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April 3, 2023

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

**VIA ELECTRONIC FILING**

**RE: Joint Application of the York Water Company and Conewago Industrial Park Water and Sewer Company; Docket Nos. A-2023-3038862 and A-2023-3038864**

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is the Prehearing Memorandum of Conewago Industrial Park Water and Sewer Company in the above-referenced proceeding.

As evidenced by the attached Certificate of Service, all parties to this proceeding are being duly served with a copy of this document. Thank you.

Sincerely,

A handwritten signature in black ink that reads 'Charis Mincavage'.

Charis Mincavage  
MCNEES WALLACE & NURICK LLC

c: Administrative Law Judge Mary D. Long (via email)  
Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of Section 1.54 (relating to service by a participant).

**VIA EMAIL**

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Charis Mincavage

Counsel to Conewago Industrial Park Water  
and Sewer Company

Dated this 3<sup>rd</sup> day of April, 2023, in Harrisburg, Pennsylvania.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of the York Water Company	:	Docket Nos. A-2023-3038862
and Conewago Industrial Park Water and	:	A-2023-3038864
Sewer Company	:	

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**PREHEARING MEMORANDUM OF  
CONEWAGO INDUSTRIAL PARK WATER AND SEWER COMPANY**

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Conewago Industrial Park Water and Sewer Company ("Conewago") hereby submits this Prehearing Memorandum in the above-captioned proceeding in anticipation of the Prehearing Conference scheduled for April 4, 2023.

**I. HISTORY OF THE PROCEEDING**

On March 7, 2023, the York Water Company ("York Water") and Conewago submitted an Application, under Sections 1102(a)(1)-(3) of the Public Utility Code, 66 Pa. C.S. §§ 1102(a)(1)-(3), for: (1) approval of the right to transfer certain public wastewater facilities and rights from Conewago to York Water; (2) the abandonment by Conewago of wastewater service to the public in its service territory in West Donegal Township, Lancaster County, Pennsylvania; and (3) approval for York Water to begin to offer, render, furnish, or supply wastewater service to the public in a portion of West Donegal Township, Lancaster County, Pennsylvania ("Application").

York Water Company submitted updated versions of certain Exhibits to the Application on March 13, 2023.

On March 16, 2023, the Office of Small Business Advocate ("OSBA") filed a Protest and Notice of Intervention in this proceeding.

On March 21, 2023, a Prehearing Conference Notice was issued to Conewago and all parties. As stated therein, Administrative Law Judge ("ALJ") Mary D. Long will preside over a Prehearing Conference scheduled for April 4, 2023.

## **II. ANTICIPATED ISSUES AND SUB-ISSUES**

In general, Conewago will address the proposed Application as necessary to affirm that it is just and reasonable. Conewago anticipates pursuing these issues during this proceeding, as necessary, and reserves the right to raise further issues and to respond to all matters raised by other parties.

## **III. PROPOSED WITNESSES**

Conewago is currently evaluating whether it will sponsor testimony in this proceeding. If Conewago opts to sponsor testimony, it will immediately inform the parties and the ALJ of any intended witnesses and their areas of testimony. Conewago also intends to participate in this proceeding through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions, and reply exceptions, if necessary.

## **IV. PROPOSED SCHEDULE AND DISCOVERY RULES**

Conewago will cooperate with other parties to develop a mutually acceptable schedule for this proceeding. To the extent necessary, Conewago will also cooperate with the ALJ and the parties at the Prehearing Conference to address any requested modifications to the Commission's standard discovery rules in accordance with the Commission's Regulations and any directives issued by the ALJ.

**V. POSSIBILITY OF SETTLEMENT**

Conewago is willing to participate in discussions with the other parties to amicably resolve the issues in this proceeding.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By  \_\_\_\_\_

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Dated: April 3, 2023