**BEFORE THE**

##### **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :

Office of Consumer Advocate : R-2021-3026682

Office of Small Business Advocate : C-2021-3029095

: C-2021-3029188

v. :

:

City of Lancaster – Bureau of Water :

ORDER GRANTING MOTION FOR ADMISSION OF TESTIMONY AND EXHIBITS

On March 14, 2022, the Joint Petitioners -City of Lancaster – Bureau of Water, the Commission’s Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate - filed a Joint Petition for Complete Settlement of Rate Investigation and a Motion for Admission of Testimony and Exhibits, which was joined by Complainant Frank D. Kitzmiller (C-2021-3029426), who submitted exhibits during the Telephonic Public Input Hearing on December 16, 2021. In that motion, the signatoriesacknowledge and agree that they waive cross-examination with respect to the offered testimony and exhibits and further stipulate that the following Statements and Exhibits should be admitted into the record. They are described as follows:

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, 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.

Also, on March 21, 2022, Complainant Kitzmiller filed a Statement in Support of Settlement Petition. The stipulated testimony and exhibits and the Kitzmiller statement in support will be admitted into the record.

THEREFORE

IT IS ORDERED

1. That the Motion for Admission of Testimony and Exhibits is granted.
2. That the following exhibits, testimony, and statements are admitted into the record:
3. The City’s General Rate Filing (with all accompanying Exhibits and Schedules);
4. 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;
5. Mr. Frank Kitzmiller’s Public Input Hearing Exhibits (FDK-PIH-1 through FDK-PIH-5).
6. 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);
7. 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;
8. Office of the Small Business Advocate (“OSBA”) Statement No. 1, accompanying Exhibits (Schedules BK-1 and BK-2) and signed verification;
9. 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;
10. The Surrebuttal Testimony of Frank D. Kitzmiller;
11. I&E Statement Nos. 1-SR, 2-SR, and 3-SR;
12. 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;
13. OSBA Statement No. 1-S, with accompanying Exhibit (Schedules BK-1S and BK-2S) and signed verification; and
14. City Statement Nos. 1RJ, 2RJ, 3RJ, 4RJ, and 6RJ, with accompanying Exhibits (PSJ-1RJ; GRH-1RJ and GRH-2RJ (Alternate); and CEH-1RJ) and signed verifications.
15. That the Kitzmiller Statement in Support of Settlement Petition is admitted into the record.

Date: March 30, 2022 /s/

Darlene Davis Heep

Administrative Law Judge

**R-2021-3026682 et al CITY OF LANCASTER - BUREAU OF WATER**

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