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June 21, 2023

**E-FILED**

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

Re: Application of Towamencin Township, Pursuant To 66 Pa. C.S. § 1102(A), For A Certificate of Public Convenience to Offer, Furnish, Render, And Supply Wastewater Service to the Public in Certain Portions of Worcester Township, Lower Salford Township, Franconia Township and Lansdale Borough, All in Montgomery County, Pennsylvania / Docket No. A-2023-3040661

Dear Secretary Chiavetta:

Enclosed for filing, please find the Prehearing Memorandum, on behalf of Upper Gwynedd Township, in the above-captioned proceeding.

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

June 21, 2023

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Very truly yours,

*/s/ Lauren A. Gallagher*

Lauren A. Gallagher

Attorney for Upper Gwynedd Township

Attorney ID No. 206113

LAG:sn

cc: Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Towamencin Township, pursuant :  
66 Pa.C.S. §1102(A) for a Certificate of Public :  
Convenience to offer, furnish, render and supply : Docket No. A-2023-3040661  
Wastewater service to the public in certain portions :  
Of Worcester Township, Lower Salford Township, :  
Franconia Township and Lansdale Borough :  
All in Montgomery County, Pennsylvania :

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**UPPER GWYNEDD TOWNSHIP  
PRE-HEARING MEMORANDUM**

**I. INTRODUCTION**

Upper Gwynedd Township is a First Class Township located within Montgomery County Pennsylvania, who seeks to be a party to this Application. Upper Gwynedd Township is represented by Lauren A. Gallagher and Samantha L. Newell. Please address all correspondence as follows:

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Samantha L. Newell, Esquire  
Attorney for Upper Gwynedd Township  
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[snewell@rudolphclarke.com](mailto:snewell@rudolphclarke.com)

**II. FILING BACKGROUND**

May 13, 2023, Towamencin Township (“Applicant” or “Township”) filed an Application for a Certificate of Public Convenience Nunc Pro Tunc, to offer, furnish, render and supply wastewater service to the public in certain portions of Worcester Township, Lower Salford Township, Franconia Township and Lansdale Borough, and all of Montgomery County,

Pennsylvania pursuant to Pennsylvania Public Utility Code, 66 Pa. C.S. § 1102(a). Additionally, the Application, also requests a Certificate to Abandon Service upon the closing of a proposed sale of substantially all of the Applicant's assets comprising its wastewater system to the Pennsylvania-American Water Company ("PAWC" or "Company") pursuant to Pennsylvania Public Utility Code, 66 Pa. C.S. § 1102(a).

On June 12, 2023, Upper Gwynedd Township filed Notices of Appearances and a Petition to Intervene. In this filing Upper Gwynedd Township identified that the Township is preserving its rights in regard to the Application, but at this time, takes no position on the merits of the Application.

Administrative Law Judge ("ALJ") Darleen D. Heep was assigned to this proceeding and issued a Prehearing Conference Order on June 13, 2023, informing the parties that the initial Prehearing Conference on this case will be held on June 22, 2023. Upper Gwynedd Township hereby submits this prehearing memorandum in accordance with that order.

### **III. WITNESSES**

At this time, Upper Gwynedd Township takes no current position in this proceeding and does not intend to offer any witnesses.

### **IV. IDENTIFICATION OF ISSUES**

Upper Gwynedd intends to participate in this case to ensure that the interests of the residents of Upper Gwynedd Township are adequately represented and protected. After an initial review of the filings, Upper Gwynedd remains only concerned with the rates that the Township of Upper Gwynedd will be required to pay as a result of this Application, as it is a bulk rate customer of Applicant.

**V. SERVICE OF DOCUMENTS**

Upper Gwynedd Township agrees to accept electronic mail delivery of documents on the due date as satisfying the in-hand requirement.

**VI. DISCOVERY**

Upper Gwynedd Township will work with the Presiding Officer and other parties to develop and mutually acceptable discovery modifications.

**VII. SETTLEMENT**

Upper Gwynedd Township notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

**VIII. PROCEDURAL SCHEDULE**

Upper Gwynedd Township will work with the Presiding Officer and the other parties to develop a mutually acceptable procedural schedule.

Respectfully submitted,

Rudolph Clarke, LLC

*/s/ Lauren A. Gallagher*

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Dated: June 21, 2023

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Towamencin Township, pursuant :  
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Franconia Township and Lansdale Borough :  
All in Montgomery County, Pennsylvania :

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**CERTIFICATE OF SERVICE**

I, Lauren A. Gallagher., hereby certify that I have served a true and correct copy of the foregoing Pre-Hearing Memorandum to the parties listed below in accordance with the requirements of 52 Pa. Code §§ 1.54 (relating to service by a party) via electronic mail.

The Honorable Darlene D. Heep  
Pennsylvania Public Utility Commission  
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Commonwealth Keystone Building  
Harrisburg, PA 17120  
dheep@pa.gov

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Date: June 21, 2023

/s/ Lauren A. Gallagher  
Lauren A. Gallagher  
Attorney for Upper Gwynedd Township  
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