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September 21, 2020

VIA ELECTRONIC FILING

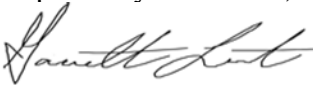
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Petition of Twin Lakes Utilities, Inc. for a Commission Order Authorizing the Acquisition of Twin Lakes Utilities, Inc., By A Capable Public Utility Pursuant to 66 Pa. C.S. § 529 - Docket No. P-2020-3020914

Dear Secretary Chiavetta:

Enclosed for filing is the Petition to Intervene of Aqua Pennsylvania, Inc. in the Section 529 Investigation Involving Twin Lakes Utilities, Inc., in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Garrett P. Lent

GPL/jl
Enclosures

cc: Honorable Joel H. Cheskis
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL ONLY

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Date: September 21, 2020

Garrett P. Lent

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Twin Lakes Utilities, Inc. For A :
Commission Order Authorizing The :
Acquisition Of Twin Lakes Utilities, Inc. By : Docket No. P-2020-3020914
A Capable Public Utility Pursuant to 66 Pa. :
C.S. § 529 :

**PETITION TO INTERVENE OF AQUA PENNSYLVANIA, INC.
IN THE SECTION 529 INVESTIGATION INVOLVING
TWIN LAKES UTILITIES, INC.**

Aqua Pennsylvania, Inc. (“Aqua” or the “Company”), by its attorneys, pursuant to Sections 5.71 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.71, and in accordance with the Notice of Section 529 Acquisition Investigation issued by the Commission on September 1, 2020, hereby submits this Petition to Intervene in the above-captioned proceeding. Aqua participated in the review and consideration of the Office of Consumer Advocate’s Petition For The Issuance Of An Interim Emergency Order On An Expedited Basis (“Emergency Petition”), and hereby seeks to intervene in the underlying Section 529 proceeding. In support of its intervention, Aqua states as follows:

I. BACKGROUND

1. On July 16, 2020, Twin Lakes Utilities, Inc. (“Twin Lakes”) filed with the Pennsylvania Public Utility Commission (“PUC” or the “Commission”) a Petition for a Commission Order authorizing the acquisition of Twin Lakes pursuant to Section 529 of the Public Utility Code, 66 Pa. C.S. § 529, by a capable public utility (the “TLU Petition”).

2. Twin Lakes is a wholly owned subsidiary of Middlesex Water Company (“Middlesex”), a New Jersey Corporation. Middlesex provides operational support to Twin Lakes

through a Service Agreement dated December 1, 2009.

3. On June 1, 2020, Middlesex issued a notice that it would terminate the Service Agreement effective September 1, 2020.

4. On July 22, 2020, John J. Gallagher filed a Notice of Appearance for Twin Lakes.

5. On July 23, 2020, the Commission's Bureau of Investigation and Enforcement ("I&E") filed a Notice of Appearance.

6. On July 24, 2020, the Office of Consumer Advocate ("OCA") filed a Notice of Appearance.

7. A Prehearing Conference was held on July 27, 2020.

8. The OCA filed its Petition on August 18, 2020, requesting that the Commission name Aqua as Receiver for the Twin Lakes system under Section 529 of the Public Utility Code, 66 Pa. C.S. § 529.

9. On August 19, 2020, Aqua filed a Notice of Appearance in the proceeding.

10. On August 19, 2020, a further Prehearing Conference was held, and Second Scheduling Order issued that same day directing parties to file any answers to OCA's Petition on August 20, 2020.

11. On August 20, 2020, Aqua filed an additional Notice of Appearance, entering the appearance of Michael W. Hassell and Garrett P. Lent as additional counsel for Aqua.

12. On August 20, 2020, Aqua filed an Answer to the OCA's Emergency Petition.

13. A telephonic evidentiary hearing regarding OCA's Emergency Petition was held on August 21, 2020.

14. A Briefing Order was issued on August 21, 2020.

15. Pursuant to the Briefing Order, the parties submitted post-hearing main briefs on August 24, 2020, and post-hearing reply briefs on August 25, 2020.

16. The ALJ issued an Order Denying Petition of the Office of Consumer Advocate For Issuance of an Interim Emergency Order on an Expedited Basis Filed Pursuant to Sections 3.6, 3.6a and 3.7 of the Pennsylvania Public Utility Commission's Regulations dated August 28, 2020 (the "Order") on August 28, 2020.

II. PETITION TO INTERVENE

17. Aqua was served with the Commission's September 1, 2020 Notice of Section 529 Acquisition Investigation. In the Notice, the Commission identified Aqua as a proximate public utility to Twin Lakes and advised that Aqua may be joined as a party to the proceeding at Docket Mo. P-2020-3020914

18. Aqua is a regulated Pennsylvania public utility that provides water service to approximately 443,000 customers throughout the Commonwealth of Pennsylvania.

19. Aqua has standing to participate in the above-captioned proceeding because its service territory is located within the proximate vicinity of the Twin Lakes system. Aqua's Masthope system in Lackawaxen Township is approximately 10 miles from Twin Lakes.

20. Aqua has participated in this proceeding to a limited extent, in opposition to OCA's Emergency Petition, which requested the Commission issue an order appointing Aqua as a receiver of the Twin Lakes water system. Aqua opposed the relief sought by OCA, which would have directly, immediately and substantially affected Aqua's interests if granted.

21. Furthermore, Aqua, having been served with the Notice and having been identified as a proximate public utility providing the same type of service as the small water utility, may be joined as a party to the Section 529 investigation occurring at the above-captioned docket. If Aqua

is joined to the proceeding, it could be ordered by the Commission to acquire or otherwise own and operate the Twin Lakes system. *See* 66 Pa. C.S. § 529(a). As such, Aqua has a direct, immediate and substantial interest in the outcome of this proceeding, and its interest is not and cannot be adequately represented by any other party.

22. Therefore, the ALJ and the Commission should grant Aqua's request to intervene in the Section 529 investigation.

III. CONCLUSION

WHEREFORE Aqua Pennsylvania, Inc. respectfully requests that the Public Utility Commission grant its Petition to Intervene in the above-captioned proceeding.

Respectfully submitted,



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Date: September 21, 2020

Counsel for Aqua Pennsylvania, Inc.