

January 4, 2022

VIA E-FILE

Rosemary Chiavetta
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265
rchiavetta@pa.gov

RE: City of Lancaster – Water Bureau
Water Rate Case
Docket Nos. R-2021-3026682; C-2021-3030184

Dear Secretary Chiavetta:

This firm represents the City of Lancaster – Water Bureau (the “City”) in the above-referenced matter. On December 27, 2021, the undersigned received a Secretarial Letter advising that Robert Arters had filed a Formal Complaint in this matter on December 17, 2021. Under 52 Pa. Code § 5.61(d), no answer to a complaint in a rate proceeding is required unless directed by the Commission or the presiding officer. Neither the Commission nor any presiding officer has directed the City to file an answer as of the date of this correspondence. Therefore, the City does not intend to file an answer to the Mr. Arters’ Complaint, unless it is later directed to do so.

Further, the City notes that under 52 Pa. Code § 5.32(a): “[a] person may file a complaint against a general rate increase within the meaning of section 1308(d) of the act (relating to voluntary changes in rates) **within the time period specified in the notice provided to customers of the tariff filing.**” (emphasis added). The City’s Notice to Customers in this case advised that “[a]ll complaints should be filed with the PUC before November 30, 2021.”

The City therefore states that Mr. Arters’ Complaint is untimely and, accordingly, under 52 Pa. Code § 5.32(b), Mr. Arters is required to accept the record of this proceeding as of the date of the Complaint’s filing. (a “person filing a complaint during the suspension of a proposed general rate increase shall take the record of the suspended rate proceeding as it stands at the time of the complaint’s filing.”).

Please advise if you require any additional information concerning this issue. Thank you.

Sincerely,



Courtney L. Schultz

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**The City of Lancaster
Docket No. R-2021-3026682**

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing, was served upon
the persons *Via Electronic Mail*:

Erin K. Fure, Esq.
Assistant Small Business Advocate
Office of Small Business Advocate
efure@pa.gov

Christy Appleby, Esq.
Assistant Consumer Advocate
Office of Consumer Advocate
CAappleby@paoca.org

Gina L. Miller, Esq.
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
ginmiller@pa.gov

William Waters
1113 Sunwood Lane
Lancaster, PA 17601
WMW1113@aol.com

Joel Wenrich
Karen Wenrich
767 Wallingford Road
Lititz, PA 17543
Jodywenrich@gmail.com

Andre W. Renna
Patricia A. Renna
2129 Quail Drive
Lancaster, PA 17601
AWRenna@comcast.net

Frank D. Kitzmiller
1041 Preston Road
Lancaster, PA 17601
dkitz@comcast.net

Robert Arters
4 Blueberry Circle
Lancaster, PA 17602
rdarters@yahoo.com

Dated January 4, 2022

/s/ Courtney L. Schultz
Courtney L. Schultz, Esq. (ID # 306479)
Saul Ewing Arnstein & Lehr LLP
1500 Market Street
Centre Square West, 38th Floor
Philadelphia, PA 19102
(215) 972-7717
courtney.schultz@saul.com
Counsel for City of Lancaster