



COMMONWEALTH OF PENNSYLVANIA

June 9, 2021

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Application of Aqua Pennsylvania Wastewater, Inc. pursuant to Sections 1102, 1329 and 507 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of Lower Makefield Township / Docket No. A-2021-3024267

Dear Secretary Chiavetta:

Enclosed please find the Notice of Intervention, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Erin K. Fure

Erin K. Fure
Assistant Small Business Advocate
Attorney ID No. 312245

Enclosures

cc: Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, Inc. (hereinafter referred to as “Aqua” or “Applicant”) pursuant to Sections 1102 and 1329 of the Public Utility Code for: :

(1) approval of the acquisition of Aqua of the wastewater system assets of Lower Makefield Township (“LMT” or “Township”) situated within the Township of Lower Makefield and Yardley Borough, Bucks County, Pennsylvania; :

(2) approval of the right of Aqua to begin to offer, render, furnish and supply wastewater service to the public in Lower Makefield Township, Bucks County, Pennsylvania; and :

(3) an order approving the acquisition that includes the ratemaking rate base of the Lower Makefield Township wastewater system assets pursuant to Section 1329(c)(2) of the Public Utility Code. :

Request for Approval of Contracts, including Assignments of Contracts, between Aqua and Lower Makefield Township Pursuant to Section 507 of the Public Utility Code :

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the Application that was filed with the Pennsylvania Public Utility Commission (“PUC” or “Commission”) on May 14, 2021 by Aqua Pennsylvania Wastewater, Inc. (“Aqua” or

“Company”), with respect to its request for approval to acquire the wastewater assets of Lower Makefield Township. In support of this Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50) to represent the interest of small business customers as a party in proceedings before the Commission.
2. Intervention in this case is necessary to ensure that the interests of small business customers served by Aqua are adequately represented.
3. Representing the OSBA in this proceeding is:

Erin K. Fure
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
efure@pa.gov

/s/ Erin K. Fure

Erin K. Fure
Assistant Small Business Advocate
Attorney ID No. 312245

Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: June 9, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of Aqua Pennsylvania
Wastewater, Inc. (hereinafter referred to
as “Aqua” or “Applicant”) pursuant to
Sections 1102 and 1329 of the Public
Utility Code for:** : **Docket No. A-2021-3024267**

**(1) approval of the acquisition of Aqua of
the wastewater system assets of Lower
Makefield Township (“LMT” or
“Township”) situated within the
Township of Lower Makefield and
Yardley Borough, Bucks County,
Pennsylvania;** :

**(2) approval of the right of Aqua to begin
to offer, render, furnish and supply
wastewater service to the public in Lower
Makefield Township, Bucks County,
Pennsylvania; and** :

**(3) an order approving the acquisition
that includes the ratemaking rate base of
the Lower Makefield Township
wastewater system assets pursuant to
Section 1329(c)(2) of the Public Utility
Code.** :

**Request for Approval of Contracts,
including Assignments of Contracts,
between Aqua and Lower Makefield
Township Pursuant to Section 507 of the
Public Utility Code** :

**PUBLIC STATEMENT OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that

the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of an intervention regarding the Application filed by Aqua Pennsylvania Wastewater, Inc. (“Aqua” or “Company”), with respect to its request for approval to acquire the wastewater assets of Lower Makefield Township. The Small Business Advocate has intervened in this case to ensure that the interests of small business customers served by the Company are adequately represented.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the Company’s requested relief. The Small Business Advocate will ask the Commission to deny any proposed changes in the Company’s present tariffs that apply to small business customers that are not proven by the Company to be lawful, just, reasonable and non-discriminatory to all its customer classes.

Dated: June 9, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of Aqua Pennsylvania
Wastewater, Inc. (hereinafter referred to
as “Aqua” or “Applicant”) pursuant to
Sections 1102 and 1329 of the Public
Utility Code for:** :

Docket No. A-2021-3024267

**(1) approval of the acquisition of Aqua of
the wastewater system assets of Lower
Makefield Township (“LMT” or
“Township”) situated within the
Township of Lower Makefield and
Yardley Borough, Bucks County,
Pennsylvania;** :

**(2) approval of the right of Aqua to begin
to offer, render, furnish and supply
wastewater service to the public in Lower
Makefield Township, Bucks County,
Pennsylvania; and** :

**(3) an order approving the acquisition
that includes the ratemaking rate base of
the Lower Makefield Township
wastewater system assets pursuant to
Section 1329(c)(2) of the Public Utility
Code.** :

**Request for Approval of Contracts,
including Assignments of Contracts,
between Aqua and Lower Makefield
Township Pursuant to Section 507 of the
Public Utility Code** :

VERIFICATION

I, Steven C. Gray, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing

held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: June 9, 2021

/s/ Erin K. Fure

(Signature)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Aqua Pennsylvania :
Wastewater, Inc. (hereinafter referred to as :
“Aqua” or “Applicant”) pursuant to Sections : Docket No. A-2021-3024267
1102 and 1329 of the Public Utility Code for: :
: :
(1) approval of the acquisition of Aqua of the :
wastewater system assets of Lower Makefield :
Township (“LMT” or “Township”) situated :
within the Township of Lower Makefield and :
Yardley Borough, Bucks County, :
Pennsylvania; :
: :
(2) approval of the right of Aqua to begin to :
offer, render, furnish and supply wastewater :
service to the public in Lower Makefield :
Township, Bucks County, Pennsylvania; and :
: :
(3) an order approving the acquisition that :
includes the ratemaking rate base of the :
Lower Makefield Township wastewater :
system assets pursuant to Section 1329(c)(2) of :
the Public Utility Code. :
: :
Request for Approval of Contracts, including :
Assignments of Contracts, between Aqua and :
Lower Makefield Township Pursuant to :
Section 507 of the Public Utility Code :
: :
: :
: :
: :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
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Harrisburg, PA 17120
crainey@pa.gov

Christine Maloni Hoover, Esquire
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(Counsel for OCA)

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762 W. Lancaster Avenue
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/s/ Erin K. Fure

Erin K. Fure
Assistant Small Business Advocate
Attorney ID # 312245

Dated: June 9, 2021