal Complaint at Docket No. C-2019-3009809. Pursuant to the Public Utility Code, 66 Pa. C.S. § 1308(d), the filing will be suspended by operation of law until March 1, 2020, unless permitted by Commission Order to become effective at an earlier date.

Investigation and analysis of this proposed tariff supplement and the supporting data indicates that the proposed changes in rates, rules, and regulations may be unlawful, unjust, unreasonable, and contrary to public interest. It also appears that consideration should be given to the reasonableness of Eaton-WD’s existing rates, rules, and regulations; **THEREFORE,**

**IT IS ORDERED:**

1. That an investigation on Commission motion be, and hereby is, instituted to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in Eaton Sewer and Water Company, Inc. – Wastewater Division’s proposed Supplement No. 2 to Wastewater – PA. P.U.C. No. 3.
2. That Eaton Sewer and Water Company, Inc. – Wastewater Division’s proposed Supplement No. 2 to Wastewater – PA. P.U.C. No. 3 is suspended by operation of law until March 1, 2020, unless otherwise directed by Order of the Commission.
3. That within ten (10) days of the entry date of this Order, pursuant to 52 Pa. Code § 53.71, Eaton Sewer and Water Company, Inc. – Wastewater Division shall file (or e-file) a tariff supplement, which shall bear no effective date, with the Commission and post the tariff supplement at the offices of Eaton Sewer and Water Company, Inc. – Wastewater Division announcing that the aforementioned tariff is suspended until March 1, 2020. A sample copy of a suspension supplement is provided in Attachment A of this Order.
4. That the investigation instituted in Ordering Paragraph No. 1 of this Order shall include consideration of the lawfulness, justness, and reasonableness of the existing rates, rules, and regulations of Eaton Sewer and Water Company, Inc. – Wastewater Division.
5. That this case be assigned to the Office of Administrative Law Judge for Alternative Dispute Resolution, if possible, and for the prompt scheduling of such hearings as may be necessary culminating in the issuance of a recommended decision.
6. That a copy of this Order shall be served upon Eaton Sewer and Water Company, Inc. – Wastewater Division, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and any persons who have filed formal complaints against the proposed tariff supplement of Eaton Sewer and Water Company, Inc. – Wastewater Division.

**BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: May 23, 2019

ORDER ENTERED: May 23, 2019

ATTACHMENT A

Sample Suspension Supplement

Supp. No. \_\_\_\_\_\_ to

\_\_\_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_

(COMPANY NAME)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(TERRITORY SERVED BY COMPANY)

The application of rates proposed in Tariff \_\_\_\_\_\_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_\_ filed to become effective \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, is hereby suspended until \_\_\_\_\_\_\_\_\_\_\_\_\_, at Docket No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Presently effective rates contained in Tariff \_\_\_\_\_\_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_\_ and supplements thereto, will continue in effect until otherwise amended. Issued in compliance with Title 66 Pa. C.S. § 1308.