*Via electronic service only due to Emergency Order at Docket No. M-2020-3019262*

**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, : A-2021-3024267

Inc., (APW), under Sections 1102 and 1329 of :

the Pennsylvania Public Utility Code, 66 Pa C.S. :

§§ 1102(a) and 1329 (relating to enumeration of :

acts requiring certificate and valuation of :

acquired water and wastewater systems), for :

approval of: (1) the transfer, by sale, of :

substantially all of the wastewater system assets, :

properties and rights of Lower Makefield Township :

(LMT) related to its wastewater collection and :

conveyance system; (2) the right of APW to begin :

to offer or furnish wastewater service to the public :

in Lower Makefield Township, Bucks County, :

Pennsylvania; and (3) the use for ratemaking :

purposes of the lesser fair market value or the :

negotiated purchase price of the LMT assets related :

to its wastewater collection and conveyance system.:

**INTERIM ORDER**

**SETTING DEADLINE TO FILE RESPONSE TO PETITION OF AQUA**

**PENNSYLVANIA WASTEWATER, INC FOR PROTECTIVE ORDER**

This proceeding concerns the Application of Aqua, filed May 14, 2021, for approval of its acquisition of the Lower Makefield Township (Township) wastewater system assets pursuant to Sections 1102, l 329 and 507 of the Public Utility Code.

On June 29, 2021, a Petition To Intervene was filed by Lower Makefield Township.

By Secretarial Letter dated August 5, 2021, the Commission acknowledged receipt of the Application and advised that notice of its filing would be published in the Pennsylvania Bulletin on August 21, 2021.

On August 5, 2021, a Protest was filed by Barry Summers.

On August 11, 2021, an interim order was entered which, *inter alia*, scheduled a prehearing conference in this proceeding for September 9, 2021.

On August 13, 2021, a Protest was filed by Kevin Cauley and Beth Cauley.

On August 18, 2021, a Petition Of Aqua Pennsylvania Wastewater, Inc For Protective Order (Petition) was filed, requesting the issuance of a protective order in this proceeding. Attached to the Petition was a Certificate of Service which did not certify that a copy of the Petition was served upon the Protestants, Barry Summers, Kevin Cauley or Beth Cauley. The Certificate of Service indicates that the Petition was served upon Lower Makefield Township.

Under the circumstances, Aqua Pennsylvania Wastewater, Inc will be directed to serve Protestants, Barry Summers, Kevin Cauley and Beth Cauley with a copy of the Petition on or before August 25, 2021, and a deadline will be established for Protestants, Barry Summers, Kevin Cauley and Beth Cauley to file a responsive pleading to the Petition, on or before August 31, 2021.

THEREFORE,

IT IS ORDERED:

1. That on or before August 25, 2021, Aqua Pennsylvania Wastewater, Inc shall serve Protestants, Barry Summers, Kevin Cauley and Beth Cauley with a copy of the Petition Of Aqua Pennsylvania Wastewater, Inc For Protective Order filed on August 18, 2021.
2. That on or before August 31, 2021, Protestants, Barry Summers, Kevin Cauley and Beth Cauley shall be permitted to file a responsive pleading or objections to the Petition Of Aqua Pennsylvania Wastewater, Inc For Protective Order, and serve copies of the response and/or objections, if any, to all Parties to this proceeding and to the undersigned presiding officer.
3. That the Parties to this proceeding shall prepared to address the issues identified in the interim order entered on August 11, 2021 and any objections to the Petition(s) to intervene and Protests filed in this proceeding.

Date: August 24, 2021 /s/ Jeffrey A. Watson Administrative Law Judge

**A-2021-3024267 - Aqua Pennsylvania Wastewater, Inc. Section 1329 Application for the Acquisition of Lower Makefield Township Wastewater System Assets**

ALEXANDER R STAHL COUNSELAQUA PENNSYLVANIA INC762 W LANCASTER AVEBRYN MAWR PA 19010610-645-1130astahl@aquaamerica.comAccepts EService

ERIN FUREOFFICE OF SMALL BUSINESS ADVOCATEFORUM PLACE555 WALNUT STREET 1ST FLOORHARRISBURG PA 17101717-783-2525efure@pa.govAccepts EService THOMAS NIESEN ESQUIRETHOMAS NIESEN & THOMAS LLC212 Locust Street Ste 302HARRISBURG PA 17101717.255.7600tniesen@tntlawfirm.comAccepts EService ERIKA MCLAIN ESQUIREPO Box 3265HARRISBURG PA 17105-3265717-783-6170ermclain@pa.govAccepts EService

THOMAS WYATT PARTNEROBERMAYER REBMANN MAXWELL & HIPPEL LLPCenter Square West1500 MARKET STREET SUITE 3400PHILADELPHIA PA 19102215-665-3200thomas.wyatt@obermayer.comAccepts EService MATTHEW OLESHOBERMAYER REBMANN MAXWELL & HIPPEL LLP1500 Market Street Suite 3400CENTRE SQUARE WEST OBERMAYERPHILADELPHIA PA 19102215-665-3043matthew.olesh@obermayer.comAccepts EService

SYDNEY N MELILLO ESQUIRE OBERMAYER REBMANN MAXWELL & HIPPEL LLP 1500 MARKET STREET SUITE 3400 CENTRE SQUARE WEST PHILADELPHIA PA 19102(215) 665-3000 Sydney.Melillo@obermayer.com Accepts EService HARRISON W BREITMAN ATTORNEYOFFICE OF CONSUMER ADVOCATE555 Walnut Street 5th FloorFORUM PLACEHARRISBURG PA 17101717-783-5048hbreitman@paoca.orgAccepts EService

ERIN L GANNON ESQUIREOFFICE OF CONSUMER ADVOCATE555 Walnut Street 5th FloorFORUM PLACEHARRISBURG PA 17101717-783-5048egannon@paoca.orgAccepts EService

BARRY SUMMERS

232 ASPEN ROAD

YARDLEY PA 19067

[BLSUMMERS5@VERIZON.NET](mailto:Blsummers5@verizon.net)

KEVIN AND BETH CAULEY

1355 JAMES COURT

YARDLEY PA 19067

**215-860-2416**

\*No email address. Submit for paper mailing