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August 31, 2020

Rosemary Chiavetta, Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg PA 17105-3265

Re: Application of Aqua Pennsylvania Wastewater,
Inc. pursuant to Sections 507, 1102, and 1329 of
the Public Utility Code for, inter alia, approval of
the acquisition of the wastewater system assets of
the Delaware County Regional Water Quality
Control Authority, Docket No. A-2019-3015173

Dear Secretary Chiavetta:

Enclosed for filing in the above-referenced proceeding please find the Prehearing Memorandum of Trainer Borough.

This document is being served on the Administrative Law Judge and all parties of record. The document was filed electronically with the Commission on this date.

Sincerely,



Enclosure

cc: Angela Jones, Administrative Law Judge
All parties of record

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Aqua Pennsylvania Wastewater, :
Inc. pursuant to Sections 507, 1102 and 1329 of :
the Public Utility Code for, inter alia, approval of : Docket No. A-2019-3015173
the acquisition of the wastewater system assets of :
the Delaware County Regional Water Quality :
Control Authority :

PREHEARING MEMORANDUM OF
TRAINER BOROUGH

In accordance with the Administrative Law Judge’s Further Corrected Prehearing Conference Order dated August 17, 2020, and 52 Pa. Code § 5.222(d)(1), Trainer Borough (“Trainer”) hereby files this Prehearing Memorandum and provides the following information to the Administrative Law Judge and the active parties to this proceeding.

Procedural History: On August 17, 2020, Trainer filed a Protest against the proposed acquisition of the wastewater assets of Delaware County Regional Water Quality Control Authority (“DELCORA”) by Aqua Pennsylvania Wastewater, Inc. (“Aqua”).

Issues: Trainer has reviewed Aqua’s Application and exhibits, the direct testimony of witnesses from Aqua and DELCORA, and numerous responses to interrogatories provided by Aqua and DELCORA (including responses to discovery propounded by Trainer). Based on that information, Trainer intends to address the following issues:

- Whether DELCORA has the right to transfer to Aqua the property used to serve Trainer;
- Whether an agreement exists between Aqua and Trainer that Aqua is permitted to file with the Commission under 66 Pa. C.S. § 507;

- Whether it is consistent with the public convenience and necessity for Aqua to acquire the assets and contract rights of DELCORA;
- Whether it is consistent with the public interest, the law, and the Pennsylvania Constitution for Aqua to acquire the public sewer collection and conveyance system within the Service Area in Trainer Borough without a credit or compensation to Trainer Borough and/or its residents;
- Whether Aqua is permitted to charge the residents of Trainer Borough rates that are inconsistent with and/or in violation of the Agreement between DELCORA and Trainer Borough;
- Whether Aqua's acquisition of the assets and contract rights of DELCORA would affirmatively promote the service, accommodation, convenience, or safety of the public in some substantial way; and
- Whether it is consistent with the public interest, the law, and the Pennsylvania Constitution for Aqua to acquire the assets of DELCORA without providing appropriate credit to customers who contributed property to DELCORA.

Witnesses: Trainer intends to provide written direct testimony from Council member James Cassidy, Council Vice-President Jean Beck, and Manager Mark Possenti,, business address: 824 Main St., Trainer, PA 19061, business phone: (610) 497-3838.

Service List: Trainer requests that its entry on the service list should be for its counsel, as follows:

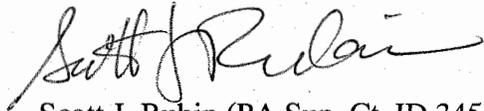
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Pursuant to 52 Pa. Code § 1.54(b)(3), counsel consents to the electronic service of all documents at the e-mail address shown above.

Settlement: Trainer is willing to discuss full or partial settlements or stipulations with Aqua and/or DELCORA to attempt to limit the issues that must be litigated before this Commission.

Schedule: Counsel for Trainer has been working with counsel for other parties to develop a schedule for this proceeding. It is hoped that a consensus schedule will be provided to the Administrative Law Judge at or before the prehearing conference.

Respectfully submitted,



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Counsel for Trainer Borough

Dated: August 31, 2020

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the following parties by electronic mail. Service by first-class mail will be provided to any party that requests such service.

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Representing

August 31, 2020
Date



Scott J. Rubin, Counsel for
Trainer Borough