

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
<b>Office of Consumer Advocate</b>	:	<b>R-2021-3026682</b>
<b>Office of Small Business Advocate</b>	:	<b>C-2021-3029095</b>
	:	<b>C-2021-3029188</b>
<b>v.</b>	:	
	:	
<b>City of Lancaster Bureau of Water</b>	:	

**MOTION FOR ADMISSION  
OF TESTIMONY AND EXHIBITS**

**TO THE HONORABLE DARLENE D. HEEP, ADMINISTRATIVE LAW JUDGE:**

The undersigned move for admission into the evidentiary record the statements and exhibits identified in the Stipulation for Admission of Testimony and Exhibits (“Stipulation”) attached hereto as Appendix A. This Motion and the Stipulation are being submitted in conjunction with the request for approval of the Joint Petition for Complete Settlement of Rate Investigation (the “Petition for Settlement”).

Pursuant to the Stipulation, all the Parties<sup>1</sup> to this proceeding have stipulated to the authenticity of the statements and exhibits listed therein and have waived cross-examination of the witnesses sponsoring those statements and exhibits.

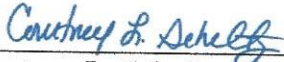
Accordingly, the Parties to this proceeding request that Administrative Law Judge Darlene D. Heep grant this Motion and admit into the evidentiary record such statements and exhibits. Upon issuance of an Order granting this Motion, copies of the statements and exhibits listed in the Stipulation, together with verifications of all statements and exhibits, will be e-filed with the

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<sup>1</sup> Parties is defined for purposes of this Motion to include those who have participated and provided written testimony in this proceeding, including the Office of Small Business Advocate, the Office of Consumer Advocate, the Commission’s Bureau of Investigation and Enforcement, and Mr. Frank Kitzmiller.

Secretary of the Commission for entry into the evidentiary record in this case.

Respectfully submitted:



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Shane P. Simon, Esquire  
Saul Ewing Arnstein & Lehr LLP  
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*Counsel for City of Lancaster – Bureau of Water*

Dated: March 14, 2022



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/s/ Frank D. Kitzmiller

Mr. Frank D. Kitzmiller  
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Lancaster, PA 17601

**APPENDIX A**

**STIPULATION FOR ADMISSION  
OF TESTIMONY AND EXHIBITS**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
<b>Office of Consumer Advocate</b>	:	<b>R-2021-3026682</b>
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	:	
<b>City of Lancaster Bureau of Water</b>	:	

**STIPULATION FOR ADMISSION  
OF TESTIMONY AND EXHIBITS**

On March 14, 2022, a Motion for Admission of Testimony and Exhibits was filed with the Pennsylvania Public Utility Commission (“Commission”) at the above-referenced docket. The undersigned, being the participating and testifying parties to this proceeding, hereby stipulate to the authenticity of the following testimony and exhibits (the “Listed Statements and Exhibits”):

1. The City’s General Rate Filing (with all accompanying Exhibits and Schedules) which was filed with the Commission and served on September 30, 2021;
2. City Statement Nos. 1, 2, 3, 4, 5, and 6, accompanying Exhibits (PH 1, SC-1 through SC-3, GRH-1 and GRH-2, CEH-1, JJS-1 through JJS-3 and HW-1) and signed verifications, which were filed with the Commission and served contemporaneously with the City’s General Rate Filing on September 30, 2021;
3. Mr. Frank Kitzmiller’s Public Input Hearing Exhibits (FDK-PIH-1 through FDK-PIH-5), which were offered by Mr. Kitzmiller during the December 16, 2021 Public Input Hearing.
4. The Commission’s Bureau of Investigation & Enforcement (“I&E”) Statement Nos. 1, 2, and 3, and accompanying Exhibits (I&E-1, I&E-2, and I&E-3), which were served

upon the Administrative Law Judge Darlene Heep (“ALJ Heep”) and the parties on December 23, 2021;

5. The Office of the Consumer Advocate (“OCA”) Statement Nos. 1, 2, 3, 4, and 5, accompanying Exhibits (LKM-1 through LKM-11 and Appendix A; Appendix A and MND-1 through MND-2; DJG-1 through DJG-17, JDM-1 through JDM-4; and Appendix A and TLF-1 through TLF-6) and signed verifications, which were served upon ALJ Heep and the parties on December 23, 2021;

6. Office of the Small Business Advocate (“OSBA”) Statement No. 1, accompanying Exhibits (Schedules BK-1 and BK-2) and signed verification, which were served upon ALJ Heep and the parties on December 23, 2021;

7. City Statement Nos. 1R, 2R, 3R, 4R, 5R, and 6R, accompanying Exhibits (PSH-1R, PSH-2R, and PSH-3R; SC-1R and SC-2R; GRH-1R, GRH-2R, and GRH-3R; CEH-1R; JJS-1R, JJS-2R, and JJS-3R) and signed verifications, which were served upon ALJ Heep and the parties on January 13, 2022;

8. The Surrebuttal Testimony of Frank D. Kitzmiller, which was served upon ALJ Heep and the parties on January 20, 2022;

9. I&E Statement Nos. 1-SR, 2-SR, and 3-SR, which were served upon ALJ Heep and the parties on January 28, 2022;

10. OCA Statement Nos. 1-SR, 2-SR, 3-SR, 4-SR, and 5-SR, with accompanying Exhibits (LKM-1-SR through LKM-11-SR; MND-1SR and MND-2SR; and JDM-5 through JDM-6) and signed verifications, which were served upon ALJ Heep and the parties on January 28, 2022;

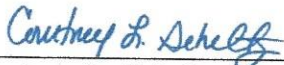
11. OSBA Statement No. 1-S, with accompanying Exhibit (Schedules BK-1S and BK-2S) and signed verification, which were served upon ALJ Heep and the parties on January 28, 2022; and

12. City Statement Nos. 1RJ, 2RJ, 3RJ, 4RJ,<sup>2</sup> and 6RJ, with accompanying Exhibits (PSJ-1RJ; GRH-1RJ and GRH-2RJ (Alternate); and CEH-1RJ) and signed verifications, which were served upon ALJ Heep and the parties on February 2, 2022.

13. Additionally, the parties to this proceeding acknowledge and agree that they waive cross-examination with respect to the Listed Statements and Exhibits and further stipulate that the Listed Statements and Exhibits should be admitted into the record in this case by Motion.

14. Accordingly, this Stipulation for Admission of Testimony and Exhibits is hereby executed by counsel for the respective parties and by Mr. Kitzmiller in his own capacity as set forth below.

Respectfully submitted:



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<sup>2</sup> Constance Heppenstall's Rejoinder Testimony was inadvertently marked as Statement No. 4R, but should have been marked as Statement No. 4RJ.

/s/ Frank D. Kitzmiller  
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1041 Preston Road  
Lancaster, PA 17601

Dated: March 14, 2022