|  |  |
| --- | --- |
| Public Meeting held May 6, 2021 | |
|  | |
| Commissioners Present: | |
|  | |
| Gladys Brown Dutrieuille, Chairman  David W. Sweet, Vice Chairman  John F. Coleman, Jr.  Ralph V. Yanora | |
|  | |
|  | |
| Pennsylvania Public Utility Commission  v.  Community Utilities of Pennsylvania Inc. | R-2021-3025206  C-2021-3025263 |

**ORDER**

**BY THE COMMISSION:**

On April 12, 2021, Community Utilities of Pennsylvania Inc. (CUPA), Utility Code 2118089, filed Supplement No. 9 to Tariff Water-Pa. P.U.C. No. 1 (Supplement No. 9) to become effective June 12, 2021. Supplement No. 9 would increase CUPA’s total annual operating revenues for water service by approximately $757,517, or 36.6%.

On April 15, 2021, the Office of Small Business Advocate filed a Formal Complaint at Docket No. C-2021-3025263. Pursuant to the Public Utility Code, 66 Pa.C.S. § 1308(d), the filing will be suspended by operation of law until January 12, 2022, 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 CUPA’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 Community Utilities of Pennsylvania Inc.’s proposed Supplement No. 9 to Tariff Water-Pa. P.U.C. No. 1.
2. That Community Utilities of Pennsylvania Inc.’s proposed Supplement No. 9 to Tariff Water-Pa. P.U.C. No. 1 is suspended by operation of law until January 12, 2022, unless otherwise directed by Order of the Commission.
3. That within ten (10) days following the entry date of this Order, pursuant to 52 Pa. Code § 53.71, Community Utilities of Pennsylvania Inc. shall e‑file, or if necessary file via email directly to Secretary Rosemary Chiavetta at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov), a tariff supplement, which shall bear no effective date, with the Commission and post the tariff supplement at the offices of Community Utilities of Pennsylvania Inc. announcing that the aforementioned tariff supplement is suspended until January 12, 2022. 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 Community Utilities of Pennsylvania Inc.
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 Community Utilities of Pennsylvania Inc., 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.

**BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: May 6, 2021

ORDER ENTERED: May 6, 2021

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 Supplement No. \_\_\_\_\_ to 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.