**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission : R-2021-3027385

: R-2021-3027386

Adam Anders : C-2021-3028674

: C-2021-3028670

Keith D. Anthony : C-2021-3028444

James Blessing : C-2021-3028402

Stephanie B. Boris : C-2021-3028443

Martha Bronson : C-2021-3028132

Kyle A. Brophy : C-2021-3028712

Aaron Nathaniel Brown : C-2021-3028279

Michael R. Brull : C-2021-3028361

Jennifer Buckley : C-2021-3028160

Raymond Cavalieri : C-2021-3028448

Matthew Cicalese : C-2021-3028549

: C-2021-3028566

John Day : C-2021-3028734

Deena Denesowicz : C-2021-3028288

Gerald R. Jr. DeNunzio : C-2021-3028362

Darren Distasio : C-2021-3028285

William and Charleen Falsone : C-2021-3028719

: C-2021-3028760

Kelly Frich : C-2021-3028661

: C-2021-3028665

Lynne Germscheid : C-2021-3028859

Vivian George : C-2021-3028310

Byron L. Goldstein : C-2021-3028463

John F. Grassie : C-2021-3028663

James and Elaine Graziano : C-2021-3028543

Stephen Timothy Grugeon : C-2021-3028856

Sheila Gutzait : C-2021-3028634

Rudy and Brandi Hofbauer : C-2021-3028666

Ronald & Alexis Koening : C-2021-3028483

James Kolb : C-2021-3028495

: C-2021-3028497

Neil Kugelman : C-2021-3028139

Joan Lipski : C-2021-3028475

William F and Ana R Loftus : C-2021-3028617

Dale W Markowitz : C-2021-3028277

Carl J Martinson : C-2021-3028280

Stephen and Teresa Mason : C-2021-3028576

Masthope Mountain Community Association : C-2021-3028992

Michael McCall : C-2021-3028413

David J Monroe : C-2021-3028567

Timothy Nicholl : C-2021-3028470

: C-2021-3028471

Elizabeth O'Neill : C-2021-3028333

Nick Panaccio : C-2021-3028331

Jerome Perch : C-2021-3028356

Nancy A. Reedman : C-2021-3028405

Richard Regnier : C-2021-3028332

Alyssa Reinhart : C-2021-3028490

: C-2021-3028493

Geoffrey Rhine : C-2021-3028170

Michael D. Roberts : C-2021-3028869

Lorraine Rocci : C-2021-3028499

Ronald and Lora Roebuck : C-2021-3028570

: C-2021-3028568

David C Ross : C-2021-3028479

Kenneth Roth : C-2021-3028313

Daniel Savino : C-2021-3028758

Ronald E. Schneck : C-2021-3028547

: C-2021-3028542

Dorothy Shearer : C-2021-3028556

Carolyn Sica : C-2021-3028446

Erik and Ilisha Smith : C-2021-3028334

Dean R Swink : C-2021-3028604

Curtis and Michele Tabor : C-2021-3028335

Treasure Lake Property Owners Association : C-2021-3029004

Gregory J. Valerio : C-2021-3028336

Theodore J Voltolina III : C-2021-3028194

Francine Weiner : C-2021-3028639

: C-2021-3028639

Tom Woodward : C-2021-3028927

Elizabeth Yost : C-2021-3028407

:

:

v. :

:

Aqua Pennsylvania Inc :

**PREHEARING CONFERENCE ORDER**

A Prehearing Conference is scheduled in this case for **Friday, October 15, 2021 at 10:00 a.m.** The undersigned administrative law judge will preside telephonically. To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the hearing.

Toll-free Bridge Number: 866-566-0649

PIN Number: 83345259

You must call into the conference on the scheduled day and time. Failure of any party to attend the prehearing conference without good cause shall constitute a waiver of all objections to the agreements reached and matters decided at the prehearing conference. You will not be called by the Administrative Law Judges. **If you intend to attend the prehearing conference, please**

**e-mail the Administrative Law Judge Mary D. Long (**[**malong@pa.gov**](mailto:malong@pa.gov)**) and provide the phone number from which you will be calling so that you can be properly identified.**

The parties are hereby directed to comply with the following requirements:

1. Each party must **e-file** and serve by email, prior to **12:00 p.m. on October 14, 2021**, a Prehearing Conference Memorandum which sets forth the history of the proceeding, the issues you intend to present, a proposed plan and schedule of discovery, a listing of your proposed witnesses and the subject of their testimony, and a proposed litigation schedule, agreed to by all parties, if possible, which requires the filing of reply briefs by **January 21, 2022.** 52 Pa.Code § 5.222(d). **Parties represented by multiple attorneys must designate a primary speaker for the purposes of the prehearing conference.**
2. A request for a change of the scheduled Prehearing Conference date must state the agreement or opposition of other parties, and must be submitted by email no later than five (5) days prior to the Prehearing Conference. 52 Pa.Code § 1.15(b). Requests for changes of initial prehearing conferences must be sent by email, with copies to all parties of record. Only the undersigned Administrative Law Judge or Office of Administrative Law Judge Scheduling Unit may grant a request for a change of a prehearing conference. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent Prehearing Conferences or hearings, if any, should also be served directly on the presiding Administrative Law Judge.

In accordance with the foregoing, absent a continuance for good cause, all parties must be prepared to participate in the scheduled Prehearing Conference.

1. In response to this Prehearing Order, you may proceed one of three ways:
2. **Do nothing**. If you do nothing after receiving this Prehearing Conference Order, you will be treated as an inactive party to this proceeding. Inactive parties will receive the presiding officer’s written orders, notices of hearings, the Recommended Decision and any Commission decisions and orders. Inactive parties will not participate in discovery, testify at the evidentiary hearing, or cross-examine witnesses. Inactive parties will not receive copies of the hearing exhibits or briefs filed by the active participants.
3. **Testify at a public input hearing if one is scheduled**. Public input hearings, if scheduled, will be conducted by telephone and are for the purpose of giving citizens who do not wish to participate in the formal litigation an opportunity to express their opinions regarding the Company’s proposal. If you testify at a public input hearing, you will not be permitted to also testify at the technical evidentiary hearings. If you want to participate in a public input hearing and do not wish to remain on the service list for pleadings, filings, discovery requests or orders and decisions in this matter, you are not required to do anything. You will receive a copy of the notice of the public input hearing which will include instructions for your participation. Notice of the public input hearing, if one is scheduled, will published on the Commission’s website and in your local newspaper two weeks before it is held.
4. **Become a party of record**. As an active party of record, you will be served with all of the pleadings, filings, discovery requests, written testimony and orders and decisions served and issued in this proceeding. **These documents will be voluminous**. Your *rights* as an active party of record include the ability to present your own testimony and to cross-examine other witnesses at the formal hearings, and to file exceptions to the presiding officer’s recommended decision. Your *duties* as a party of record are that you must answer all discovery requests served upon you in accordance with the rules. You will be required to serve a copy of anything that you *file* upon the presiding officer and **each party appearing on the service list**, as modified after the Prehearing Conference. If you intend to present evidence at the formal evidentiary hearings, you will be required to submit your testimony in writing in advance, in accordance with the schedule to be set after the Prehearing Conference and to provide a copy of your written testimony to each party on the service list at that time.   
     
    If you want to become an active party of record, you must register to e-file with the Commission’s Secretary’s Bureau, if you have not already done so. Filings may not be made by emailing or faxing the Secretary’s Bureau.  
     
   You will be expected to become familiar with the Commission’s rules of practice and comply with the instructions and deadlines imposed by the orders of the presiding Administrative Law Judges. The Commission’s rules of practice appear in Title 52 of the Pennsylvania Code Chapters 1, 3 and 5. **The Pennsylvania Code is available on-line** at <http://www.pacodeandbulletin.gov/>. Although a natural person or a sole proprietor may appear on their own behalf, if you are any entity other than a natural person or a sole proprietor, (e.g., a corporation, partnership, municipality, etc.), you will be required to have an attorney represent you in accordance with the laws of Pennsylvania. *See Ordering Paragraph 6.*

4. Please review the regulations pertaining to prehearing conferences, 52 Pa.Code § 5.221-§ 5.224, and in particular, § 5.222(d) which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

(1) The preparation must include submission of a prehearing memorandum and list:

(i) The presently identified issues.

(ii) The names and addresses of the witnesses.

(iii) The proposed area of testimony of each witness.

(2) The preparation may include:

(i) Development of a proposed procedural schedule.

(ii) Advance study of all relevant materials.

(iii) Advance informal communication between the parties, including requests for additional data and information, to the extent it appears feasible and desirable.

(Emphasis added.)

5. Parties should review the regulations relating to discovery, specifically 52 Pa.Code § 5.331(b), which provides, *inter alia*, that “a party shall endeavor to initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa.Code § 5.322, which encourages parties to exchange information on an informal basis. All parties are urged to cooperate in discovery, and advise us at the Prehearing Conference as to discovery problems which have not been resolved. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa.Code §§ 5.361, 5.371‑5.372.

6. Pursuant to 52 Pa.Code §§ 1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).

7. Failure of a party to attend the Prehearing Conference, or notify the ALJ of their desire to fully participate without good cause shown, shall constitute a waiver of all objections to the agreements reached and matters decided at the Prehearing Conference, including, but not limited to, any special discovery rules and the litigation schedule established for this case. 52 Pa.Code §§ 5.222(e) & 5.224.

8. Any party may request to change in status from an inactive party an active party or from active party to become an inactive party by sending an email to the presiding officers and the active parties to this proceeding.

9. You must serve the presiding Administrative Law Judge directly with a copy of any document that you file in this proceeding. If you send the undersigned any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission’s current service list of the parties to this proceeding is enclosed with this Order.

Date: October 8, 2021 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/s/\_\_\_\_\_\_\_\_\_\_\_\_\_

Mary D. Long

Administrative Law Judge

**R-2021-3027385 - PA PUBLIC UTILITY COMMISSION v. AQUA PENNSYLVANIA INC  
R-2021-3027386 - AQUA PENNSYLVANIA WASTEWATER INC**

MICHAEL W HASSELL ESQUIREPOST & SCHELL PC17 NORTH SECOND STREET 12TH FLOORHARRISBURG PA 17101-1601**717.612.6029**Accepts EService

MARTHA BRONSON100 MASTERS DRPOTTSTOWN PA 19464**615.881.2679** Accepts EService

NEIL KUGELMAN802 HARSTON LANEGLENSIDE PA 19038**215.431.5095**Accepts EService

GEOFFREY A RHINE251 HERRINGBONE LNBENSALEM PA 19020**215.639.4984**Accepts EService

THEODORE J VOLTOLINA III219 MILL POND DREXTON PA 19341**484.994.2111**Accepts EService

AARON NATHANIEL BROWN2204 HUNSBERGER DRROYERSFORD PA 19468**256.714.6506**Accepts EService

DALE W MARKOWITZ920 STONEYBROOK DRSPRINGFIELD PA 19064  
Accepts EService

DARREN DISTASIO12 KARIN DRIVETUNKHANNOCK PA 18657**570.240.5186**Accepts EService

DEENA G DENESOWICZ901 BIDDLE LANEPHOENIXVILLE PA 19460**215.470.6488**Accepts EService

VIVIAN GEORGETHE MAIDS949 BANKBRIDGE RDSEWELL NJ 08080**160.982.0277**Accepts EService

GERALD R DINUNZIO JR1517 Woodland RdWEST CHESTER PA 19382Accepts EService

SCOTT B GRANGER ESQUIREPA PUC BUREAU OF INVESTIGATION & ENFORCEMENTSECOND FLOOR WEST400 NORTH STREETHARRISBURG PA 17120**717.425.7593**Accepts EService

JENNIFER BUCKLEYPULSE TECHNOLOGIES44 Grandview DriveROYERSFORD PA 19468**267.875.6173**Accepts EService

CARL JOHN MARTINSON102 CYPRESS POINTAVONDALE PA 19311Accepts EService

JEROME D PERCHPO BOX 295327 KING ARTHUR RDBLAKESLEE PA 18610Accepts EService

MICHAEL BRULL23 GRANDVIEW DRIVEROYERSFORD PA 19468**610.908.4922**Accepts EService

SENATOR TIM KEARNEY130 S STATE RD SUITE 101SPRINGFIELD PA 19064**717.787.1350**Accepts EService

RAYMOND CAVALIERI1126 ISABEL LNWEST CHESTER PA 19380**610.937.0406**Accepts EService

BYRON GOLDSTEINMARCOM2365 GENEVA AVEGLENSIDE PA 19038**215.884.5475**Accepts EService

ERIN L GANNON ESQUIREOFFICE OF CONSUMER ADVOCATE555 WALNUT STREET 5TH FLOORFORUM PLACEHARRISBURG PA 17101**717.783.5048**Accepts EService

HARRISON W BREITMAN ATTORNEYOFFICE OF CONSUMER ADVOCATE555 WALNUT STREET 5TH FLOORFORUM PLACEHARRISBURG PA 17101**717.783.5048** Accepts EService

LAUREN GUERRA ATTORNEYOFFICE OF CONSUMER ADVOCATE116 MOREFIELD WAY HARRISBURG PA 17050**717.919.8603** Accepts EService

TIMOTHY NICHOLL477 BRACELAND DRIVEDOWNINGTOWN PA 19335Accepts EService

DOROTHY416 EAST TURNBERRY COURTWEST CHESTER PA 19382**610.283.9355**Accepts EService

ELIZABETH R MARX ESQUIREPA UTILITY LAW PROJECT118 LOCUST STREETHARRISBURG PA 17101**717.236.9486**Accepts EService

RIA PEREIRA ATTORNEYPA UTILITY LAW PROJECT118 LOCUST STREETHARRISBURG PA 17101**717.710.3839**Accepts EService

JOHN SWEET LEGAL COUNSELPA UTILITY LAW PROJECT118 LOCUST STREETHARRISBURG PA 17101**717.701.3837**Accepts EService

LAUREN BERMANPA UTILITY LAW PROJECT118 LOCUST STHARRISBURG PA 17101**717.710.3825**Accepts EService

ADAM ANDERS129 LAMBETH CTDOWNINGTOWN PA 19335**484.947.8448**Accepts EService

KYLE A BROPHY1004 ANDREWS AVENUECOLLINGDALE PA 19023**610.529.9373**Accepts EService

KATIE MUTH SENATORSENATE OF PA338 MAIN STREETROYERSFORD PA 19468**610.792.2137**Accepts EService

STEPHEN TIMOTHY GRUGEON1001 RIDGEHAVEN ROADWEST CHESTER PA 19382Accepts EService

CHRISTY APPLEBY ESQUIREOFFICE OF CONSUMER ADVOCATE555 WALNUT STREET 5TH FLOOR FORUM PLACEHARRISBURG PA 17101**717.783.5048**Accepts EService

GEORGE A BIBIKOS ESQUIREGA BIBIKOS LLC5901 JONESTOWN ROAD #6330HARRISBURG PA 17112**717.580.5305** Accepts EService

EDWARD L CLARK JR GENERAL MANAGERTREASURE LAKE PROPERTY OWNERS ASSOCIATION13 TREASURE LAKEDUBOIS PA 15801**814.371.0711**Accepts EService

CJ ZWICK ATTORNEYLAW OFFICE OF CJ ZWICK171 BEAVER DRIVEDUBOIS PA 15801**814.371.6400**Accepts EService

HARRIET LITZ ESQUIRELAW OFFICES OF MULLANEY & MULLANEY3881 WEST SKIPPACK PIKESKIPPACK PA 19474**610.584.4416**HLITZ@MULLANEYLAW.COM

NICK PANACCIO2944 WINDSOR AVENUEWILLOW GROVE PA 19090**215.825.5690**NICK.PANACCIO@VERIZON.NET

RICHARD REGNIERPO BOX 348NEWTOWN SQUARE PA 19073**610.353.4466**RAREGNIER@AOL.COM

NANCY REEDMAN510 TRENTON ROADLANGHORNE PA 19047**215.917.5360**NREEDMAN@COMCAST.NET

MICHAEL MCCALL2457 WILLIAMSON COURTBENSALEM PA 19020**215.757.9554**GOGREENMIKE@COMCAST.NETELIZABETH O'NEILL810 PLUMTRY DRIVEWEST CHESTER PA 19382**810.513.1996**ELK722@GMAIL.COM

ERIK AND ILISHA SMITH25 WEDGE COURTPOTTSTOWN PA 19464**610.329.1984**ERIKMSMITH1970@GMAIL.COM

CURTIS AND MICHELE TABOR147 MASTERS DRIVEPOTTSTOWN PA 19464**610.787.9558**CURTTABOR61@GMAIL.COM

GREGORY VALERIO199 MASTERS DRIVEPOTTSTOWN PA 19464**610.310.0088**RVAM71@COMCAST.NET

JAMES BLESSING88 LONGCROSS ROADLIMERICK PA 19468**610.948.6857**JBLESSING@VERIZON.NET

ELIZABETH YOST2203 FOXMEADOW DRIVEROYERSFORD PA 19468**610.457.5189**ELIZABETHJ1228@GMAIL.COM

ALYSSA REINHART174 GROUSE RIDGE LANEDRUMS PA 18222**570.578.6274**LISS@PTD.NET

JAMES KOLB211 SHINGLE MILL DRIVEDRUMS PA 18222**570.406.9919**JRTJIBBY@GMAIL.COMSTEVEN C GRAY ESQUIREOFFICE OF SMALL BUSINESS ADVOCATEFORUM PLACE555 WALNUT STREET 1ST FLOORHARRISBURG PA 17101**717.783.2525**SGRAY@PA.GOV

RONALD SCHNECK6412 SENATE DRIVEBETHLEHEM PA 18017**484.281.3719**RON.SCHNECK68@GMAIL.COM

JAMES GRAZIANO & ELAINE GRAZIANO2132 HIGHLAND AVENUEMORTON PA 19070**610.328.6241**KATEYEZ0405@GMAIL.COM

MATTHEW CICALESE250 HARRISON AVENUEELKINS PARK PA 19027**267.664.8203**CICALESE@GMAIL.COM

RONALD ROEBUCK & LORA ROEBUCK71 EDGEROCK DRIVEDRUMS PA 18222**570.956.1394**A257330@AOL.COM

KELLY FRICH400 WYNCHESTER WAYKENNETT SQUARE PA 19348**248.885.5418**DANJFRICH@YAHOO.COM

JOHN GRASSIE3852 KINGSTON WAYBENSALEM PA 19020**267.475.6577**JOHN3852@COMCAST.NETHONORABLE JOHN KANE SENATORPENNSYLVANIA STATE SENATE458 MAIN CAPITOL BUILDINGSENATE BOX 203009HARRISBURG PA 17120-3009**717.787.4712**KANE@PASENATE.COM

WILLIAM & CHARLEEN FALSONE5315 PRESIDENTS DRIVEBETHLEHEM PA 18017**610.739.2281**CJFALSONE@RCR.COM

DANIEL SAVINOPO BOX 63BLAKESLEE PA 18610**917.826.6007**GERRIS46@YAHOO.COM

HONORABLE CAROLYN COMITTA SENATORSENATE OF PENNSYLVANIASENATE BOX 203019467 MAIN CAPITOL BUILDINGHARRISBURG PA 17120-3019**717.787.5709**SENATORCOMITTA@PASENATE.COM

LYNNE GERMSCHEID1118 PIERCE RDNORRISTOWN PA 19403**610.420.0361**LYNNE.GERMSCHEID@GMAIL.COM

DEBORAH POPSON119 BUCK RIDGE DRDRUMS PA 18222**570.498.3985**POPSONDEB@GMAIL.COM

JAMES POPSON119 BUCK RIDGE DRDRUMS PA 18222**570.498.3985**POPSONDEB@GMAIL.COMMICHAEL ROBERTS99 CLINTON STREETSAYRE PA 18840**570.731.4062**TIOGAPRESERVATIONWORKS@GMAIL.COM

Kenneth roth

108 acorn ct

po box 108

lackawaxen pa 18435

**314.517.8390**

*No email address*