


COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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

 @pa\_oca

 /pennoca

FAX (717) 783-7152  
consumer@paoca.org

October 5, 2021

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

Re: Application of Columbia Water Co. for Approval  
to Acquire the Water System of East Donegal  
Township Municipal Authority and Serve the  
Public in Portions of East Donegal Township,  
Lancaster County and Registration of a Securities  
Certificate under 66 Pa. C.S. § 507  
Docket Nos. A-2021-3027134  
S-2021-3027145

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Notice of  
Withdrawal of Protest in the above-referenced proceedings.

Copies have been served per the attached Certificate of Service.

Respectfully submitted,

/s/ Erin L. Gannon

Erin L. Gannon

Senior Assistant Consumer Advocate

PA Attorney I.D. # 83487

E-Mail: [EGannon@paoca.org](mailto:EGannon@paoca.org)

Enclosure:

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

\*318238

CERTIFICATE OF SERVICE

Re: Application of Columbia Water Co. for Approval :  
to Acquire the Water System of East Donegal :  
Township Municipal Authority and Serve the : Docket Nos. A-2021-3027134  
Public in Portions of East Donegal Township, : S-2021-3027145  
Lancaster County and Registration of a Securities :  
Certificate under 66 Pa. C.S. § 507 :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Notice of Withdrawal of Protest, 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 5<sup>th</sup> day of October 2021.

**SERVICE BY E-MAIL ONLY**

Richard A. Kanaskie, Esquire  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120  
[rkanaskie@pa.gov](mailto:rkanaskie@pa.gov)

Steven C. Gray, Esquire  
Teresa Reed Wagner, Executive Director  
Office of Small Business Advocate  
555 Walnut Street  
1<sup>st</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
[sgray@pa.gov](mailto:sgray@pa.gov)  
[tereswagne@pa.gov](mailto:tereswagne@pa.gov)

Thomas J. Sniscak, Esquire  
Whitney E. Snyder, Esquire  
Bryce R. Beard, Esquire  
Hawke McKeon & Sniscak, LLP  
100 North Tenth Street  
Harrisburg, PA 17101  
[tjsniscak@hmslegal.com](mailto:tjsniscak@hmslegal.com)  
[wesnyder@hmslegal.com](mailto:wesnyder@hmslegal.com)  
[brbeard@hmslegal.com](mailto:brbeard@hmslegal.com)

/s/ Erin L. Gannon  
Erin L. Gannon  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 83487  
E-Mail: [EGannon@paoca.org](mailto:EGannon@paoca.org)

Counsel for:  
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: October 5, 2021  
\*318237

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Re: Application of Columbia Water Co. for Approval :  
to Acquire the Water System of East Donegal :  
Township Municipal Authority and Serve the : Docket Nos. A-2021-3027134  
Public in Portions of East Donegal Township, : S-2021-3027145  
Lancaster County and Registration of a Securities :  
Certificate under 66 Pa. C.S. § 507 :

---

OCA NOTICE OF WITHDRAWAL OF PROTEST

---

Pursuant to the provisions of Section 5.94(b) of the Pennsylvania Public Utility Commission's Regulations, 52 Pa. Code § 5.94(b), the Office of Consumer Advocate (OCA) hereby files Notice of Withdrawal of its Protest against Columbia Water Co. (Columbia or the Company), at the above-captioned dockets.

**I. BACKGROUND**

1. On July 7, 2021, Columbia filed an Application to acquire the East Donegal Township Municipal Authority (EDTMA) water system under Section 1102(a) of the Public Utility Code, 66 Pa. C.S. § 1102(a).

2. On August 9, 2021, the OCA filed a Protest. The OCA identified areas that require further consideration and submitted they should be resolved prior to Commission approval of the Application. The areas included the reasonableness of the proposed rates and the estimated revenues, expenses and planned/needed capital investment in the EDTMA system in order to determine how the acquisition may impact Columbia Water's existing customers and whether the proposed transaction is reasonable.

3. In its Protest, the OCA noted that these issues might be resolved through the Applicant's provision of additional information. Thus, the OCA filed the Protest, in part, to allow time to allow the parties time to engage in informal discovery and collect the facts necessary to complete the record before the Commission.

## **II. STATUS OF THE PROCEEDING**

4. Columbia Water and the OCA participated in informal discovery regarding the matters raised in the OCA's Protest.

5. On October 4, 2021, Columbia Water filed verified responses to the OCA informal discovery requests with the Commission. This additional information helps to complete the record before the Commission.

## **III. REQUESTED RELIEF**

6. Based on the information Columbia Water provided in its October 4, 2021 filing and previously provided to the OCA through informal discovery, the concerns raised in the OCA's Protest have been addressed and satisfied.

7. The OCA seeks to withdraw its Protest filed on August 9, 2021. The OCA's decision to withdraw its Protest is without prejudice to any future OCA position in any other future proceedings.

#### IV. CONCLUSION

WHEREFORE, for the foregoing reasons, the Pennsylvania Office of Consumer Advocate respectfully provides Notice of Withdrawal of the Protest filed on August 9, 2021.

Respectfully submitted,

A handwritten signature in blue ink that reads "Erin L. Gannon". The signature is written in a cursive style and is positioned above a horizontal line.

Erin L. Gannon  
Senior Assistant Consumer Advocate  
PA Attorney ID # 83487  
E-Mail: [EGannon@paoca.org](mailto:EGannon@paoca.org)

Counsel for:  
Christine Maloni Hoover  
Interim Acting Consumer Advocate

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: October 5, 2021  
\*318199