

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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June 2, 2022

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

Re: Pennsylvania Public Utility Commission
v.
Aqua Pennsylvania, Inc. and
Aqua Pennsylvania Wastewater, Inc.
Docket Nos. R-2021-3027385 (Water)
C-2021-3028466 (Water)
R-2021-3027386 (Wastewater)
C-2021-3028467 (Wastewater)

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Unopposed Petition for Leave to Withdraw Petition in the above-referenced proceedings.

Copies have been served per the attached Certificate of Service.

Respectfully submitted,

/s/ Erin L. Gannon
Erin L. Gannon
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Enclosures:

cc: The Honorable Mary D. Long (**email only**)
Nick Miskanic (**email only**: nmiskanic@pa.gov)
Office of Special Assistants (**email only**: ra-OSA@pa.gov)
Certificate of Service

*329931

CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utility Commission :
 : Docket Nos. R-2021-3027385 (Water)
 v. : C-2021-3028466 (Water)
 : R-2021-3027386 (WW)
 Aqua Pennsylvania, Inc. and Aqua : C-2021-3028467 (WW)
 Pennsylvania Wastewater, Inc. :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate’s Unopposed Petition for Leave to Withdraw Petition, 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 2nd day of June 2022.

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Dated: June 2, 2022
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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	Docket Nos. R-2021-3027385 (Water)
v.	:	C-2021-3028466 (Water)
	:	R-2021-3027386 (WW)
Aqua Pennsylvania, Inc. and Aqua	:	C-2021-3028467 (WW)
Pennsylvania Wastewater, Inc.	:	

OCA UNOPPOSED PETITION
FOR LEAVE TO WITHDRAW PETITION

Pursuant to the provisions of Section 5.94(a) of the Pennsylvania Public Utility Commission’s Regulations, 52 Pa. Code § 5.94(a), the Office of Consumer Advocate (OCA) hereby petitions for leave to withdraw its Petition for Clarification, filed on May 31, 2022 in this proceeding.

1. The Petition requested clarification of the Public Utility Commission’s Order entered on May 16, 2022, in response to the compliance filing submitted by Aqua Pennsylvania Wastewater, Inc. (Aqua) on May 23, 2022.

2. Based on further investigation and review of Aqua’s compliance filing, as well as conversation with Aqua, the OCA has determined that the Company proposes to recover wastewater CAP costs from both fixed and volumetric wastewater charges. *See, e.g.*, Compliance Filing (Wastewater), Exh. 5-B at 13, 22-23, 27, 29 (compare volumetric non-residential rates to residential). As such, the OCA requests to withdraw its request without prejudice to any position the OCA may take in future cases.¹

¹ Further, the OCA will not file an Exception to the Compliance Filing.

3. The OCA has contacted all active parties and confirmed that its Petition to Withdraw is not opposed.

WHEREFORE, for the foregoing reasons, the Pennsylvania Office of Consumer Advocate respectfully requests that it be granted leave to withdraw its Petition for Clarification that was filed on May 31, 2022, without prejudice.

Respectfully submitted,

/s/ Erin L. Gannon

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Dated: June 2, 2022