



COMMONWEALTH OF PENNSYLVANIA

August 26, 2021

E-FILED

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

Re: Aqua Pennsylvania Wastewater, Inc. Section 1329 Application for the Acquisition of East Whiteland Township's Wastewater System Assets / Docket No. A-2021-3026132

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 East
Whiteland Township (“EWT” or
“Township”) situated within the
Township of East Whiteland, Chester
County, Pennsylvania;** :

**(2) approval of the right of Aqua to begin
to offer, render, furnish and supply
wastewater service to the public in
portions of East Whiteland Township,
Chester County, Pennsylvania; and** :

**(3) an order approving the acquisition
that includes the ratemaking rate base of
the East Whiteland 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 East Whiteland
Township Pursuant to Section 507 of the
Public Utility Code** :

**Request for Approval of Contract
between Affiliated Interests, Pursuant to
Section 2101 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 July 23, 2021 by Aqua Pennsylvania Wastewater, Inc. (“Aqua” or “Company”), with respect to its request for approval to acquire the wastewater assets of East Whiteland 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

Dated: August 26, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of Aqua Pennsylvania
Wastewater, Inc. (hereinafter referred to
as “Aqua” or “Applicant”) pursuant to
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**(2) approval of the right of Aqua to begin
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wastewater service to the public in
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Chester County, Pennsylvania; and** :

**(3) an order approving the acquisition
that includes the ratemaking rate base of
the East Whiteland 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 East Whiteland
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Public Utility Code** :

**Request for Approval of Contract
between Affiliated Interests, Pursuant to
Section 2101 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 East Whiteland 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: August 26, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Aqua Pennsylvania Wastewater, Inc. :
Section 1329 Application for the :
Acquisition of East Whiteland Township's : **Docket No. A-2021-3026132**
Wastewater System Assets :
:

VERIFICATION

I, Erin K. Fure 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: August 26, 2021

/s/ Erin K. Fure

(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Aqua Pennsylvania Wastewater, Inc. Section :
1329 Application for the Acquisition of East :
Whiteland Township’s Wastewater System : Docket No. A-2021-3026132
Assets :
:**

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless other 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
400 North Street
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crainey@pa.gov

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/s/ Erin K. Fure

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

Dated: August 26, 2021