



Via Electronic Filing

January 9, 2023

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

RE: ***PA PUC v. Aqua Pennsylvania Wastewater, Inc.***
PUC Docket No. R-2022-3036634

Richard Adams v. Aqua Pennsylvania Wastewater, Inc.
PUC Docket No. C-2022-3037266

Dear Secretary Chiavetta:

Enclosed for filing, please find the Prehearing Conference Memorandum of Aqua Pennsylvania, Wastewater Inc. filed in the in the above-captioned proceeding.

Copies are being served on the Administrative Law Judge and the Complainant as evidenced by the enclosed Certificate of Service.

Sincerely,

Mary McFall Hopper

Mary McFall Hopper
Regulatory Counsel
mmhopper@aquaaamerica.com
(610) 645-1170

Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2022-3036634
v.	:	
Aqua Pennsylvania Wastewater, Inc.	:	
	:	
Richard Adams	:	
v.	:	
Aqua Pennsylvania Wastewater, Inc.	:	C-2022-3037266

**PREHEARING CONFERENCE MEMORANDUM OF
AQUA PENNSYLVANIA WASTEWATER, INC.**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE DARLENE D. HEEP:

Aqua Pennsylvania Wastewater, Inc. (“Aqua” or the “Company”) hereby submits this Prehearing Conference Memorandum in accordance with 52 Pa. Code § 5.222 of the regulations of the Pennsylvania Public Utility Commission (“PaPUC” or “Commission”) in connection with the telephonic Prehearing Conference to be held on January 10, 2023, at 10:00 a.m.

I. RECENT PROCEDURAL HISTORY

On November 8, 2022, the Company filed Supplement No. 2 to Tariff Sewer- PA P.U.C. No. 3 (“Proposed Tariff Supplement”) to revise language concerning the use of secondary water meters for acquired wastewater customers in Rate Zones 7, 10 and 12.

On November 23, 2022, Richard Marotto filed a letter in support of the Proposed Tariff Supplement.

On December 16, 2022, Richard Adams (“Complainant”) filed a letter and Formal Complaint objecting to the Proposed Tariff Supplement.

On December 22, 2022, the Commission issued an Order suspending the Proposed Tariff Supplement by operation of law until July 7, 2023, unless permitted by Commission Order to become effective at an earlier date.

The Commission's December 22 Order directed that the case be "assigned to the Office of Administrative Law Judge for Alternative Dispute Resolution, if possible, and for the prompt scheduling of such hearings as may be necessary culminating in the issuance of a recommended decision."

On December 22, 2022, the Commission issued a notice scheduling a Prehearing Conference for January 5, 2023 at 2:00 p.m. On December 27, 2022, Administrative Law Judge ("ALJ") Darlene Heep issued a Prehearing Conference Order, directing that the parties submit a proposed schedule no later than January 4, 2023.

On January 3, 2023, the Company filed Supplement No. 6 to Tariff Sewer- PA P.U.C. No. 3 (Suspension Tariff Supplement) to suspend the Proposed Tariff Supplement until July 7, 2023, in accordance with the Commission's Order issued December 22, 2022.

II. SERVICE OF DOCUMENTS

The Company requests that Mary McFall Hopper be listed on the service list on behalf of the Company at the contact information listed below:

Mary McFall Hopper, Esquire
Aqua Pennsylvania Wastewater, Inc.
762 W. Lancaster Avenue
Bryn Mawr, PA 19010
(610) 645-1170
mmhopper@aquaamerica.com

III. PROPOSED SCHEDULE AND RELATED MATTERS

a. Complaint of Richard Adams

The Company has filed its answer to the Complaint of Richard Adams.

b. Possible Mediation

The Company is agreeable to mediation in this proceeding and has notified Mediator Cynthia Lehman. The Company submits that Mediation is appropriate and complies with the Commission's December 22, 2022 Order.

c. Other Matters

The Company agrees that the parties should meet and simplify the issues in the proceeding and is agreeable to submitting joint stipulation of facts upon agreement with the Complainant.

d. Scheduling

Mediation :	January 20, 2023
Aqua's Written Direct Testimony:	January 23, 2023
Complainant's Direct Testimony:	February 6, 2023
Aqua Written Rebuttal:	February 20, 2023
Hearings:	February 23-24, 2023
Close of Record:	February 24, 2023
Main Briefs:	March 7, 2023
Reply Briefs:	March 17, 2023
PUC Order:	June 15, 2023

If the proposed Mediation is successful, the procedural schedule proposed may require modification.

IV. DISCOVERY

To date, Aqua has received and answered two sets of discovery request from the Commission's Bureau of Technical Services in this proceeding. The Company does not propose any special orders regarding discovery. The Company believes that a protective order may be necessary with regard to discovery in this proceeding. Aqua preserves the right to request a protective order to limit the disclosure of competitive business information or other confidential information.

AQUA PENNSYLVANIA WASTEWATER, INC.

Dated: January 9, 2023

By: *Mary McFall Hopper*
Mary McFall Hopper
Counsel for Aqua Pennsylvania Wastewater, Inc.
762 W. Lancaster Avenue
Bryn Mawr, PA 19010
mmhopper@aquaamerica.com
(610) 645-1170

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PA PUC v. AQUA PENNSYLVANIA	:	
WATERWATER, INC.	:	DOCKET NO: R-2022-3036634
	:	
	:	
v.	:	
	:	
RICHARD ADAMS v.	:	
AQUA PENNSYLVANIA	:	DOCKET NO: C-2022-3037266
WASTEWATER, INC.	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, Aqua Pennsylvania Wastewater, Inc’s. Prehearing Memo, upon the persons and in the manner set forth below:

Via Email:

The Honorable Darlene Heep
Administrative Law Judge
Pennsylvania Public Utility Commission
dheep@pa.gov
sdelvillar@pa.gov

Richard Adams
221 Taylorsville Road
Yardley, PA 19067
urbroa@hotmail.com

Mary McFall Hopper

Mary McFall Hopper, Esquire
Counsel for
Aqua Pennsylvania Wastewater, Inc.
762 W. Lancaster Avenue
Bryn Mawr, PA 19010
(610) 645-1170
mmhopper@aquaamerica.com

Dated: January 9, 2023