



COMMONWEALTH OF PENNSYLVANIA

June 2, 2022

E-FILED

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

**Re: Pennsylvania Public Utility Commission v. The Borough of Ambler 2022 BRC /
Docket No. R-2022-3031704**

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Parties of Record
Brian Kalcic

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PENNSYLVANIA PUBLIC UTILITY
COMMISSION**

v.

THE BOROUGH OF AMBLER

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DOCKET NO. R-2022-3031704

**PREHEARING MEMORANDUM
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to these proceedings. Representing the OSBA in the above-referenced matter is Assistant Small Business Advocate Sharon E. Webb. Please address all correspondence in this matter as follows:

Sharon E. Webb
Assistant Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
Forum Place 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov

II. FILING BACKGROUND

On March 31, 2022, The Borough of Ambler Water Department (“Ambler Water” or the “Borough”) filed Supplement No. 40 to Tariff Water Pa. P.U.C. No. 5 (“Supplement No. 40”) with the Commission. The rates set forth in Supplement No. 40, if approved by the Commission, would increase Ambler Water’s annual jurisdictional revenues by \$637,691.

The OSBA filed a Complaint on April 14, 2022.

III. IDENTIFICATION OF WITNESS AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Brian Kalcic
Excel Consulting
7330 Dorset Avenue
St. Louis, MO 63130
314-863-3209
excel.consulting@sbcglobal.net

The OSBA will participate in this proceeding to assure that the interests of small business customers are adequately represented and protected.

After an initial review of the materials submitted by Ambler Water, the OSBA has identified the following list of issues that it will evaluate in this proceeding:

1. Whether the rates, terms and other provisions of Supplement No. 40 would result in the implementation of rates which would be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers; and
2. Whether the materials filed by the Company are sufficient to justify the rate increase requested, particularly as they pertain to small business customers.

The OSBA reserves the right to pursue additional issues that may arise throughout this proceeding.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date¹ as satisfying the in-hand requirement. At the time of this writing, hard copy delivery of documents to the OSBA is not possible. The OSBA requests that email delivery of documents also be provided to its witnesses identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

V. DISCOVERY

The OSBA does not propose any discovery modifications.

VI. SETTLEMENT

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

¹ In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

VII. HEARING AND BRIEFING SCHEDULE

At the time of this writing, the parties are discussing a proposed procedural schedule.

Respectfully submitted,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Office of Small Business Advocate
555 Walnut Street
Forum Place 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: June 2, 2022

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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DOCKET NO. R-2022-3031704

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Steven K. Haas
The Honorable John M. Coogan
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
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sthaas@pa.gov
jcoogan@pa.gov

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(Counsel for OCA)

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(Counsel for BIE)

Adeolu A Bakare Esquire
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100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
Abakare@Mceeslaw.Com

DATE: June 2, 2022

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995