

John Day  
614 Runyon Avenue  
Piscataway, NJ 08854  
732-309-0551 | john@johnday.us

30 June 2021

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

**DATE OF DEPOSIT**

**JUL - 2 2021**

RE: ***John Day vs. Aqua Pennsylvania Wastewater, Inc.***  
***PUC Docket No. C-2021-302621 3***

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dear Secretary Chiavetta:

Please find enclosed my response to the Answer and New Matter filed on 23 June 2021 by Regulatory Counsel Hopper, on behalf of Aqua Pennsylvania Wastewater, Inc.

Thank you for the Commission's review of my complaint, and the anticipated courtesies.

Sincerely,



John Day

Enclosures

- Complainant Reply to Defendant Answer and New Matter
- Exhibits

Cc: Mary McFall Hopper, Esquire  
Regulatory Counsel, Aqua PA, Inc.  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010

**Complainant Reply to Defendant Answer and New Matter  
30 June 2021**

**PUC Docket No. C-2021-3026213  
Day vs. Aqua Pennsylvania Wastewater, Inc.**

<b>Defendant Answer</b>	<b>Complainant Reply</b>
<p>"Complainant seeking to evade the effect of existing tariff provision carries a very heavy burden to prove that the facts and circumstances have changed so drastically as to render the application of the tariff provision unreasonable."</p>	<p>I seek the Pennsylvania Public Utility Commission (PUC) to redress the effect of how said Tariff has been implemented. I seek a billing rate for wastewater service equitable to the service received.</p> <p>It is indeed a very heavy burden to assemble my case <i>pro se</i>, without a formal education in law, the benefit of a corporate legal department, and finger-tip access to Pennsylvania case law.</p>

<b>Defendant New Matter</b>	<b>Complainant Reply</b>
<p>"11. Consistent with its 2019 Commission-approved Tariff, the Complainant is billed a monthly flat fee of \$100 under Rate Zone 4 for wastewater service."</p>	<p>We are billed the \$100 unmetered rate for said Zone 4 because of the present implementation of the Tariff. Under this implementation, metered water service from Aqua PA is a requirement for receiving metered wastewater rates. (Defendant New Matter, Exhibit 1)</p> <p>The nonprofit Village Greens Cooperative manages my water service, and bills me accordingly. Because the Defendant neither owns nor meters my water service, I am prohibited from receiving metered, wastewater rates approved by the Commission.</p>

**DATE OF DEPOSIT**

JUL - 2 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

<b>Defendant New Matter</b>	<b>Complainant Reply</b>
<p>"12. The Company's Commission-approved tariff has the force and effect of law and is binding on both the public utility and its customers."</p>	<p>My wife and I are not roadkill along the deregulatory highway, and indulge the Commission not to treat us as such.</p> <p>As a customer of the Company, it's our prerogative to express and redress grievances pursuant to the Commission's consumer complaint procedures guide.</p>

<b>Defendant New Matter</b>	<b>Complainant Reply</b>
<p>"13. The Code prohibits the Company from charging a greater or lesser rate than that specified in its tariff."</p>	<p>Thank you for the clarification.</p> <p>Mutatis mutandis, I amend my relief request to a wastewater billing rate of \$71.50/monthly – comprising the metered rate of \$62.00/month plus a consumption charge of \$9.50/month. This amended request is consistent with rates specified in the Commission-approved Tariff. Moreover, I believe this amended request is equitable to the level of wastewater service received, and continues to advance the public interest.</p> <ul style="list-style-type: none"> <li>● Metered rates for wastewater service are offered in Rate Zone 4 Tariff. (Defendant New Matter, Exhibit 1)</li> <li>● The 2019 Commission-approved Tariff for Rate Zone 4 takes into account the public interest; said rates were increased by approx.50% compared to previous rates.</li> <li>● For the first five months of 2021, Defendant billed \$500 for wastewater services. For the same five month-period, residence was used for no more than 15 days. (Complainant Reply Exhibit A)</li> <li>● Our family consumes an average of 875 gallons of water per week at our primary and water-metered residence in New Jersey, with a week being the maximum period of time we are likely to spend at Lake Harmony residence during any given month. (Complainant Reply Exhibit B)</li> <li>● The Office of Consumer Advocate (OCA) for the Commonwealth of Pennsylvania analyzed this Tariff to be excessive, unjust, and unreasonable - in violation of the Pennsylvania Public Utility Code, Chapter 13 guidance on sound ratemaking principles and public policy. (Complainant Reply, Exhibit C)</li> <li>● Defendant's Answer denies our eligibility for metered wastewater rates is contingent upon Company's ownership or acquisition of the local water system - however, this directly contradicts the facts, ad-modum and de-facto, contained in Defendant's New Matter Exhibit 1</li> </ul>

## **EXHIBITS**

**Complainant Reply to Defendant Answer and New Matter  
30 June 2021**

**PUC Docket No. C-2021-3026213  
Day vs. Aqua Pennsylvania Wastewater, Inc.**

- A. *E-Pass Billing Statements* - demonstrating frequency of Complainant's visiting of vacation residence at 481 Moseywood Rd, 17 January through 16 May 2021
- B. *New Jersey America Water Statement* - demonstrating Complainant's monthly water consumption rates at primary and metered residence in New Jersey, January through April 2021
- C. *Formal Complaint and Public Statement* - Office of Consumer Advocate for the Commonwealth of Pennsylvania, 28 August 2018

**DATE OF DEPOSIT**

**JUL - 2 2021**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

P. O. Box 4973  
Trenton, NJ 08650



PVC DOCKET C-2021-3026213  
COMPLAINANT REPLY  
EXHIBIT A Side 1 of 1

Statement Date: 03/18/2021  
Account Number: 2000 0044 0960 1  
Activity For: 01/17/21 - 03/16/21  
Replenishment Method: VISA  
Replenishment Amount: \$35.00



00072077-003165

JOHN DAY  
614 RUNYON AVE  
PISCATAWAY, NJ 08854-4719



DATE OF DEPOSIT

JUL - 2 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



Side 1 of 1  
Account #: 2000 0044 0960 1  
Statement Period: 01/17/21 - 03/16/21  
Tag Deposit: \$0.00

**IMPORTANT:** Keeping your account updated is important for E-ZPass to work correctly. Visit the E-ZPass website at [www.ezpassnj.com](http://www.ezpassnj.com) to verify that we have the most up to date contact information (address, phone number(s) and e-mail address). You can check your account balance, update vehicle and license plate information, password, credit card information, expiration date and more. You can also pay your violations, attach documents along with accessing other useful tools. You can also call the automated phone system at 1-888-AUTO-Toll (1-888-288-6865) to update your account or speak to a customer service representative directly during regular business hours; be sure to have your account, device or violation number available and to be ready to answer your Challenge Question.

NJ E-ZPass strives for continuous improvement for the benefit of our customers and the overall success of the NJ E-ZPass Program. To help us to improve our services, please log in to your account and take the Customer Satisfaction Survey located under the Feedback link.

POSTING DATE	TRANSACTION DATE	TAG NUMBER /PLATE	AGENCY	PLAZA	ENTRY DATE	TIME	PLAZA	EXIT DATE	TIME	PLAN	CL	AMOUNT	BALANCE
01/17/21	01/17/21	Service Fee										\$1.00	\$16.12
01/19/21	01/18/21	02207534338	✓ DRJTBC				078	01/18/21	09:38	STANDARD	1	\$1.00	\$15.12
02/04/21	02/04/21	02207534338	NJTP	10	02/04/21	18:11	18W	02/04/21	18:34	STANDARD	1	\$10.05	\$5.07
02/04/21	02/04/21	02207534338	NJTP	18W	02/04/21	20:39	10	02/04/21	21:03	STANDARD	1	\$7.40	-\$2.33
02/05/21	02/05/21	Prepaid Payment										\$35.00	\$32.67
02/05/21	02/04/21	02207534338	PANYNJ				GWL	02/04/21	18:43	STANDARD	1	\$13.75	\$18.92
02/05/21	02/04/21	02207534338	MTAB&T				HHB	02/04/21	20:23	STANDARD	1	\$7.00	\$11.92
02/05/21	02/05/21	Prepaid Payment										\$35.00	\$46.92
02/07/21	02/06/21	02207534338	✓ DRJTBC				078	02/06/21	12:18	STANDARD	1	\$1.00	\$45.92
02/17/21	02/17/21	Service Fee										\$1.00	\$44.92
02/28/21	02/27/21	02207534338	✓ DRJTBC				078	02/27/21	13:57	STANDARD	1	\$1.00	\$43.92
On evaluation of toll usage, your replenishment has been changed from \$25 to \$35													

PREPAID TOLL BALANCE	
Beginning Balance	\$17.12
Tolls, Non-Tolls and Fees	\$43.20
Payments and Credits	\$70.00
Ending Balance	\$43.92

Thank you for using E-ZPass

**Plaza Descriptions:**

10 - I-287/Metuchen/Edison Twsp  
HHB - Henry Hudson Br

18W - Geo Washington Br/US 46/I-80  
078 - Interstate 78-ORT

GWL - Geo Washington Br - Lower Level

0007207700316500100100000000



P. O. Box 4973  
Trenton, NJ 08650

Statement Date: 05/18/2021  
Account Number: 2000 0044 0960 1  
Activity For: 03/17/21 - 05/16/21  
Replenishment Method: VISA  
Replenishment Amount: \$25.00



00083020-004604

JOHN DAY  
614 RUNYON AVE  
PISCATAWAY, NJ 08854-4719



New Jersey Service Center

Side 1 of 1

Account #: 2000 0044 0960 1  
Statement Period: 03/17/21 - 05/16/21  
Tag Deposit: \$0.00

Keep your NJ E-ZPass account updated and avoid violation fees. To manage your account, download the official NJ E-ZPass App from the Google Play or Apple App Store, visit the NJ E-ZPass website at [www.ezpassnj.com](http://www.ezpassnj.com), or contact the NJ E-ZPass Customer Service Center at (888) AUTO-TOLL (288-6865). When calling be sure to have your account or tag number available and to be ready to answer your Challenge Question.



NJ E-ZPass strives for continuous improvement for the benefit of our customers and the overall success of the NJ E-ZPass Program. To help us to improve our services, please log in to your account and take the Customer Satisfaction Survey located under the Feedback link.

POSTING DATE	TRANSACTION DATE	TAG NUMBER /PLATE	AGENCY	PLAZA	ENTRY DATE	TIME	PLAZA	EXIT DATE	TIME	PLAN	CL	AMOUNT	BALANCE
03/17/21	03/17/21	Service Fee										\$1.00	\$42.92
04/03/21	04/03/21	02207534338	GSP				UNI	04/03/21	08:50	STANDARD	1	\$1.90	\$41.02
04/03/21	04/03/21	02207534338	GSP				EOR	04/03/21	12:40	STANDARD	1	\$1.25	\$39.77
04/04/21	04/03/21	02207534338	✓ DRJTBC				(078)	04/03/21	14:47	STANDARD	1	\$1.00	\$38.77
04/17/21	04/17/21	Service Fee										\$1.00	\$37.77
04/17/21	04/17/21	02207534338	NJTP	10	04/17/21	11:48	13A	04/17/21	12:01	STANDARD	1	\$3.35	\$34.42
04/17/21	04/17/21	02207534338	NJTP	13A	04/17/21	15:10	10	04/17/21	15:22	STANDARD	1	\$3.35	\$31.07
04/19/21	04/18/21	02207534338	✓ DRJTBC				(078)	04/18/21	06:14	STANDARD	1	\$1.25	\$29.82
04/23/21	04/23/21	02207534338	NJTP	10	04/23/21	16:45	13A	04/23/21	17:02	STANDARD	1	\$3.35	\$26.47
04/23/21	04/23/21	02207534338	NJTP	13A	04/23/21	17:49	10	04/23/21	18:02	STANDARD	1	\$3.35	\$23.12
05/07/21	05/06/21	02207534338	✓ DRJTBC				(078)	05/06/21	19:33	STANDARD	1	\$1.25	\$21.87

On evaluation of toll usage, your replenishment has been changed from \$35 to \$25

PREPAID TOLL BALANCE	
Beginning Balance	\$43.92
Tolls, Non-Tolls and Fees	\$22.05
Payments and Credits	\$0.00
Ending Balance	\$21.87

Thank you for using E-ZPass

**Plaza Descriptions:**

10 - I-287/Metuchen/Edison Twsp  
078 - Interstate 78-ORT

13A - Newark Aprt/Elizabeth Seaport  
UNI - Union

EOR - East Orange

**Meter Reading and Usage Summary**

Meter No.	Measure	Size	From Date	To Date	Previous Read	Current Read	Meter Units	Billing Units	Total Gallons
88744465	1,000 gal	5/8"	03/26/2021	04/28/2021	415 (A)	419 (A)	4	40.00	4,000

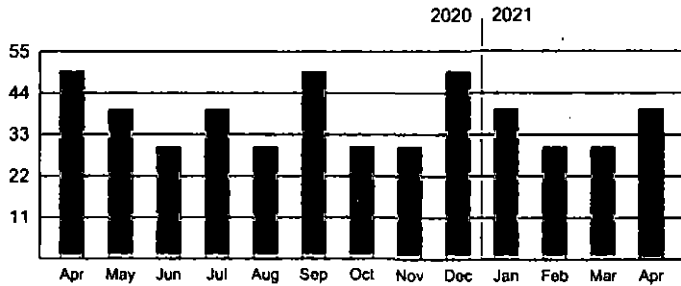
A = Actual E = Estimate

1 Billing Unit = 100 gallons

Total Gallons: 4,000

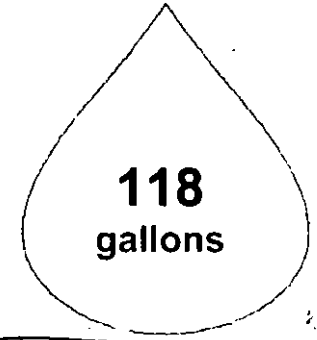
**Billed Usage History (graph shown in 100 gallons)**

- 4,000 gallons = usage for this period
- 5,000 gallons = usage for same period last year



Next Scheduled Read Date: on or about May 26, 2021  
Account Type: Residential

Average daily use for this period is: (34 days)



Year to Date Billed Usage: 14,000 gallons

8.75 gallons per week

**Account Detail**

Account No. 1018-210022058141

Service To: 614 RUNYON AVE PISCATAWAY, NJ 08854

<b>Prior Billing</b>	<b>37.76</b>
<b>Payments</b>	<b>-37.76</b>
Total payments as of Apr 19. Thank you!	
<b>Balance Forward</b>	<b>0.00</b>
<b>Service Related Charges - 03/26/21 to 04/28/21</b>	
<b>Water Service</b>	<b>46.05</b>
Water Service Charge	18.50
Water Usage Charge (40 x \$0.68884)	27.55
<b>Other Charges</b>	<b>-0.89</b>
Purchased Water Surcharge (40 x \$0.05113)	2.05
TCJA Credit - Water	-2.94
<b>Total Service Related Charges</b>	<b>45.16</b>
<b>Total Current Period Charges</b>	<b>45.16</b>

**Total Amount Due** ➔ **\$45.16**

**DATE OF DEPOSIT**

**JUL - 2 2021**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Understanding Your Bill**

- Fees and Adjustments:** This section provides details related to additional charges or adjustments for the service period referenced. Fees, when applicable, would include items such as service activation and late payment charges.
- Service Related Charges:** This section includes charges for services related to water, wastewater and fire protection.
- Water and Wastewater Service Charge:** This fixed charge represents the cost of meter reading, customer billing, accounting and to maintain the meter and service connection to your property.
- Water and Wastewater Usage Charge:** This charge, which is based on usage, represents the cost related to operating and maintaining source of supply, pumping, treatment, and transmission and distribution facilities as well as the capital cost related to upgrading these facilities. One billing unit equals 100 gallons of water used. If the meter serving your property measures your water in cubic feet or a different unit of measure, we convert the usage to gallons to make it easier for you to understand.
- Discounted Water and Wastewater Charge:** This discount applies to customers who qualify for New Jersey American Water's low income discount program.
- Other Charges:** The Distribution System Improvement Charge relates to the capital costs associated with improvements currently being made to the water system that are not included in base rates. The Purchased Water and Wastewater Surcharges are pass through charges that are paid to other companies or other agencies and do not remain with New Jersey American Water.
- Average Daily Use:** The gallons shown in the water droplet above represent your average daily water use for the current billing period. Tracking the amount of water you use can help you manage your overall water use from month to month.
- Still have questions?** We are here to help. Our customer service representatives are available M-F, 7 a.m. to 7 p.m. More information on understanding your bill and charges can also be found on our website. See the link below.

For more information about your charges and rates, please visit:  
<https://amwater.com/njaw/rates>

## Additional Messages from New Jersey American Water

- Approximately 13.00 percent, or \$5.87 of your current charges, reflect Gross Receipts and Franchise Taxes paid to the state of New Jersey and largely distributed to New Jersey municipalities.
- For water conservation tips and ways to save money on your monthly bill, visit us online. Under **Water Information**, select **Wise Water Use** and **Detecting Leaks**.

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048  
800-684-6560

August 28, 2018

FUC DOCKET C-2021-3026213

COMPLAINANT REPLY  
EXHIBIT C

FAX (717) 783-5048  
consumer@paoca.org

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

DATE OF DEPOSIT

JUL - 2 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Re: Pa. Public Utility Commission  
v.  
Aqua Pennsylvania, Inc. and  
Aqua Pennsylvania Wastewater, Inc.  
Docket Nos. R-2018-3003558  
R-2018-3003561

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Formal Complaint and Public Statement in the above-referenced proceeding.

Copies have been served per the attached Certificate of Service.

Respectfully submitted,

/s/ Phillip D. Demanchick  
Phillip D. Demanchick  
Assistant Consumer Advocate  
PA Attorney I.D. # 324761  
E-Mail: [PDemanchick@paoca.org](mailto:PDemanchick@paoca.org)

Enclosures:

cc: Office of Special Assistants (email only: [ra-OSA@pa.gov](mailto:ra-OSA@pa.gov))  
Office of Administrative Law Judge  
Bureau of Technical Utility Services (email only)  
Certificate of Service

\*255864

CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utility Commission :  
v. : Docket Nos. R-2018-3003558  
Aqua Pennsylvania, Inc. and : R-2018-3003561  
Aqua Pennsylvania Wastewater, Inc. :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Formal Complaint and Public Statement, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 28<sup>th</sup> day of August 2018.

SERVICE BY E-MAIL & INTER-OFFICE MAIL

Richard Kanaskie, Esquire  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

SERVICE BY E-MAIL & FIRST CLASS MAIL, POSTAGE PREPAID

Anthony C. DeCusatis, Esquire  
Catherine Vasudevan, Esquire  
Morgan, Lewis and Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921

John R. Evans  
Office of Small Business Advocate  
300 North Second Street  
Commerce Building, Suite 202  
Harrisburg, PA 17101-1303

Renee T. Marquis  
Aqua Pennsylvania, Inc.  
762 W. Lancaster Ave.  
Bryn Mawr, PA 19010

SERVICE BY FIRST CLASS MAIL, POSTAGE PREPAID

Darren Distasio  
12 Karin Drive  
Tunkahnock, PA 18657

Jordan Goretti  
1393 Rothley Ave  
Abington, PA 19001-2414

/s/ Phillip D. Demanchick

Phillip D. Demanchick  
Assistant Consumer Advocate  
PA Attorney I.D. # 324761  
E-Mail: [PDemanchick@paoca.org](mailto:PDemanchick@paoca.org)

Christine Maloni Hoover  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 50026  
E-Mail: [CHoover@paoca.org](mailto:CHoover@paoca.org)

Counsel for the Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Fax: (717) 783-7152  
Dated: August 28, 2018  
\*257387

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**FORMAL COMPLAINT**

**1. CUSTOMER NAME (COMPLAINANT)**

Tanya J. McCloskey, Acting Consumer Advocate

555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Dauphin County

Phone: (717) 783-5048  
Fax: (717) 783-7152

**2. UTILITY NAME**

Aqua Pennsylvania, Inc. & Aqua Pennsylvania Wastewater, Inc.  
Docket No. R-2018-3003558 (Water)  
Docket No. R-2018-3003561 (Wastewater)

**3. TYPE OF UTILITY**

Water and Wastewater

**4. COMPLAINT**

- A. On August 17, 2018, Aqua Pennsylvania Inc. (Aqua or Company) filed Original Tariff Water - Pa. P.U.C. No. 2 (Tariff Water No. 2) and Original Tariff Sewer – Pa. P.U.C. No. 2 (Tariff Sewer No. 2) with the Pennsylvania Public Utility Commission (Commission) to become effective October 16, 2018. Through this filing, Aqua requests that the Commission approve changes in water and wastewater rates to increase the Company's total annual operating revenues by approximately \$71.8 million per year or approximately 16.13% over the amount of annual revenues at present rates.
- B. The Company provides water service to approximately 430,000 customers in portions of Adams, Berks, Bradford, Bucks, Carbon, Chester, Clarion, Clearfield, Columbia, Crawford, Cumberland, Delaware, Forest, Juniata, Lackawanna, Lawrence, Lehigh, Luzerne, Mercer, McKean, Monroe, Montgomery, Northhampton, Northumberland, Pike, Schuylkill, Susquehanna, Snyder, Venango, Warren, Wayne, and Wyoming Counties. The Company also provides wastewater service to approximately 30,000 customers in portions of Adams, Bucks, Carbon, Chester, Clarion, Clearfield, Delaware, Lackawanna, Luzerne, Monroe, Montgomery, Pike, Schuylkill, Venango, and Wyoming Counties.

C. According to the customer notices included in the Company's filing, if the full rate increase is approved a typical residential water customer with a 5/8" meter using 4,080 gallons per month would see the following increases in their monthly bill as provided in the following table:

Rate Zone	Water Territory	Present Rates	Proposed Rates	Increase Amount	Increase Percentage
1	Main Division	\$59.85	\$69.07	\$9.22	15.41%
1	Beech Mountain*	\$21.45	\$35.37	\$13.92	64.90%
1	Bristol*	\$55.80	\$69.07	\$13.27	23.78%
1	Bensalem*	\$24.24	\$38.90	\$14.66	60.48%
-	Bunker Hill	\$12.88	\$27.36	\$14.48	112.42%
2	Chalfont	\$47.27	\$69.07	\$21.80	46.12%
1	Clarendon	\$51.05	\$69.07	\$18.02	35.30%
2	Concord Park	\$30.88	\$45.43	\$14.55	47.12%
1	CC Gardens*	\$40.29	\$55.04	\$14.75	36.61%
3	Eagle Rock	\$59.85	\$69.07	\$9.22	15.41%
1	East Cameron	\$57.02	\$69.07	\$12.05	21.13%
1	Honesdale	\$52.20	\$69.07	\$16.87	32.32%
1	Kratzerville*	\$52.29	\$69.07	\$16.78	32.09%
3	Masthope	\$49.36	\$69.07	\$19.71	39.93%
1	Mifflin*	\$37.11	\$51.14	\$14.03	37.81%
1	Mt. Jewett*	\$45.95	\$69.07	\$23.12	50.32%
3	Oakland	\$57.04	\$69.07	\$12.03	21.09%
1	Robin Hood Lakes*	\$40.16	\$55.02	\$14.86	37.00%
1	Sand Springs*	\$40.73	\$55.04	\$14.31	35.13%
-	Sun Valley	\$15.00	\$19.50	\$4.50	30.00%
2	Superior	\$57.02	\$69.07	\$12.05	21.13%
2	Treasure Lake	\$27.20	\$43.31	\$16.11	59.23%

\* Consumption Charge exceptions, Private Fire Service Charge exceptions, and Public Fire Service Charge exceptions apply.

- D. According to the customer notices included in the Company's filing, if the full rate increase is approved a typical residential wastewater customer\* would see the following increases to their monthly bill:

Rate Zone	Wastewater Territory	Present Rates	Proposed Rates	Increase Amount	Increase Percentage
3	Beech Mountain	\$56.04	\$80.00	\$23.96	42.76%
5	Brandywine	\$106.43	\$125.84	\$19.41	18.24%
2	Bridlewood	\$45.46	\$74.88	\$29.42	64.72%
1	Bunker Hill	\$31.92	\$61.40	\$29.48	92.36%
3	Chesterdale	\$54.92	\$72.35	\$17.43	31.74%
3	Deerfield	\$57.87	\$71.50	\$13.63	23.55%
2	Eagle Rock	\$39.67	\$51.39	\$11.72	29.54%
3	Emlenton	\$45.00	\$80.00	\$35.00	77.78%
5	Greens	\$106.38	\$107.60	\$1.22	1.15%
4	Honeycroft	\$66.67	\$100.00	\$33.33	49.99%
4	Kidder	\$47.07	\$70.65	\$23.58	50.10%
4	Lake Harmony	\$65.63	\$100.00	\$34.37	52.37%
3	Laurel	\$51.49	\$81.70	\$30.21	58.67%
4	Links at Gettysburg	\$63.58	\$87.65	\$24.07	37.86%
5	Little Washington	\$98.05	\$106.64	\$8.59	8.76%
1	Masthope	\$28.99	\$40.88	\$11.89	41.01%
1	Media	\$42.19	\$62.92	\$20.73	49.13%
4	New Daleville	\$74.17	\$100.00	\$25.83	34.83%
5	Newlin	-	-	-	-
4	Peddlers View	\$78.44	\$100.95	\$22.51	28.70%
3	Penn Township	\$40.70	\$74.90	\$34.20	84.03%
2	Pincrest	\$44.05	\$68.40	\$24.35	55.28%
5	Plumsock	\$107.02	\$124.88	\$17.86	16.69%
3	Rivercrest	\$45.22	\$73.20	\$27.98	61.88%
5	Sage Hill	-	-	-	-
3	Stony Creek	\$54.86	\$67.25	\$12.39	22.58%
3	Thornhurst	\$52.36	\$68.10	\$15.74	30.06%
4	Tobyhanna	\$66.67	\$100.00	\$33.33	49.99%
1	Treasure Lake	\$40.52	\$53.80	\$13.28	32.77%
4	Twin Hills	\$70.15	\$101.90	\$31.75	45.26%
3	Woodloch Springs	\$51.87	\$63.00	\$11.13	21.46%

\* The amounts listed in the customer notices use different sets of assumptions. For example, Brandywine is calculated based on 5,400 gallons of monthly usage, whereas Penn Township is calculated based on 3,400 gallons of monthly usage.

- E. To achieve these increases, Aqua proposes to collect a portion of its wastewater revenue requirement from its water customers pursuant to 66 Pa. C.S. § 1311(c).
- F. Aqua also requests Commission approval of a Purchased Water Adjustment Clause (PWAC) and an Energy Cost Adjustment Mechanism (ECA) to recover certain costs outside of a general rate proceeding. Specifically, the PWAC will allow the Company to recover increases in rates charged by non-affiliated suppliers from whom the Company purchases water. Similarly, the ECA will allow the Company to recover the costs of energy used to provide water to its customers.
- G. The Consumer Advocate is empowered to represent the interests of Pennsylvania consumers before the Pennsylvania Public Utility Commission, pursuant to Act 1976-161 of the General Assembly, as amended, 71 Pa. Stat. Ann §§ 309-1 et seq.
- H. A preliminary examination of the Company's rate increase request indicates that:
  - 1. the Company's present rates and proposed charges, increases and changes in rates, rules and regulations contained within the request may be unjust, unreasonable, and in violation of law;
  - 2. the proposed increase may discriminate against certain customers, particularly in regard to the Company's proposed allocation of the rate increase; and
  - 3. the proposed increase may otherwise be contrary to sound ratemaking principles and public policy.
- I. For ratemaking purposes, Aqua proposes a return on equity of 10.75% resulting in an overall rate of return of 7.77% for the Company's water and wastewater operations. The proposed rate of return is excessive and, if accepted, would result in rates that are unjust and unreasonable in violation of Chapter 13 of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1301, *et. seq.*, sound ratemaking principles, and public policy.
- J. The Company's existing rates do not properly reflect any 2018 tax expense savings resulting from the Tax Cuts and Jobs Act, which should be timely returned to customers.



**5. RELIEF**

The Acting Consumer Advocate respectfully requests that the Commission take the following actions:

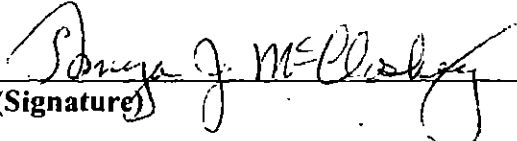
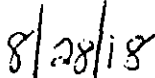
- A. Suspend and investigate the operation of the proposed tariffs, pursuant to Section 1308(d) of the Public Utility Code, 66 Pa. C.S. Section 1308(d);

- B. Consolidate all complaints filed against the proposed increase;
- C. Hold full evidentiary hearings examining the reasonableness of the Company's current rates and its proposed increases in rates;
- D. After providing the public with adequate notice, hold public input hearings in the Company's service territory, in order to provide its customers with an opportunity to be heard on the record;
- E. Deny or modify any changes contained in the proposal which cannot be fully justified by the Company, or which otherwise are contrary to the Public Utility Code, sound ratemaking principles, and public policy;
- F. Grant such other relief that the Commission may deem to be necessary and proper.

**6. VERIFICATION AND SIGNATURE**

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

*Verification: I, Tanya J. McCloskey, hereby state that the facts above set forth are true and correct (or 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).*


  
 \_\_\_\_\_  
 (Signature) (Date)

**7. LEGAL REPRESENTATION**

Phillip D. Demanchick Jr.  
 Assistant Consumer Advocate  
 PA Attorney ID No. 324761

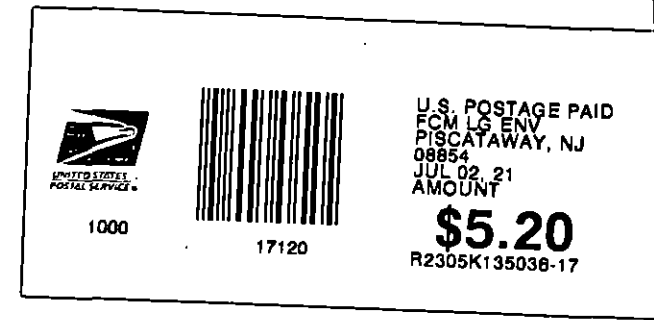
Christine Maloni Hoover  
 Senior Assistant Consumer Advocate  
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JUL 8 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

ROSEMARY CHIAVETTA  
SECRETARY  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
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