

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**Second 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 second status report regarding the administration of the Estate of Joseph M. Aichholz, Jr., deceased (hereafter “the Estate” and “Mr. Aichholz” respectively), the former owner and Chief Executive Officer of NHSC. For the reasons explained below, I recommend that the continuance in the current proceeding, the Section 529 Investigation of North Heidelberg Sewer Company, Docket No. I-2018-3001161, be lifted and the matter allowed to proceed.

I. Status Report

Generally, there has been little to no activity in this matter or related affairs since the first status report. As the parties are aware, Mr. Aichholz died intestate in Berks County, Pennsylvania on or about January 12, 2019. Aichholz was survived by his wife Joyce (“Mrs. Aichholz”), and his four children: Joseph M. “Jody” Aichholz, III (“Jody Aichholz”); Donna Reitz; Gary Aichholz and Todd Aichholz. Mrs. Aichholz is suffering from dementia and requires constant care. As such, she does not have the capacity to be involved with NHSC or the Estate.

Mr. Aichholz’s daughter, Donna Reitz, is currently acting as the primary contact regarding the settling of Mr. Aichholz’s affairs. Ms. Reitz has indicated on several occasions that the family is working to settle Mr. Aichholz’s affairs. However, as of this date no probate estate has been opened in Berks County, no letters of administration have been issued, and no administrator has

been appointed for the estate. Despite contact with the family, it remains unclear whether any activity has been taken to settle the Estate. To contrary, Ms. Reitz and her brothers have generally been reluctant to be involved with Mr. Aichholz's affairs.

As stated in the first status report, Jody Aichholz has apparent legal authority to make decisions for NHSC. However, he appears to have very little knowledge of NHSC's business affairs, having worked almost entirely in the operations of the company. At this time no others have come forward to claim ownership or control of NHSC. As is the case regarding his Estate, Mr. Aichholz's family shows a large degree of reluctance regarding NHSC. Setting aside Jody Aichholz's lack of knowledge and sophistication, there does not appear to be any reason why he or cannot make decisions for the company such that this matter may proceed toward conclusion.

II. Conclusion

Given many of the participants' apathy regarding the matter (and settlement) and since the status quo appears to have alleviated the Commission's concerns, further continuance will not serve any practical purpose in this matter at this time. I requested further continuance in my first status report to give the family time to review Mr. Aichholz's affairs and to allow for the possibility that another person would appear and claim ownership or control of the company. To date, no such person has come forward and it is unlikely that anyone will do so. Accordingly, I recommend that this matter proceed.

Date: 1/30/2020

Respectfully submitted,



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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.

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