



COMMONWEALTH OF PENNSYLVANIA

October 25, 2022

E-FILED

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

Re: Application of Aqua Pennsylvania Wastewater, Inc. pursuant to Sections 1102 and 1329 of the Public Utility Code for: (1) approval of the acquisition of Aqua of the water system assets of the Borough of Shenandoah and the Municipal Authority of the Borough of Shenandoah situated within the Borough of Shenandoah, West Mahanoy Township, Mahanoy Township, Butler Township, Girardville Borough, and Union Township Schuylkill County, Pennsylvania; (2) approval of the right of Aqua to begin to offer, render, furnish and supply water service to the public in the Borough of Shenandoah, West Mahanoy Township, Mahanoy Township, Butler Township, and Girardville Borough, Schuylkill County, Pennsylvania; and(3) an order approving the acquisition that includes the ratemaking rate base of the Borough and MABS water system assets pursuant to Section 1329(c)(2) of the Public Utility Code. Request for Approval of Contract, between Aqua, the Borough and MABS, Pursuant to Section 507 of the Public Utility Code / Docket No. A-2022-3034143

Dear Secretary Chiavetta:

Enclosed please find the Notice of Intervention, Public Statement, and Verification, 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: Kevin Higgins
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, Inc. (hereinafter referred to as “Aqua” or “Applicant”) pursuant to Sections 1102 and 1329 of the Public Utility Code for: : **Docket No. A-2022-3034143**

(1) approval of the acquisition of Aqua of the water system assets of the Borough of Shenandoah (“Shenandoah” or “Borough”) and the Municipal Authority of the Borough of Shenandoah (“MABS” or the “Authority”) situated within the Borough of Shenandoah, West Mahanoy Township, Mahanoy Township, Butler Township, Girardville Borough, and Union Township Schuylkill County, Pennsylvania; :

(2) approval of the right of Aqua to begin to offer, render, furnish and supply water service to the public in the Borough of Shenandoah, West Mahanoy Township, Mahanoy Township, Butler Township, and Girardville Borough, Schuylkill County, Pennsylvania; and :

(3) an order approving the acquisition that includes the ratemaking rate base of the Borough and MABS water system assets pursuant to Section 1329(c)(2) of the Public Utility Code. :

Request for Approval of Contract, between Aqua, the Borough and MABS, Pursuant to Section 507 of the Public Utility Code :

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the Application that was filed with the Pennsylvania Public Utility Commission (“PUC”

or “Commission”) on October 6, 2022 by Aqua Pennsylvania Wastewater, Inc. (“Aqua” or “Company”), with respect to its request for approval to acquire the water assets of the Borough of Shenandoah and the Municipal Authority of the Borough of Shenandoah. In support of this Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50) to represent the interest of small business customers as a party in proceedings before the Commission.
2. Intervention in this case is necessary to ensure that the interests of small business customers served by Aqua are adequately represented.
3. Representing the OSBA in this proceeding is:

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

/s/ Sharon E. Webb

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

For: NazAarah Sabree
Small Business Advocate

Dated: October 25, 2022

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania :
Wastewater, Inc. (hereinafter referred to as :
“Aqua” or “Applicant”) pursuant to Sections : **Docket No. A-2022-3034143**
1102 and 1329 of the Public Utility Code for: :
 :
(1) approval of the acquisition of Aqua of the :
water system assets of the Borough of :
Shenandoah (“Shenandoah” or “Borough”) :
and the Municipal Authority of the Borough :
of Shenandoah (“MABS” or the “Authority”) :
situated within the Borough of Shenandoah, :
West Mahanoy Township, Mahanoy :
Township, Butler Township, Girardville :
Borough, and Union Township Schuylkill :
County, Pennsylvania; :
 :
(2) approval of the right of Aqua to begin to :
offer, render, furnish and supply water :
service to the public in the Borough of :
Shenandoah, West Mahanoy Township, :
Mahanoy Township, Butler Township, and :
Girardville Borough, Schuylkill County, :
Pennsylvania; and :
 :
(3) an order approving the acquisition that :
includes the ratemaking rate base of the :
Borough and MABS water system assets :
pursuant to Section 1329(c)(2) of the Public :
Utility Code. :
 :
Request for Approval of Contract, between :
Aqua, the Borough and MABS, Pursuant to :
Section 507 of the Public Utility Code :
 :

**PUBLIC STATEMENT OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business

Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of an intervention regarding the Application filed by Aqua Pennsylvania Wastewater, Inc. (“Aqua” or “Company”), with respect to its request for approval to acquire the water assets of the Borough of Shenandoah and the Municipal Authority of the Borough of Shenandoah . The Small Business Advocate has intervened in this case to ensure that the interests of small business customers served by the Company are adequately represented.


In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the Company’s requested relief. The Small Business Advocate will ask the Commission to deny any proposed changes in the Company’s present tariffs that apply to small business customers that are not proven by the Company to be lawful, just, reasonable and non-discriminatory to all its customer classes.

Dated: October 25, 2022

VERIFICATION

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: October 25, 2022



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, Inc. (hereinafter referred to as “Aqua” or “Applicant”) pursuant to Sections 1102 and 1329 of the Public Utility Code for: :
: **Docket No. A-2022-3034143**
:

(1) approval of the acquisition of Aqua of the water system assets of the Borough of Shenandoah (“Shenandoah” or “Borough”) and the Municipal Authority of the Borough of Shenandoah (“MABS” or the “Authority”) situated within the Borough of Shenandoah, West Mahanoy Township, Mahanoy Township, Butler Township, Girardville Borough, and Union Township Schuylkill County, Pennsylvania; :
:

(2) approval of the right of Aqua to begin to offer, render, furnish and supply water service to the public in the Borough of Shenandoah, West Mahanoy Township, Mahanoy Township, Butler Township, and Girardville Borough, Schuylkill County, Pennsylvania; and :
:

(3) an order approving the acquisition that includes the ratemaking rate base of the Borough and MABS water system assets pursuant to Section 1329(c)(2) of the Public Utility Code. :
:

Request for Approval of Contract, between Aqua, the Borough and MABS, Pursuant to Section 507 of the Public Utility Code :
:
:
:

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 Charles E. Rainey Jr.
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
crainey@pa.gov

Christine Hoover, Esq.
Lauren Myers, Esq.
Acting Consumer Advocate
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101
choover@paoca.org
lmyers@paoca.org

Allison Kaster, Esq.
Bureau of Investigation & Enforcement
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
akaster@pa.gov

Paul Diskin, Director
Saul Ewing Arnstein & Lehr LLP
1500 Market Street
Centre Square West, 38th Floor
Philadelphia, PA 19102
Courtney.schultz@saul.com

DATE: October 25, 2022

/s/ Sharon E. Webb

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