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June 30, 2023

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: William Ferguson v. Aqua Pennsylvania Wastewater, Inc.
Docket No. C-2023-3041184

Dear Secretary Chiavetta:

Attached for filing please find the Preliminary Objections of Aqua Pennsylvania Wastewater, Inc., to the Formal Complaint of William Ferguson in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,

Michael W. Hassell

Michael W. Hassell

MWH/kls
Attachment

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL AND FIRST-CLASS MAIL

William Ferguson
313 Hyde Park Road
Landenberg, PA 19350
zzzferg@gmail.com

Dated: June 30, 2023

Michael W. Hassell

Michael W. Hassell

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

William Ferguson,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2023-3041184
	:	
Aqua Pennsylvania Wastewater, Inc.,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.101, YOU MAY ANSWER THE ENCLOSED PRELIMINARY OBJECTIONS WITHIN TEN (10) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PRELIMINARY OBJECTIONS MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL FOR AQUA PENNSYLVANIA WASTEWATER, INC.

Respectfully submitted,

Michael W. Hassell

Michael W. Hassell, Esq. (ID # 34851)
Garrett P. Lent, Esq. (ID # 321566)
Post & Schell, P.C.
17 North Second Street, 12th Floor
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Phone: 717-731-1970
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Date: June 30, 2023

Attorneys for Aqua Pennsylvania Wastewater, Inc.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

William Ferguson,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2023-3041184
	:	
Aqua Pennsylvania Wastewater, Inc.,	:	
	:	
Respondent.	:	

PRELIMINARY OBJECTIONS OF
AQUA PENNSYLVANIA WASTEWATER, INC. TO THE
COMPLAINT OF WILLIAM FERGUSON

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, comes Aqua Pennsylvania Wastewater, Inc. ("Aqua PA WW" or the "Company") and hereby files Preliminary Objections, pursuant to the regulations of the Pennsylvania Public Utility Commission ("Commission") at 52 Pa. Code § 5.101, and respectfully requests that the Commission dismiss the above-captioned Formal Complaint ("Complaint") filed by the William Ferguson ("Complainant") in its entirety.

As explained herein, the Commission should summarily dismiss the Complaint because it fails to conform to the requirements set forth in Section 5.22 of the Commission's regulations governing the content(s) of Complaints. *See* 52 Pa. Code § 5.101(a)(2)

In support thereof, Aqua PA WW states as follows:

I. <u>BACKGROUND</u>

1. Aqua PA WW is a "public utility" as that term is defined under the Public Utility Code, 66 Pa. Code § 102, subject to the regulatory jurisdiction of the Commission.

2. Aqua PA WW provides wastewater collection, conveyance, and treatment service to approximately 60,000 customers throughout its certificated service territory, which includes all or portions of sixteen counties in Pennsylvania.

3. On June 10, 2023, Aqua PA WW was served with the Complaint. A true and correct copy of the Complaint is attached hereto as **Appendix A**.

4. On June 20, 2023, Aqua PA WW filed a Letter Request for an Extension of Time To File Responsive Pleadings to the Complaint.

5. On June 22, 2023, the Commission issued a Secretarial Letter granting Aqua PA WW's request for an extension of time to file responsive pleadings (the "Secretarial Letter"). The Secretarial letter provided that "Aqua's Answer or other responsive pleading to the Complainants' current rate complaint is due to be filed with the Commission by the close of business (4:30 p.m. EST) on June 30, 2023."

6. Aqua PA WW herein files these Preliminary Objections to the Complaint. For the reasons explained below, Aqua PA WW respectfully requests that the Commission summarily dismiss the Complaint because it fails to conform to Section 5.22 of the Commission's regulations for the required content(s) of complaints against current rates. *See* 52 Pa. Code § 5.101(a)(2); *see also id.* § 5.32.

II. <u>STANDARD OF REVIEW</u>

7. Pursuant to the Commission's regulations, preliminary objections in response to a pleading may be filed on several grounds, including:

> (1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.
>
> (2) <u>Failure of a pleading to conform to this chapter</u> or the inclusion of scandalous or impertinent matter.
>
> (3) Insufficient specificity of a pleading.

(4) Legal insufficiency of a pleading.

(5) Lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action.

(6) Pendency of a prior proceeding or agreement for alternative dispute resolution.

(7) Standing of a party to participate in the proceeding.

52 Pa. Code § 5.101(a) (emphasis added).

8. In ruling on preliminary objections, the Presiding Officer must accept as true all well-pled allegations of material facts as well as all inferences reasonably deducible therefrom. *Stilp v. Cmwlth.*, 910 A.2d 775, 781 (Pa. Cmwlth. 2006) (citing *Dep't of Gen. Servs. v. Bd. of Claims*, 881 A.2d 14 (Pa. Cmwlth. 2005). However, the Presiding Officer need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. *Stanton-Negley Drug Co. v. Dep't of Pub. Welfare*, 927 A.2d 671, 673 (Pa. Cmwlth. 2007). Notwithstanding, any doubt must be resolved in favor of the non-moving party. *Stilp*, at 781.

9. In addition, the Presiding Officer must determine whether, based on the factual pleadings, if recovery is possible. *See Rok v. Flaherty*, 527 A.2d 211, 214 (Pa. Cmwlth. 1987). Indeed, for preliminary objections to be sustained, it must appear with certainty that the law will permit no recovery. *See Stilp*, at 781; *Milliner v. Enck*, 709 A.2d 417, 418 (Pa. Super. 1998).

III. PRELIMINARY OBJECTIONS

A. PRELIMINARY OBJECTION NO. 1 – THE COMPLAINT SHOULD BE DISMISSED BECAUSE IT DOES NOT CONFORM TO THE COMMISSION'S REGULATIONS

10. Aqua PA WW incorporates by reference Paragraphs 1 through 9 as if fully set forth herein.

11. Under Section 5.101(a)(2) of the Commission's regulations, preliminary objections may be filed against a complaint if the complaint fails to conform to the Commission's regulations or includes scandalous or impertinent matter. 52 Pa. Code § 5.101(a)(2).

12. The Commission's regulations set forth the content required to be included in a formal complaint. *See* 52 Pa. Code § 5.22(a)-(b).

13. In addition, the Commission maintains publicly-available forms of complaints that may be filed at https://www.puc.pa.gov/filing-resources/forms/complaint-forms/, including a "Formal Complaint Form" and a "Formal Complaint to a Proposed Rate Increase." A true and correct copy of each of these forms is attached hereto as **Appendix B** and **Appendix C**.

14. The instant Complaint fails to conform to the Commission's regulations and requirements because it was incorrectly filed as a "Formal Complaint to a Proposed Rate Increase."

15. The Complaint raises a number of allegations regarding the Commission's Opinion and Order entered on May 16, 2022 (the "*Rate Case Order*") at Docket Nos. R-2021-3027385 and R-2021-3027386 (the "*2021 Rate Case*"), and Aqua PA WW's May 23, 2022 compliance tariff (the "*Compliance Tariff*"). The *Rate Case Order* authorized Aqua PA WW to increase its base rates for wastewater service, and Aqua PA WW filed the *Compliance Tariff* pursuant to the *Rate Case Order*.

16. Importantly, the *Rate Case Order* authorized Aqua PA WW "to file tariffs, tariff supplements and/or tariff revisions, on at least one day's notice, and pursuant to the provisions of 52 Pa. Code §§ 53.1, et seq., and 53.101, designed to produce an annual operating revenue of approximately $55,817,471, representing an annual revenue increase of approximately $18,740,978, to become effective for service rendered on and after May 19, 2022," (*Rate Case*

Order, Ordering Paragraph 15), and terminated the investigations into and complaints regarding the *2021 Rate Case* (*Rate Case Order*, Ordering Paragraphs 28-33).

17. Aqua PA WW filed its *Compliance Tariff* on May 23, 2022, and the rates contained therein became effective on May 19, 2022.

18. The Commission subsequently issued an Opinion and Order on October 27, 2022, which denied various petitions for reconsideration/clarification filed by parties to the *2021 Rate Case*. Ordering Paragraph 5 of this Opinion and Order ordered "[t]hat the proceeding at this docket be marked closed."

19. The instant Complaint was filed as a "Formal Complaint to a Proposed Rate Increase" over one year after the *Rate Case Order* and approximately eight months after the October 27, 2022 Opinion and Order closed Docket No. R-2021-R-2021-3027386. Moreover, as is clear from the Complaint, the rates that are the subject of the Complaint are not "proposed" rates; they are existing, Commission-approved rates.

20. The Secretarial Letter succinctly stated:

> The proposed rate increase filed by Aqua Pennsylvania Wastewater at Docket Number R-2021-3027386 was finally adopted by the Commission with an Order entered on October 27, 2022. Therefore, <u>when the Complainant filed his formal rate complaint on June 8, 2023, there was no current rate case pending before the Commission and the formal "rate" complaint used solely during rate case proceedings should not have been processed or served upon Aqua Pennsylvania</u>.

Secretarial Letter, at p. 1 (emphasis added).

21. To the extent that the Complainant seeks to challenge Aqua PA WW's existing rates, it must do so in a manner that conforms to the Commission's regulations and requirements. Indeed:

> any utility's customer can file a "formal complaint" against the utility's rates at any time. <u>If the Complainant wishes to refile a</u>

> formal complaint against the current rates of Aqua Pennsylvania Wastewater, the Complainant may do so. A formal complaint form is available on our website. Once a formal complaint is filed, it will be served on Aqua and the company will be given twenty (20) days from the date of service to file an answer to the formal complaint, to which the Complainant must be provided a copy.

Id. (emphasis added).

22. Finally, the failure to utilize the correct form in this instance could substantially prejudice Aqua PA WW's due process rights. When a public utility proposes an increase in base rates, it bears the burden of proof with respect to every aspect of its proposed rates. 66 Pa.C.S. § 315(a) ("…in any proceedings upon complaint involving any proposed increase in rates, the burden of proof to show that the rate involved is just and reasonable shall be upon the public utility." (emphasis added)). However, where a complainant seeks to challenge a public utility's existing rates, the complainant bears the burden of proving the existing rates are unjust and unreasonable. 66 Pa.C.S. § 332(a) ("Except as may be otherwise provided in section 315 (relating to burden of proof) or other provisions of this part or other relevant statute, the proponent of a rule or order has the burden of proof."). Here, the Complainant should not be permitted to evade bearing the burden of proof for his complaint against Aqua PA WW's existing rates by failing to conform to the Commission's regulations and requirements and using the incorrect complaint form.[1]

23. For these reasons, Aqua PA WW respectfully requests that this Preliminary Objection be sustained pursuant to 52 Pa. Code § 5.101(a)(2).

[1] Furthermore, other legal principles, such as the prohibition against retroactive ratemaking and the Commission-made rate doctrine, are applicable when a complaint is filed against existing rates.

IV. CONCLUSION

WHEREFORE, Aqua Pennsylvania Wastewater, Inc. respectfully requests that the above-captioned Complaint filed by William Ferguson at Docket No. Docket No. C-2023-3041184 be dismissed in its entirety against Aqua Pennsylvania Wastewater, Inc. pursuant to 52 Pa. Code § 5.101(a)(2).

Respectfully submitted,

Michael W. Hassell

Michael W. Hassell, Esq. (ID # 34851)
Garrett P. Lent, Esq. (ID # 321566)
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Date: June 30, 2023

Attorneys for Aqua Pennsylvania Wastewater, Inc.

APPENDIX A

COMPLAINT FILED BY WILLIAM FERGUSON AGAINST AQUA PENNSYLVANIA WASTEWATER, INC.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint to Proposed Rate Increase

Filing this form will make you a party to a legal proceeding or case.
If you do not wish to be a party to the case, consider filing a Comment to Proposed Rate Increase.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information (required)

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you. Failure to provide this information may cause your complaint to be considered as deficient.

Name **William Ferguson** _____

Street/P.O. Box **313 Hyde Park Road**_____

City **Landenberg**_____ State **PA** _____ Zip **19350** _____

County **Chester**_____

Telephone Number(s) Where We Can Contact You During the Day (**required**):

(610) 268-5731_____ (home) (_____) **Not used**_____ (mobile)

E-mail Address (**required**): **zzzferg@gmail.com**_____

Utility Account Number (from your bill) **002644533 1498090**_____

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name **Does Not Apply** _____

Street/P.O. Box _____

City _____State _____ Zip _____

2. Name of Utility

Provide the full name of the utility who filed the proposed rate increase about which you are complaining. The name of your utility is on your bill.

Aqua Pennsylvania Wastewater _____

3. PUC Case Docket Number

Provide the Public Utility Commission case docket number (if known). It begins with the letter "R" and contains the year of filing and a 7-digit code, such as R-2014-1234567.

R-2021-3027386_____

4. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

□ ELECTRIC	□ STORM WATER
□ GAS	**X** WASTEWATER/SEWER
□ WATER	□ TELEPHONE/TELECOMMUNICATIONS (local, long distance)
□ STEAM HEAT	□ MOTOR CARRIER (*e.g.* taxi, moving company, limousine)

5. Reason for Complaint

Explain why you oppose the company's proposed rate increase. Use additional paper if you need more space.

This complaint is about irregularities in how Aqua set New Garden wastewater tariffs in the rate case. Extensive documentation is attached detailing all the issues.

6. Requested Relief

How do you want your complaint to be resolved? Use additional paper if you need more space.

Specific actions are documented in the attachment.

7. Legal Representation

If you are filing a Formal Complaint to Proposed Rate Increase as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are represented by a lawyer **in this matter**, provide your lawyer's name, address, telephone number, and e-mail address, (all required contact information). Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name **None**_____

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

8. Verification and Signature

You must sign your complaint. Individuals filing a Formal Complaint to Proposed Rate Increase **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink.** **If you do not sign the Formal Complaint to Proposed Rate Increase, the PUC will not accept it.** By filing this Formal Complaint to Proposed Rate Increase, you will be a party to the case. If you efile your formal rate complaint, an electronic signature is acceptable.

Verification:

I William Ferguson_____, hereby state that the facts above set forth are true and correct (or 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).

William Ferguson_____ ____8-June-2023_____
(Signature of Complainant) (Date)

_____
Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions**)**

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification must be signed by an authorized officer or authorized employee. If the Formal Complaint to Proposed Rate Increase is not signed by one of these individuals, the PUC will not accept it.

9. How to File and Receive Service

You should electronically file your Formal Complaint to the Proposed Rate Increase with the Secretary. To do so, establish an account free of charge on the PUC's eFiling system, which may be accessed at http://www.puc.pa.gov/efiling/default.aspx.

If you do not electronically file your Formal Complaint to Proposed Rate Increase, mail the completed form (along with any attachments) to the address listed below:

By overnight delivery, certified, priority mail – retain tracking information as proof of submission.

	Secretary Pennsylvania Public Utility Commission 400 North Street 2nd Floor Harrisburg, Pennsylvania 17120

Note: Formal Rate Complaints sent by fax or e-mail will not be accepted.

Methods of Service by the Commission

You have three options on how you would like to receive all communication from the Commission about your Complaint. By selecting one of the following three options, you are agreeing to receive all hearing notices, orders, and related documents about your Complaint in the manner selected.

Select one of the following options for receiving all communications from the Commission:

a. **eFiling**: You agree to open and use an eFiling account – free of charge through the Commission's website. By selecting this method you will be eServed. (This is the best way to receive, file, and submit documents).

   Initial here if you are selecting eFiling:_____**WEF**___
   (And create an eFiling account at http://www.puc.pa.gov/efiling/default.aspx.

b. **Email:** You agree to receive all documents by email (using the email you provided on page 1). Please note that you will only be able to receive documents from the Commission by email and will not be able to file documents by Email or Fax. To submit documents to the Commission you must create an eFiling account accessed at http://www.puc.pa.gov/efiling/default.aspx or mail your submissions.

   Initial here if you are selecting Email service:_____

c. **First Class Mail:** You agree to be served only by First Class Mail (at the address on page 1 of this form).

   Initial here if you are selecting First Class Mail service:_____

***If you do not select one of the three options above, the Commission will serve all documents to you by First Class Mail at the address listed on page 1 of this form.**

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your Formal Complaint to Proposed Rate Increase for your records.

First, page 13 of the PUC's complaint procedures guidelines states that it is appropriate to request that any hearing be conducted over the telephone. Telephonic hearings are definitely my preference.

The balance of this document is my detailed complaint along with its supporting documentation.

Thank you for your attention to this issue.

Bill Ferguson

Summary

On 16-May-2022 the Pennsylvania Public Utilities Commission (PUC) authorized a rate increase for Aqua Pennsylvania Wastewater (Aqua). This was the PUC's docket case R-2021-3027386. One part of that case granted Aqua the right to prepare a tariff that would collect $4,428,399/yr from New Garden ratepayers[1]. Aqua subsequently filed its revised tariff schedule on 23-May-2022.

This complaint has two major issues with Aqua's tariff increase for New Garden ratepayers:

1. Aqua's tariff increase is not in compliance with the revenue permitted by the PUC. This is caused by two factors:
    a. The compliance data Aqua used to set rates bears no relationship to actual use by New Garden customers. This complaint will show that the data presented by Aqua is mathematically impossible to achieve. Can rates be correctly set and compliance be demonstrated using invalid data?
    b. Aqua's compliance volume is significantly less than what New Garden Township reported during the last four quarters it operated the system. Volume and revenue are directly related, so a larger volume increases Aqua's revenue.
    c. As a result, Aqua is likely to collect more revenue from customers than the $4,428,399/yr permitted by the PUC.
2. New Garden customers are being charged with a cost of $1,200,000/yr that Aqua is not incurring. This was knowable to Aqua at the time of the rate filing. The PUC should not allow Aqua to collect revenue for this nonexistent cost.

I am requesting that the PUC require Aqua to:

1. Provide actual use data for its compliance calculations.
2. Revise its tariff for New Garden based on that actual data and reduced operating costs.
3. Based on the new tariff, recalculate all bills since the rate increase went into effect.
4. Refund all overcharges paid thus far.

[1] 16-May-2022 PUC Opinion & Order - https://www.puc.pa.gov/pcdocs/1744354.pdf - PDF pages 64 and 43

Complaint Details

A key part of this complaint involves the compliance data Aqua used to set its tariff for New Garden. Aqua presented a set of consumption volumes to show that their tariff complies with the revenue permitted by the PUC. These volumes are either mathematically impossible or require unrealistic conditions to achieve.

Exhibit A tabulates Aqua's compliance data. These volumes were a part of Aqua's rate case filing on 25-Aug-2021[2]. They are also the basis for Aqua showing compliance with allowed revenue as part of their 23-May-2022 sewer tariff filing[3].

The key volumes are summarized in the following table from Exhibit A:

Combined Consumption and Billing Adjustments		
		Annual
	# Bills	Gallons
Residential		
Monthly Fixed	22,992	
0 - 1667		9,580,000
1667 - 5,000		17,826,100
Over 5,000		58,758,600
Totals	22,992	86,164,700
Commerical #1		
Monthly Fixed	2,052	
0 - 1667		855,000
1667 - 5,000		13,149,400
Over 5,000		0
Totals	2,052	14,004,400
Commerical #2		
Monthly Fixed	332	
0 - 1667		95,000
1667 - 5,000		1,977,000
Over 5,000		1,752,400
Totals	332	3,824,400
Grand Total	25,376	103,993,500

The nine volumes in yellow and the three billing numbers in pink summarizes Aqua's compliance data. The specific issues that follow detail why this data in no way represents actual usage by New Garden customers. If Aqua's use volumes are wrong, how can the rates be set correctly?

[2] Aqua's 25-Aug-2021 rate filing - https://www.puc.pa.gov/pcdocs/1716839.pdf - Schedule NG-3 & Schedule NG-4

[3] 23-May-2022 sewer tariff filing - https://www.puc.pa.gov/pcdocs/1745354.pdf - Exhibit 5-B Compliance p 87 – 92 or PDF pages 157 – 162; Exhibit H copies the relevant pages for user convenience

Major Issue #1 – Residential Volume

The following table reproduces Aqua's residential volume data in Exhibit A.

	# Bills	Annual Gallons
Residential		
Monthly Fixed	22,992	
0 - 1667		9,580,000
1667 - 5,000		17,826,100
Over 5,000		58,758,600
Totals	22,992	86,164,700

The 22,992 bills represent 1,916 customers [= 22,992/12]. Aqua cites this 1,916 number in many other places in its filings.

The issue is that Aqua's use volumes require at least 1,303 customers to have zero consumption. That is over 67% of their customers not using any water. Cleary, that is not realistic. The 1,303 figure is based on the most favorable assumptions. The least favorable assumptions result in 1,437 customers having zero consumption.

These 1,303 zero consumption customers result because the volumes in all three rate bands have to be consistent. Exhibit B is a detailed analysis showing how the rate bands are filled and why 1,303 customers must have zero consumption to achieve consistency.

Confirming the fact that over 1,303 ratepayers do not have zero consumption, New Garden has provided data for their final year of owning the system – See Exhibit C. Their data shows only 119 customers using zero volume – a much more reasonable figure.

Aqua's compliance volumes do not reflect actual residential use in New Garden. Since, this was the data used to set rates, how can those rates be set correctly?

Major Issue #2 – Commercial 1 Volume

This issue is simple. The following table from Exhibit A is a summary of Aqua's data.

	# Bills	Annual Gallons
Commerical #1		
Monthly Fixed	2,052	
0 - 1667		855,000
1667 - 5,000		13,149,400
Over 5,000		0
Totals	2,052	14,004,400

The 2,052 bills represent 171 customers [= 2,052/12].

It is mathematically impossible for 171 customers to consume 13,149,400 gallons in the "1667 - 5,000" rate band. That volume would require 329 customers consuming the full 5,000 gallons in that rate band [= 13,149,400/12/3333]. And, those 329 customers would have to consume 6,581,316 gallons in the "0 – 1667" rate band [=329 x 1667 x 12]. That is 7.5X Aqua's stated consumption for that rate band.

Clearly is this an impossible set of compliance volumes. How is it possible to correctly set rates from such data?

Major Issue #3 – Commercial 2 Volume

This is also a simple issue similar to the Commercial 1 case. The following table is a summary of Aqua's Commercial 2 data, taken from Exhibit A.

	# Bills	Annual Gallons
Commerical #2		
Monthly Fixed	332	
0 - 1667		95,000
1667 - 5,000		1,977,000
Over 5,000		1,752,400
Totals	332	3,824,400

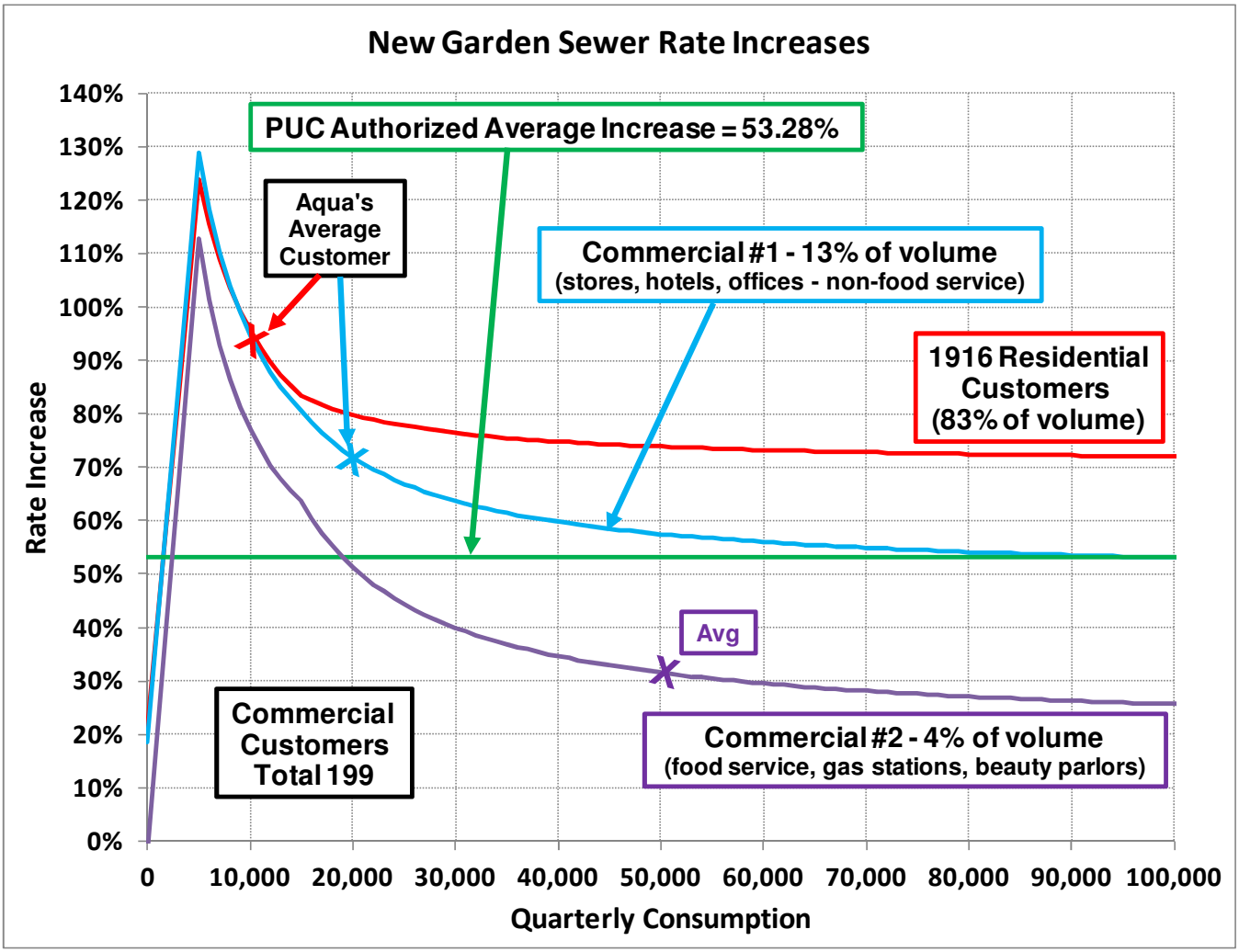
The 332 bills represent 27.7 customers [= 332/12].

Again, it is mathematically impossible for 27.7 customers to consume 1,977,000 gallons in the "1667 - 5,000" rate band. It would require 49 customers consuming the full 5,000 gallons in that rate band [= 1,977,000/12/3333]. And, those 49 customers would have to consume 980,196 gallons in the "0 – 1667" rate band [= 49 x 12 x 1667]. That is over 10X Aqua's stated consumption for that band.

This is yet another impossible situation showing that Aqua's compliance data bears no relationship to actual use.

Major Issue #4 – The Percentage Rate Increases

Aqua claims its New Garden increase is 53.5% (see table in Major Issue #7). This is almost exactly the rate increase permitted by the PUC – as it should be. The following chart plots the range of percentage increases customers are actually seeing on their bills. This chart simply calculates the cost for each use volume at the old and new rates. The percentage increase is then calculated.

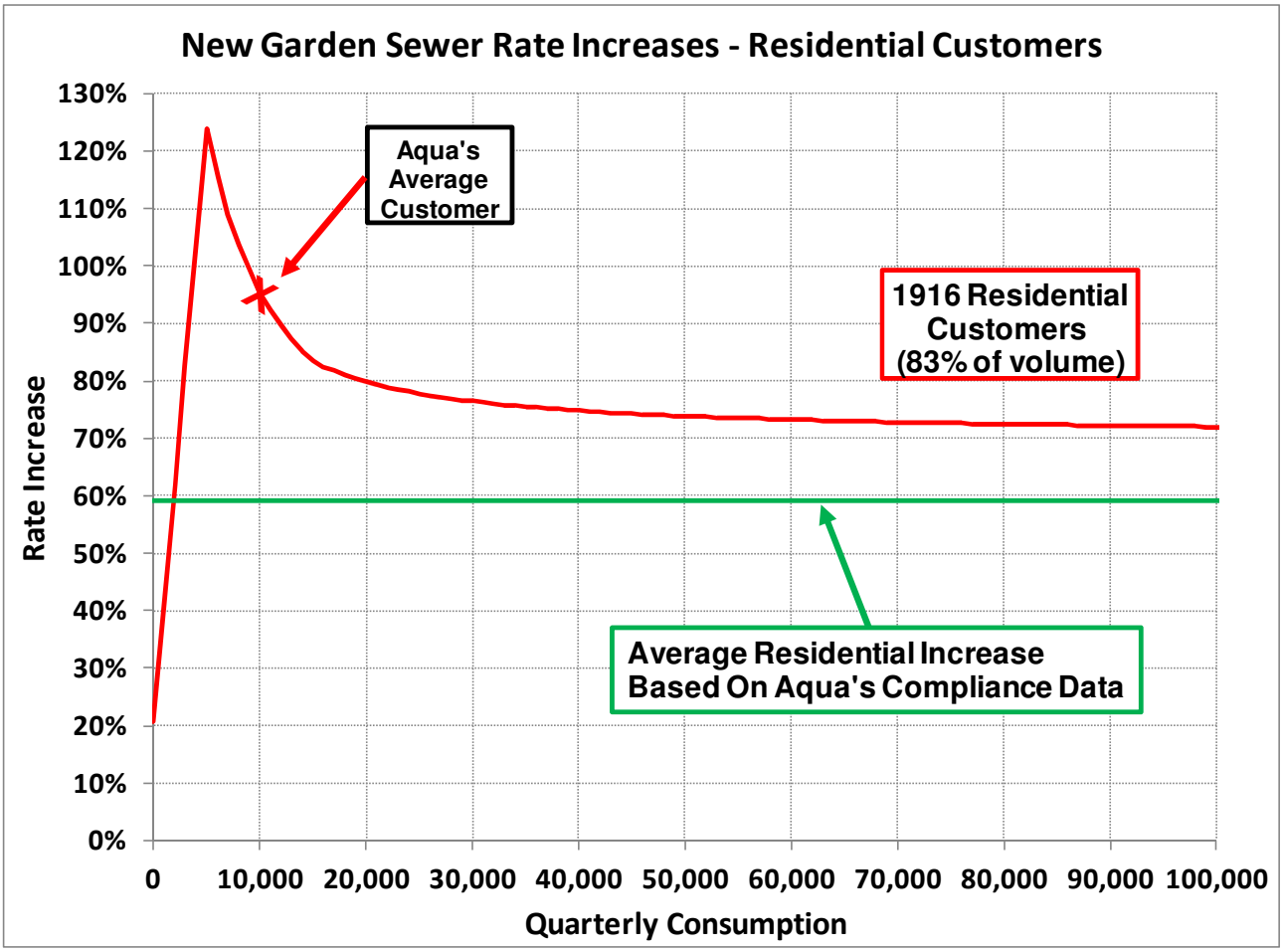


Aqua's data in Exhibit G states an average use for each customer category. The "X's" on the above chart marks those averages. It is visually obvious that a large majority of bills will be much larger than the 53.28% permitted increase. This could result in Aqua collecting substantially more than the amount permitted by the PUC.

The next three charts look at the customer categories individually.

Major Issue #4 – The Percentage Rate Increases- continued

This chart is for residential customers.

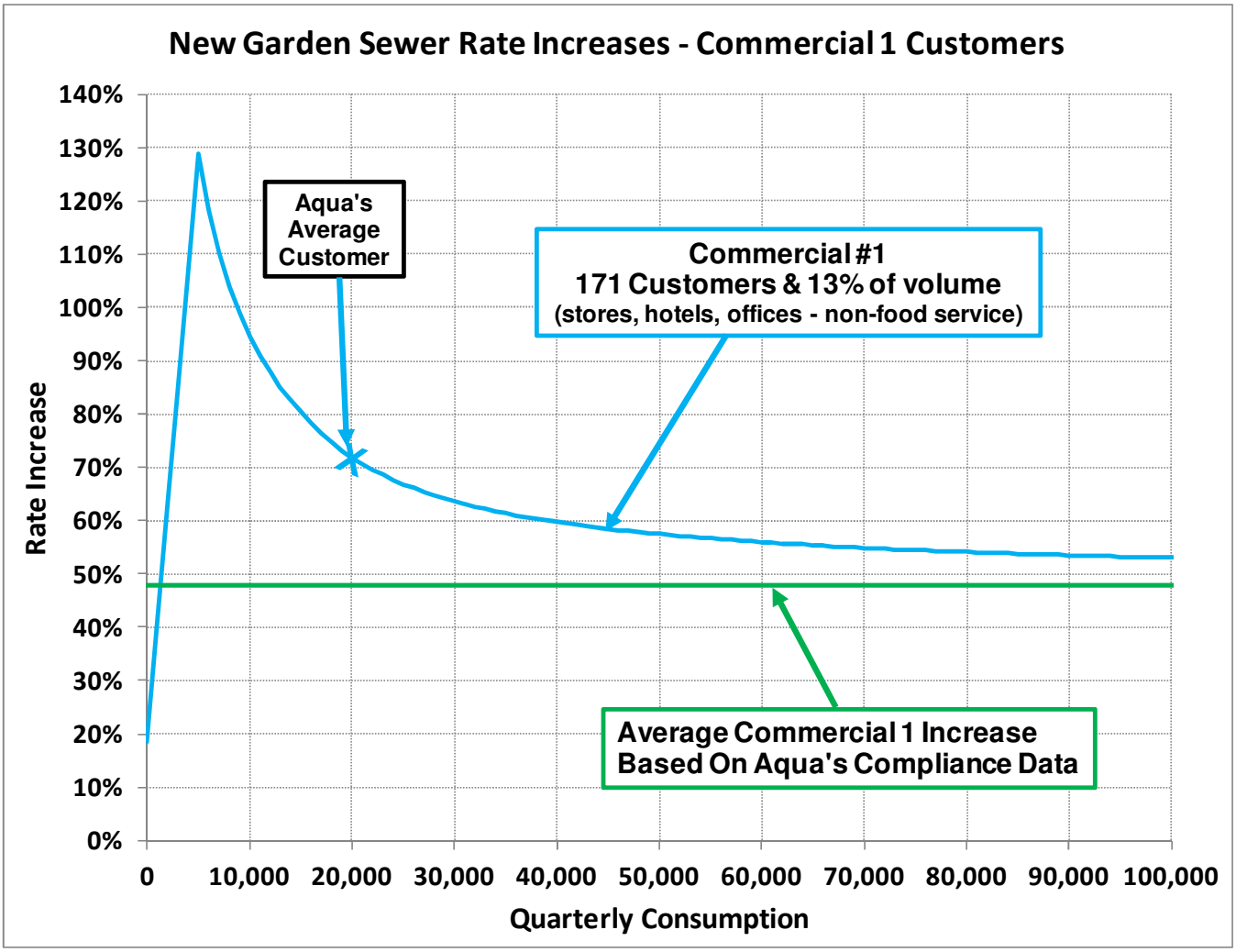


There are two data points on the red line that are below the average increase (green line). One is at zero consumption and the other is 1,000 gallons/quarter. It is visually obvious that the residential rate increase far exceeds the average calculated from Aqua's compliance data.

It is also visually obvious why Aqua's compliance volumes requires 1,303 customers to use zero volume. The customer at zero volume only sees about a 20% rate increase. That is the only way to mathematically achieve Aqua's average increase for residential customers. 1,303 zero use residential ratepayers is not realistic, but is mathematically demanded to make Aqua's numbers balance. Clearly, the residential increase is much greater than claimed by Aqua.

Major Issue #4 – The Percentage Rate Increases- continued

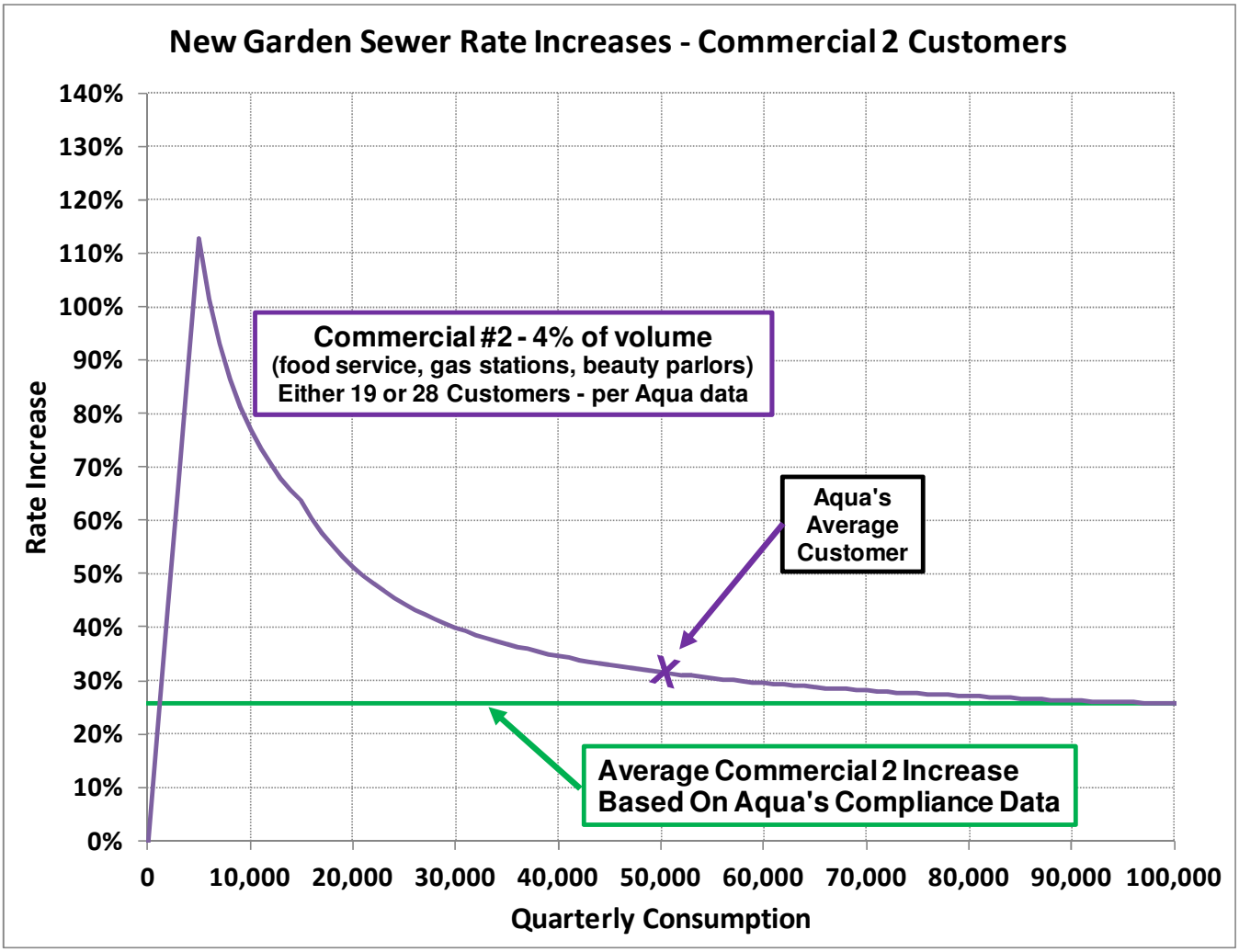
This chart is for Commercial 1 customers.



Like the residential chart on the previous page, there are only two data points on the blue line that are below the average increase (green line). One is at zero consumption and the other is 1,000 gallons/quarter. It is visually obvious that the Commercial 1 rate increase far exceeds the average calculated from Aqua's compliance data.

Major Issue #4 – The Percentage Rate Increases- continued

This chart is for Commercial 2 customers.



Like the two previous pages, there are only two data points on the left hand side of the chart that are below the average increase (green line). One is at zero consumption and the other is 1,000 gallons/quarter. However, once the volume exceeds 98,000 gallons/quarter, the increase is slightly below the average. It is still visually obvious that the Commercial 2 rate increase far exceeds the average calculated from Aqua's compliance data.

As the above four charts have shown it is visually obvious that Aqua's rate increase exceeds that permitted by the PUC. The real increase is probably over 78%. A more quantitative analysis of this increase follows.

Major Issue #4 – The Percentage Rate Increases- continued

The following table is a more quantitative estimate of the rate increases:

Customer Category	Aqua's Data	Estimated
Residential	59.2%	84%
Commercial 1	47.7%	57%
Commercial 2	25.7%	28%
Total New Garden	53.5%	>78%

The column labeled "Aqua's Data" is taken directly from the second page of Exhibit A. It is literally Aqua's data broken down by the three customer categories. The 53.5% for total New Garden is also noted in Aqua's tariff filing[4].

The estimated 84% increase for Residential customers is based on actual New Garden billing data. The calculation of this number is detailed in Exhibit E. The Commercial 1 & 2 estimates are based on the asymptotes from the chart at the start of this Major Issue #4. The average commercial increases are not going to be less than those seen by large customers on the right hand side of the chart. These two estimates likely understate the actual increase.

The 78% "Total New Garden" figure is arrived at by taking a weighed average of the three categories based on Aqua's volume data. Exhibit I has the details.

Aqua's collecting $4,428,399/yr from New Garden customers is based on an average increase of 53.5%. An actual increase of over 78% is another indicator that Aqua will be collecting revenue substantially in excess of that permitted by the PUC.

[4] 23-May-2022 tariff filing - https://www.puc.pa.gov/pcdocs/1745354.pdf - PDF page 155

Major Issue #5 – Aqua's Compliance Volumes Predate the Acquisition

Exhibit G is from a 21-Feb-2020 filing for Aqua's acquisition of New Garden's sewer system[5]. It is a Petition For Approval Of Settlement for Aqua's acquisition of New Garden's sewer. Exhibit G is PDF page 38 of the filing and is part of Aqua's William Packer's explanation of the impact of the acquisition on rates.

The usage volumes highlighted in this table are identical to Aqua's compliance volumes in their 25-Aug-2021 rate filing and 23-May-2022 sewer tariff filing (links previously cited). But, this table predates the acquisition by 10 months. This seems unusual.

Aqua did have actual use data from New Garden per the following email:

From: Spencer Andress, AICP <thinker@gsi-cpl.com>
Sent: Wednesday, August 14, 2019 12:06 PM EDT
To: Packer, Jr., William C <WCPackerJr@aquaamerica.com>; Rafferty, Thomas F <TFRafferty@aquaamerica.com>
CC: Stahl, Alexander R <AStahl@aquaamerica.com>; Vince Pompo <vpompo@lambmcerlane.com>; Tony Scheivert <tscheivert@newgarden.org>
Subject: RE: Information from Spence
Attachment(s): "New Garden Sewer User Profile.pdf"

Bill,

Attached is my analysis of the revenue stream based on the old rates versus the revenue stream for each of the current/next (2019/2020/2021) three years based on the ordinance adopted last November. The data is from the second quarter 2018. I have not updated it recently but the information has not changed much and the difference would be inconsequential.

There is a lot of information but I think it is formatted in a way that makes it easy to interpret and understand. The sheet showing the accounts does NOT include all accounts but is the summary page for each type of account.

Let me know if you have any questions. Please acknowledge receipt.

Spence

Attached to the above email was the Exhibit C graph and four other tables of use data.

The compliance volumes impact our sewer rates and should be based on actual customer use. When Aqua's rate case was filed, they had owned the New Garden system about eight months. Between that, New Garden's data and their other customer experience Aqua should have been able to accurately estimate usage volumes. Instead, they used data that predated the acquisition and does not reflect actual customer use. This should not be acceptable to the PUC.

[5] PUC docket case No. A-2016-2580061 - 21-Feb-2020 settlement filing
https://www.puc.pa.gov/pcdocs/1655518.pdf

Major Issue #6 – The Total Volume Used By New Garden Customers

Data provided by New Garden Township (Exhibit F) shows that 126,464,000 gallons were billed during the last four quarters that New Garden owned the system. Aqua's compliance data in Exhibit A shows their total annual volume as 103,993,500 gallons. That is 22,470,500 gallons less than actual New Garden experience. At the lowest billing rate, that difference could mean Aqua collecting over $500,000/year additional revenue. At the highest rate, it would be over $1,100,000/year.

What is the actual annual billed volume? This is a critical issue in determining Aqua's revenue.

Major Issue #7 – Disparity in the rate increases for the three customer categories

Reproducing the estimated increases from Major Issue #4:

Customer Category	Aqua's Data	Estimated
Residential	59.2%	84%
Commercial 1	47.7%	57%
Commercial 2	25.7%	28%
Total New Garden	53.5%	>78%

Both sets of data show residential customers paying a disproportionate share of the increase. In fact, the Commercial 2 customer using zero volume actually would see a small decrease. This is not an equitable sharing of the rate increase.

Other Issues related to compliance volumes

1. Aqua's compliance volumes have several remarkable coincidences:
    a. Aqua states that its residential customers use 9,580,000 gallons annually in the 0 - 1667 rate band (see Exhibit A). That is exactly 5,000 gallons/yr for each of the 1,916 residential customers.
    b. Aqua also states that its Commercial 1 customers use 855,000 gallons annually in the 0 - 1667 rate band (see Exhibit A). Again, that is exactly 5,000 gallons/yr for each of the 171 Commercial 1 customers.
    c. The same 5,000 gallons/yr holds true for that rate band in the Commercial 2 category. This is based on Mr. Packer's table in Exhibit G where he notes that there are 19 customers in that rate band (95,000/19 = 5,000).
    d. It is very seldom that actual data would average exactly 5,000 gallons. Three different and independent categories averaging the same exact number is significantly less likely.
2. Aqua's Commercial 1 data shows zero consumption in the "Over 5,000" gallon rate band. This is highly unlikely. In fact, Exhibit D shows one bill of 27,000 gallons for a Commercial 1 customer. The timing of that bill was before the rate filing in August-2021. Clearly, that rate band is not zero.

    Mr. Packer's data in Exhibit G also states a zero consumption for the over 5,000 gallon rate band. His very next line then states that the average Commercial 1 consumption is 6,820 gallons/month. How is possible to average 6,820 gallons/month when not a single customer is using over 5,000 gallons/month?

All these things taken together are additional evidence questioning the veracity of Aqua's compliance data. It supports that it was not based on actual use data.

Major Issue #8 – Aqua's revenue for "Purchased Wastewater"

On 20-August-2021 Aqua filed for a general rate increase[6]. Aqua then filed volumes 1 - 5 of their rate case documentation[7]. That filing detailed operating expenses for New Garden on Exhibit 1-G, Schedule C-1 (pdf page 664). Those expenses include a $1,200,000/yr cost for "Purchased Wastewater". The filing never identifies what "Purchased Wastewater" is.

During the public comment part of the rate setting process I questioned what was "Purchased Wastewater". It represented over 63% of operating expenses in one line item. Aqua addressed that question in their 1-Jun-2022 Main Brief[8] as follows:

> 2. Geoffrey Meyer, Peter Mrozinski and Bill Ferguson are neighbors and wastewater customers who testified at the public input hearing. They expressed concerns with the rate application filing and asked several questions. For example, they expressed concerns about purchased wastewater expense for New Garden. Mr. Duerr explained that purchased wastewater expense related to New Garden is costs for pumping and hauling wastewater for treatment at another location. The customers also expressed concerns about the size and complexity of the

So that was the cost to truck wastewater from New Garden's South End plant to other locations for disposal. New Garden had been doing that for several years and had noted it was costing about $100,000/month.

At the time Aqua filed its rate increase it was working on a pipeline to eliminate the trucking operation. And, according to Aqua's statements I will address shortly, that project would be complete within a couple of months. Therefore, Aqua knew or should have known that the trucking expense would go to zero well before any rate increase took effect. Aqua should have been forecasting zero trucking expense in its 3/21/23 pro forma year. The actual forecast Aqua based its costs on is $1,200,000/year.

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[6] This was the PUC's docket case R-2021-3027386.
[7] Vol 1 – 5 rate case filing - https://www.puc.pa.gov/pcdocs/1716839.pdf
[8] Aqua 1-Jun-2022 Main Brief - https://www.puc.pa.gov/pcdocs/1746285.pdf (Aqua's page 181 & pdf page 200)

Major Issue #8 – Aqua's revenue for "Purchased Wastewater" - continued

Aqua made a major filing in this rate case on 4-Jan-2022[9]. That filing repeated many parts of the original filing including the New Garden cost data of which the $1,200,000 is a part. That filing references Purchased Wastewater on pdf pages 667,669,671,687 and 1008. This filing was after the trucking ended, but the cost was still included.

The following items validate that Aqua was no longer trucking wastewater in New Garden:

#1 Aqua participated in a New Garden public meeting on 21-Nov-2022. After that meeting the president of Aqua PA sent New Garden ratepayers a letter dated 9-December-2022. The first page of Exhibit J is a copy of that letter with their trucking experience highlighted. It states that Aqua spent $800,000 on trucking while activating a pipeline. He clearly states that the pipeline replaced trucking. By the end of 2022 trucking of New Garden wastewater stopped.

#2 At the 21-Nov-2022 meeting noted above, Aqua's operations manager discussed the issues with New Garden's South End system. He noted that it took about eight months to activate an existing pipeline Once that was done, the cost of trucking was eliminated. Here is a link to a video of that meeting: https://www.facebook.com/Ginny4PA/videos/1221133465137182. The relevant part of the video starts at 1:30:00 and continues for about three minutes.

#3 Aqua files annual reports with the PUC. The second page of Exhibit J is from Aqua Wastewater's 2021 annual report (New Garden lines highlighted)[10]. It confirms that Aqua invested in two capital projects related to New Garden's South End operations. It states that the pipeline project was complete by yearend 2021.

Since the rate increase went into effect in May-2022, Aqua has been collecting $1,200,000/year from New Garden ratepayers for a cost they are not incurring. This cost must be removed from the revenue Aqua is allowed to collect from New Garden ratepayers. All funds collected so far should be refunded to customers.

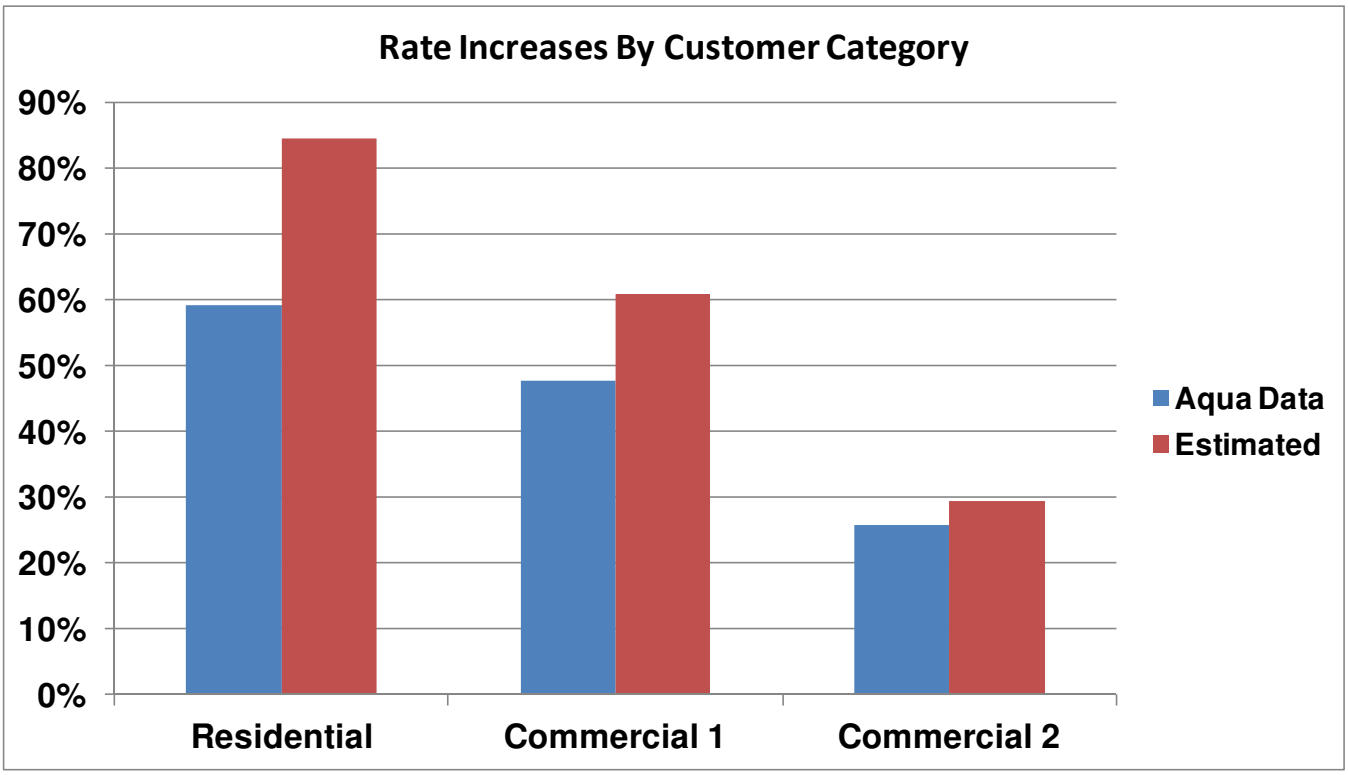
[9] Aqua rate case filing 4-jan-2022 - https://www.puc.pa.gov/pcdocs/1729409.pdf
[10] Aqua Wastewater 2021 annual report - https://www.puc.pa.gov/pcdocs/1754255.pdf

Conclusions

In its compliance filing for New Garden, Aqua presents a "Consumption Analysis" and "Billing Adjustments" that they claim shows compliance of their tariff filing with the PUC's allowed revenues. Aqua's data boils down to a set of nine consumption volumes plus the number of users in each category. The accuracy of this data is critical to correctly setting rates. If those numbers accurately represented actual New Garden volumes, Aqua would have indeed showed compliance with the revenues allowed by the PUC.

As this complaint has shown in detail, those consumption volumes bear no relationship to actual sewer use by New Garden customers. How is it possible that Aqua has demonstrated compliance as required?

One would expect that the three rate categories would have reasonably equal rate increases. This is not the case as shown by the following chart:



This chart is simply a picture of the data presented in Major Issue #7. Aqua's own data shows significantly higher rates for residential customers and lower rate increases for commercial customers, especially Commercial #2 customers. The New Garden estimates make the disparity even more pronounced. Is this equitable?

Conclusions - continued

Finally, Aqua is charging New Garden ratepayers $1,200,000/year for a cost they are not incurring. At the time of the rate filing Aqua was well advanced on efforts to eliminate this cost. They knew or should have known it would be zero by the time of the rate increase.

In summary, the major conclusions are:

1. Aqua's compliance volumes do not reflect actual use and compliance is questionable.
2. There is inequity among the customer categories.
3. Aqua is collecting $1,200,000/year for a nonexistent cost.
4. Beyond the trucking cost, there is a high probability that Aqua's impossible compliance volumes results in their collecting significant revenue in excess of that permitted by the PUC.

Recommendations

#1 The first issue to be resolved is the accuracy of Aqua's compliance data. This could be resolved easily by requiring Aqua to report to the PUC actual EDU (equivalent dwelling units) and volume use data. Aqua has owned the system long enough to have two full twelve month use periods. For both periods they should provide the data highlighted in the following table:

Reconcillation Data Table

	# EDU Bills	Annual Billed Gallons	Tariff Rate	Revenue
Residential				
Fixed charge			$136.380	$0
0 - 15,000			$23.259	$0
Over 15,000			$33.435	$0
Totals		0		$0
Commerical #1				
Fixed charge			$187.560	$0
0 - 15,000			$34.850	$0
Over 15,000			$44.868	$0
Totals		0		$0
Commerical #2				
Fixed charge			$187.560	$0
0 - 15,000			$44.580	$0
Over 15,000			$50.000	$0
Totals		0		$0
Grand Total				$0

#2 Applying tariff rates to Aqua's data in the above table will enable the PUC to determine whether Aqua is exceeding its revenue limit.

#3 The PUC should reduce the revenue Aqua is allowed to collect from New Garden ratepayers from $4,428,399/yr to $3,228,399/yr. This represents a reduction of $1,200,000/yr for the trucking cost Aqua eliminated before the rate increase went into effect.

Recommendations - continued

#4 Aqua should be required to revise its tariff schedule for New Garden. It should conform to an allowed revenue of $3,228,399/yr, actual use volumes and be equitable among the customer categories.

#5 From the start of the May-2022 rate increase, the PUC should require Aqua to recalculate all ratepayer bills based on the revised tariffs. All overcharges should be refunded to customers.

#6 Aqua's use of impossible compliance data and charging ratepayers for nonexistent costs is inexcusable. In such cases, making the customer whole after the fact is not an adequate solution. Aqua needs to pay a penalty as incentive to prevent similar cases in the future. Two penalties are appropriate:

- A Require Aqua to refund double the over charges. New Garden customers should receive a full refund of overcharges. The doubling or "penalty" dollars should be distributed to all Aqua ratepayers.
- B At the conclusion of the rate setting case in May-2022, the PUC awarded Aqua a 0.25% Return On Equity (ROE) "management bonus". This compliant is strong evidence that Aqua does not deserve such a "bonus". That "bonus" should be eliminated retroactive to the rate increase date. Aqua should revise its tariffs and make appropriate refunds to all its Pennsylvania customers.

These actions are needed to fulfill the PUC's responsibility to ratepayers.

Exhibit A

Aqua's Compliance Data

The following table is Aqua's compliance data from PDF pages 157 -162 of their tariff filing. This is Aqua's Exhibit 5-B Compliance data for New Garden. The cells highlighted in yellow are the actual data copied from the filing. This table merely organizes Aqua's data into one page. Aqua breaks their filing into "Consumption Analysis" and "Billing Adjustments".

Consumption Analysis

Bold *Italic* Numbers are data from Aqua's tariff filing

		# Bills	Gallons	Present Revenue	Proposed Revenue	Increase
	Residential					
Page 157	Monthly Fixed	6,080		$228,826	$276,391	20.8%
	0 - 1667		9,505,500	$0	$221,088	117.4%
	up to 5,000		12,104,100	$183,618	$281,528	53.3%
	Over 5,000		4,405,400	$86,567	$147,295	70.2%
	Totals	6,080	26,015,000	$499,011	$926,302	85.6%
	Commerical #1					
	Monthly Fixed	1,177		$62,041	$73,592	18.6%
	0 - 1667		1,823,000	$0	$63,533	121.0%
	up to 5,000		1,602,300	$37,655	$55,842	48.3%
	Over 5,000		864,700	$26,070	$38,796	48.8%
	Totals	1,177	4,290,000	$125,766	$231,763	84.3%
	Commerical #2					
	Monthly Fixed	90		$5,800	$5,639	-2.8%
	0 - 1667		145,000	$0	$6,464	108.7%
	up to 5,000		242,000	$7,991	$10,788	35.0%
	Over 5,000		340,000	$14,168	$17,000	20.0%
	Totals	90	727,000	$27,959	$39,891	42.7%
	Total commercial	1,267	5,017,000	$153,725	$271,654	76.7%
	P157 Totals	7,347	31,032,000	$652,736	$1,197,956	83.5%
#'s 1 - 6 all are combined residential and commercial						
Pages 158 & 159						
	#1 p.158	3	29,800	$768	$1,973	156.9%
	#2 p.158	10	3,500	$1,873	$2,797	49.3%
	#3 p.158	3	44,700	$1,077	$2,267	110.5%
	#4 p.158	3	16,000	$453	$1,170	158.3%
	#5 p.159	6	10,000	$768	$1,445	88.2%
	#6 p.159	12	78,000	$2,208	$4,436	100.9%
	Public p.159	4	24,000	$513	$880	71.5%
totals		41	206,000	$7,660	$14,968	95.4%
	Three page subtotal	7,388	31,238,000	$660,396	$1,212,924	
	Aqua's New Garden totals	7,388	31,238,100	$660,396	$1,212,924	
	Difference Vs aqua	0	-100	$0	$0	

Billing Adjustments

Bold *Italic* Numbers are data from Aqua's tariff filing

		# Bills	Gallons	Present Revenue	Proposed Revenue	Increase
	Residential					
Page 160	Monthly Fixed	16,912		$636,516	$768,826	20.8%
	0 - 1667		74,500	$0	$1,733	21.1%
	up to 5,000		5,722,000	$86,803	$133,089	53.3%
	Over 5,000		54,353,200	$1,068,040	$1,817,299	70.2%
	Totals	16,912	60,149,700	$1,791,359	$2,720,947	51.9%
	Commerical #1					
	Monthly Fixed	875		$46,113	$54,699	18.6%
	0 - 1667		-968,000	$0	-$33,736	-54.5%
	up to 5,000		11,547,100	$271,356	$402,416	48.3%
	Over 5,000		-864,700	-$26,070	-$38,796	48.8%
	Totals	875	9,714,400	$291,399	$384,583	32.0%
	Commerical #2					
	Monthly Fixed	242		$15,585	$15,152	-2.8%
	0 - 1667		-50,000	$0	-$2,229	-17.1%
	up to 5,000		1,735,000	$57,290	$77,347	35.0%
	Over 5,000		1,412,400	$58,854	$70,619	20.0%
	Totals	242	3,097,400	$131,729	$160,889	22.1%
	Total commercial	1,117	12,811,800	$423,128	$545,472	28.9%
	P160 Totals	18,029	72,961,500	$2,214,487	$3,266,419	47.5%
#'s 1 - 6 all are combined residential and commercial						
Pages 161 & 162						
	#1 p.161	-3	-29,800	-$768	-$1,973	156.9%
	#2 p.161	-10	-3,500	-$1,873	-$2,797	49.3%
	#3 p.161	-3	-44,700	-1077	-2267	
	#4 p.161	-3	-16,000	-$453	-$1,170	158.3%
	#5 p.161	-6	-10,000	-$768	-$1,445	88.2%
	#6 p.162	-12	-78,000	-$2,208	-$4,436	100.9%
	Public p.162	-4	-24,000	-$513	-$880	71.5%
Page 159 totals		-41	-206,000	-$7,660	-$14,968	95.4%
	Three page subtotal	17,988	72,755,500	$2,206,827	$3,251,451	
	Aqua's total New Garden	17,988	72,755,500	$2,206,827	$3,251,451	
	Difference Vs aqua	0	0	$0	$0	

The table on the next page combines this data in the exact same format. Literally, the only action has been to add the two numbers from the same position of each table.

Exhibit A – continued

Combined Consumption and Billing Adjustments

	# Bills	Annual Gallons	Present Revenue	Proposed Revenue	Increase
Residential					
Monthly Fixed	22,992	0	$865,342	$1,045,217	20.8%
0 - 1667		9,580,000	$0	$222,821	
1667 - 5,000		17,826,100	$270,421	$414,617	53.3%
Over 5,000		58,758,600	$1,154,607	$1,964,594	70.2%
Totals	22,992	86,164,700	$2,290,370	$3,647,249	59.2%
Commerical #1					
Monthly Fixed	2,052	0	$108,154	$128,291	18.6%
0 - 1667		855,000	$0	$29,797	46.2%
1667 - 5,000		13,149,400	$309,011	$458,258	48.3%
Over 5,000		0	$0	$0	#DIV/0!
Totals	2,052	14,004,400	$417,165	$616,346	47.7%
Commerical #2					
Monthly Fixed	332	0	$21,385	$20,791	-2.8%
0 - 1667		95,000	$0	$4,235	17.0%
1667 - 5,000		1,977,000	$65,281	$88,135	35.0%
Over 5,000		1,752,400	$73,022	$87,619	20.0%
Totals	332	3,824,400	$159,688	$200,780	25.7%
Grand Total		103,993,500			
Total commercial	2,384	17,828,800	$576,853	$817,126	41.7%
Total of combined residential and commercial					
#1	0	0	$0	$0	
#2	0	0	$0	$0	
#3	0	0	$0	$0	
#4	0	0	$0	$0	
#5	0	0	$0	$0	
#6	0	0	$0	$0	
Public	0	0	$0	$0	
Total	0	0	$0	$0	
Discount to Residential			$0	-$64,378	
Other operating revenues			$17,382	$26,643	
Grand total	25,376	103,993,500	$2,884,605	$4,426,640	53.5%
PUC Authorized for New Garden			$2,889,080	$4,428,399	
Difference			-$4,475	-$1,759	
			-0.15%	-0.04%	

The data in this table is Aqua's claim that they have demonstrated compliance with the revenue permitted by the PUC. Given the volumes and tariff rates, the math does calculate to the PUC allowed revenue.

Exhibit A – continued

The critical data from the Combined Consumption and Billing Adjustments is the volume data. That is reproduced in the table below and is the basis for discussion in the major issues section.

Combined Consumption and Billing Adjustments		
		Annual
	# Bills	Gallons
Residential		
Monthly Fixed	22,992	
0 - 1667		9,580,000
1667 - 5,000		17,826,100
Over 5,000		58,758,600
Totals	22,992	86,164,700
Commerical #1		
Monthly Fixed	2,052	
0 - 1667		855,000
1667 - 5,000		13,149,400
Over 5,000		0
Totals	2,052	14,004,400
Commerical #2		
Monthly Fixed	332	
0 - 1667		95,000
1667 - 5,000		1,977,000
Over 5,000		1,752,400
Totals	332	3,824,400
Grand Total	25,376	103,993,500

The nine volume numbers highlighted in yellow and the three billing numbers highlighted in pink are Aqua's compliance data condensed into one table.

Exhibit B

This section shows the impossibility of the residential consumptions in Aqua's compliance data in the following table:

	# Bills	Annual Gallons
Residential		
Monthly Fixed	22,992	
0 - 1667		9,580,000
1667 - 5,000		17,826,100
Over 5,000		58,758,600
Totals	22,992	86,164,700

First, it must be understood how actual customer bills relate to these rate band volumes. The following is an example for a customer being billed for using 25,000 gallons in one billing period. His use would be distributed in the above table as follows:

Rate Band	Gallons
0 - 1667	1,667
1667 – 5,000	3,333
Over 5,000	20,000
Total Bill	25,000

Large users contributing to multiple rate bands leads to interactions that make for impossible situations. To illustrate, assume the over 5,000 user averages 12,000 gallons/month. That means:

700 customers are needed to fill the over 5,000 rate band
[= 58,758,600/(12,000 – 5,000)/12].

Those 700 customers would contribute 27,980,286 gallons to the "1667 - 5,000" rate band
[= 700 x 3333 x 12].

27,980,286 gallons is far greater than the actual volume for the "1667 - 5,000" rate band. Therefore, it is an impossible situation. This situation persists until the average user in that rate band exceeds 16,000 gallons per month.

Exhibit B – continued

When the average bill exceeds 16,000 gallons/month another impossible situation develops. There must be 1,303 customers with zero consumption to make the rate band volumes match. The math here is more involved because multiple rate bands are involved. The following table is an illustration where the over 5,000 user averages 21,000 gallons/month. The next page goes through this table step by step.

Residential Customers Using Over 5,000 gallons/Month				
	Average Monthly Bill	Number Customers Required	Annual Volume	Rate Band
	21,000	306	58,758,600	>5,000
			12,241,375	1667- 5,000
			6,120,688	<1667
			77,120,663	total
	Customers Using 1667 - 5,000 gallons/Month			
Remaining 1667 - 5,000 Annual Volume	Monthly Bill 1667- 5,000	Number Customers Required	Annual Volume	Rate Band
			0	>5,000
5,584,725	5,000	140	5,584,725	1667- 5,000
			2,792,363	<1667
			8,377,088	total
	Customers Using <1667 gallons/Month			
			Annual Volume	Rate Band
Remaining 0- 1667 Annual Volume	Monthly Bill 0- 1667	Number Customers Required		
			0	>5,000
			0	1667- 5,000
666,950	333	167	666,950	<1667
			666,950	total
613	Customers being billed with consumption > 0			
1,303	Customers with zero consumption			
			Cross Check	
Billing Consumptions		**Annual gallons**		
	<1667	9,580,000	0	
	1667- 5,000	17,826,100	0	
	>5,000	58,758,600	0	
		86,164,700	0	

Exhibit B – continued

For the over 5,000 gallons/month rate band:

306 customers are required to achieve the 58,758,600 gallons/year.
[= 58,758,600/12/(21,000-5,000)].

Those 306 customers also contribute:

12,241,375 gallons to the "1667 - 5,000" rate band [= 306*12*3,333]

6,120,688 gallons to the "0 - 1667" rate band. [= 306*12*1,667]

For the 1,667 - 5,000 gallons/month rate band:

5,584,725 gallons are left to consume. [17,826,100 – 12,241,375]

Assume that all customers in this rate band will use the full 5,000 gallon/month. This is the most favorable assumption to minimize the number of customers with zero consumption.

140 customers are required [= 5,584,725/12/3333].

These 140 customers also contribute 2,792,363 gallons to the "0 - 1667" rate band.
[= 140*12*1,667]

For the 0 – 1,667 gallons/month rate band:

666,950 gallons are left to consume [9,580,000 – 6,120,688 – 2,792,363].

To minimize the number of zero use customers, assume the lowest use by a customer in this rate band. New Garden customers are billed quarterly in increments of 1,000 gallons. Therefore, the smallest monthly bill would be 333 gallons.

167 customers produce this result [666,950/12/333].

Exhibit B – continued

The grand total is that only 613 customers have volumes greater than zero [306 + 140 + 167]. 1,303 must have zero consumption or else the compliance volumes cannot be achieved.

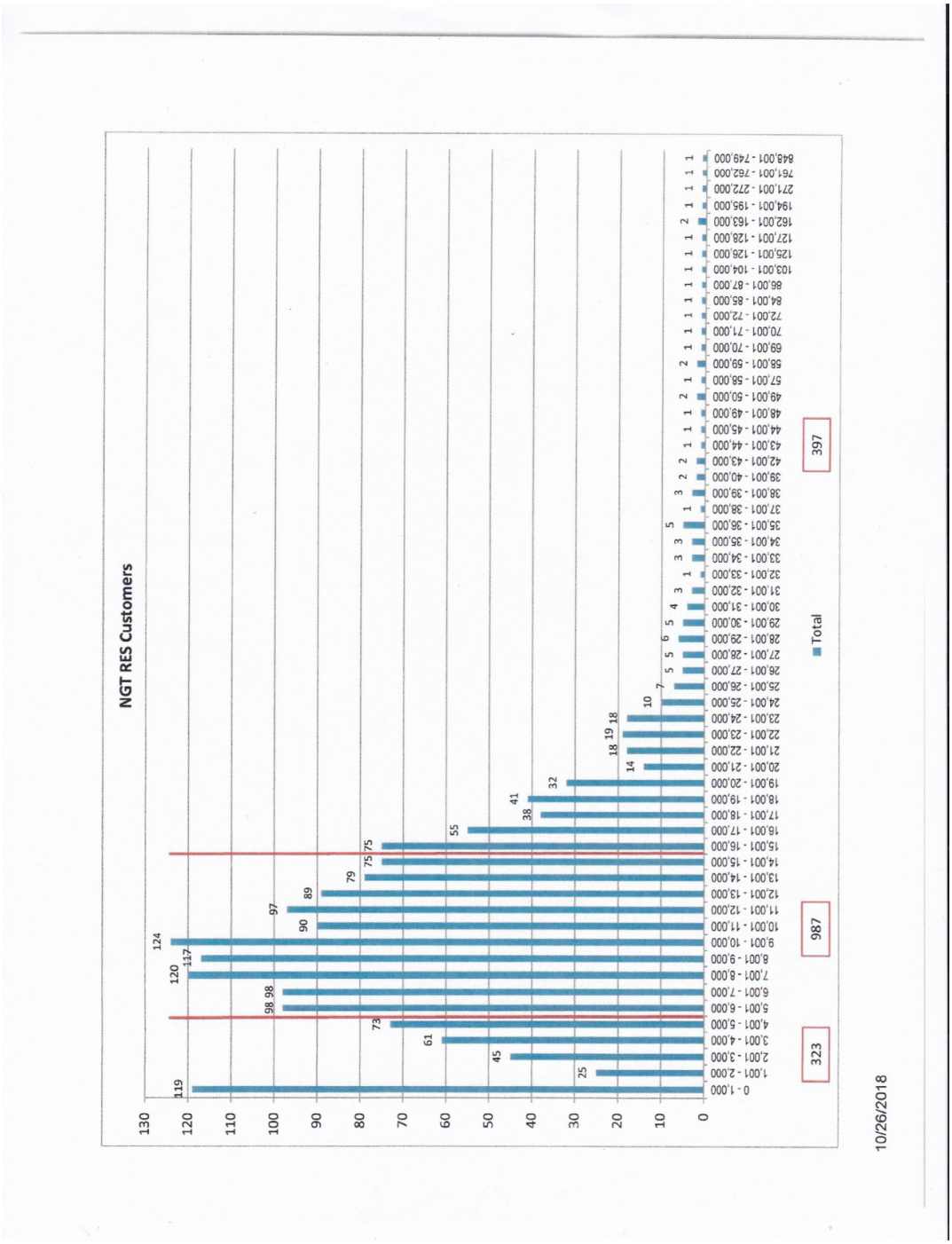
This methodology can be repeated for any monthly usage. As the following table shows, the result is always the same: Therefore, 1,303 customers must have zero consumption or else the compliance volumes cannot be achieved.

	Customer usage required for Aqua's Data			
Average				
Monthly	# Customers	# Customers	# Customers	# Customers
Volume	>5,000/mon	1667 - 5,000/mon	<1667/mon	@ zero
16,000	445	1	167	1,303
25,000	245	201	167	1,303
50,000	109	337	167	1,303
100,000	52	394	167	1,303
150,000	34	412	167	1,303
250,000	20	426	167	1,303

New Garden's data in Exhibit C shows only 119 customers with zero consumption. The conclusion is that Aqua's compliance data for residential customers is impossible to achieve.

Exhibit C

New Garden Township sewer use by residential customers



This data is for one quarter of the last year that New Garden owned and operated the sewer system. It was provided by New Garden Township officials. Note that the numbers on the bars provide quantitative data for use in Exhibit E.

Exhibit D

27,000 gallon sewer bill for a Commercial 1 customer

A UA. Essential

Service To:
HARROGATE NO CONDO ASSOC
200 SWAN RD
LANDENBERG, PA 19350

Account Number
002644629 1498186
NEW GARDEN WASTEWATER
2200680 PWSID # WQ1596432

Aqua Pennsylvania Wastewater
762 W. Lancaster Avenue
Bryn Mawr, PA 19010-3489

Toll Free: **877.987.2782**
Fax: **866.780.8292**
AquaAmerica.com

Questions about your sewer service? Contact us before the due date.

Bill Date	Total Amount Due	Current Charges Due Date
June 23, 2021	**$ 618.50**	**July 15, 2021**

Meter Data

Billing Period	Days	Usage	Units
04/29/21 01/27/21	92	27,000	Gallons

Average Daily Usage = 293 Gallons Total Days: 92 Total Usage: 27,000 Gallons

Billing Detail

Amount Owed from Last Bill	$ 789.25	
Total Payments Received	1,008.35	
Remaining Balance	**219.10**	Credit
Current Wastewater Charges	47.00	
Base User Charge	790.60	
Amount Due	**$ 618.50**	

Message Center (see reverse side for other information)

- The due date refers to current charges and any deferred payment amount only. If you do not pay your bill on time, your service could be subject to interruption. To ensure proper credit, please remember to provide your full 16-digit account number when paying your bill.

RETURN THIS PORTION WITH YOUR PAYMENT

A UA. Essential

Aqua Pennsylvania Wastewater
762 W. Lancaster Avenue • Bryn Mawr, PA 19010-3489

MAKE CHECK PAYABLE TO:
Aqua PA WW

Account Number
002644629-1498186

Please do not remit payment to the above address

DUE DATE	TOTAL AMOUNT DUE
07/15/2021	**$618.50**

Cyc=2026 Tup=3125877 Seq=8068

Amount Enclosed $

*****AUTO**MIXED AADC 197 C 23 P 1 8068 1 AB 0.425

HARROGATE NO CONDO ASSOC
C/O KIMBERTON PROPERTY MANAGEM
PO BOX 683
KIMBERTON PA 19442-0683

AQUA PENNSYLVANIA
PO BOX 70279
PHILADELPHIA PA 19176-0279

00264462914981860000000618508

Exhibit E

The following table quantitatively estimates the rate increase for residential customers. It was prepared from the New Garden volume chart in Exhibit C. It applies the old and new rates for each use volume. The ratio of the total dollars at the bottom gives a dollar weighted average increase for residential customers.

	Residential Based on One Quarter of NGT Data					
Billing Volume	Number Bills	Old Bill Amount	Total Dollars	New Bill Amount	Total Dollars	Increase
0	119	$112.91	$13,436.29	$136.38	$16,229.22	20.8%
1	25	$112.91	$2,822.75	$159.64	$3,990.98	41.4%
2	45	$112.91	$5,080.95	$182.90	$8,230.41	62.0%
3	61	$112.91	$6,887.51	$206.16	$12,575.58	82.6%
4	73	$112.91	$8,242.43	$229.42	$16,747.37	103.2%
5	98	$112.91	$11,065.18	$252.68	$24,762.15	123.8%
6	98	$128.08	$12,551.84	$275.93	$27,041.53	115.4%
7	120	$143.25	$17,190.00	$299.19	$35,903.16	108.9%
8	117	$158.42	$18,535.14	$322.45	$37,726.88	103.5%
9	124	$173.59	$21,525.16	$345.71	$42,868.16	99.2%
10	90	$188.76	$16,988.40	$368.97	$33,207.30	95.5%
11	97	$203.93	$19,781.21	$392.23	$38,046.21	92.3%
12	89	$219.10	$19,499.90	$415.49	$36,978.43	89.6%
13	79	$234.27	$18,507.33	$438.75	$34,661.01	87.3%
14	75	$249.44	$18,708.00	$462.01	$34,650.45	85.2%
15	75	$264.61	$19,845.75	$485.27	$36,394.88	83.4%
16	55	$284.26	$15,634.30	$518.70	$28,528.50	82.5%
17	38	$303.91	$11,548.58	$552.14	$20,981.13	81.7%
18	41	$323.56	$13,265.96	$585.57	$24,008.37	81.0%
19	32	$343.21	$10,982.72	$619.01	$19,808.16	80.4%
20	14	$362.86	$5,080.04	$652.44	$9,134.16	79.8%
21	18	$382.51	$6,885.18	$685.88	$12,345.75	79.3%
22	19	$402.16	$7,641.04	$719.31	$13,666.89	78.9%
23	18	$421.81	$7,592.58	$752.75	$13,549.41	78.5%
24	10	$441.46	$4,414.60	$786.18	$7,861.80	78.1%
25	7	$461.11	$3,227.77	$819.62	$5,737.31	77.7%
26	5	$480.76	$2,403.80	$853.05	$4,265.25	77.4%
27	5	$500.41	$2,502.05	$886.49	$4,432.43	77.2%
28	6	$520.06	$3,120.36	$919.92	$5,519.52	76.9%
29	5	$539.71	$2,698.55	$953.36	$4,766.78	76.6%
30	4	$559.36	$2,237.44	$986.79	$3,947.16	76.4%
31	3	$579.01	$1,737.03	$1,020.23	$3,060.68	76.2%
32	1	$598.66	$598.66	$1,053.66	$1,053.66	76.0%
33	3	$618.31	$1,854.93	$1,087.10	$3,261.29	75.8%
34	3	$637.96	$1,913.88	$1,120.53	$3,361.59	75.6%
35	5	$657.61	$3,288.05	$1,153.97	$5,769.83	75.5%
37	1	$696.91	$696.91	$1,220.84	$1,220.84	75.2%
38	3	$716.56	$2,149.68	$1,254.27	$3,762.81	75.0%
39	2	$736.21	$1,472.42	$1,287.71	$2,575.41	74.9%
42	2	$795.16	$1,590.32	$1,388.01	$2,776.02	74.6%
43	1	$814.81	$814.81	$1,421.45	$1,421.45	74.5%
44	1	$834.46	$834.46	$1,454.88	$1,454.88	74.3%
48	1	$913.06	$913.06	$1,588.62	$1,588.62	74.0%
49	2	$932.71	$1,865.42	$1,622.06	$3,244.11	73.9%
57	1	$1,089.91	$1,089.91	$1,889.54	$1,889.54	73.4%
58	2	$1,109.56	$2,219.12	$1,922.97	$3,845.94	73.3%
69	1	$1,325.71	$1,325.71	$2,290.76	$2,290.76	72.8%
70	1	$1,345.36	$1,345.36	$2,324.19	$2,324.19	72.8%
72	1	$1,384.66	$1,384.66	$2,391.06	$2,391.06	72.7%
84	1	$1,620.46	$1,620.46	$2,792.28	$2,792.28	72.3%
86	1	$1,659.76	$1,659.76	$2,859.15	$2,859.15	72.3%
103	1	$1,993.81	$1,993.81	$3,427.55	$3,427.55	71.9%
125	1	$2,426.11	$2,426.11	$4,163.12	$4,163.12	71.6%
127	1	$2,465.41	$2,465.41	$4,229.99	$4,229.99	71.6%
162	2	$3,153.16	$6,306.32	$5,400.21	$10,800.42	71.3%
194	1	$3,781.96	$3,781.96	$6,470.13	$6,470.13	71.1%
271	1	$5,295.01	$5,295.01	$9,044.63	$9,044.63	70.8%
761	1	$14,923.51	$14,923.51	$25,427.78	$25,427.78	70.4%
848	1	$16,633.06	$16,633.06	$28,336.62	$28,336.62	70.4%
			$414,102.61		$763,410.62	84.4%

Exhibit F

New Garden Township sewer billings for its last 12 months of ownership.

New Garden Township Sewer Billing Data.
For the 12 month period 4Q2019 – 3Q2020
Received 22 Oct 2022

Hi Steve – here's the information we discussed this morning:

Total # of EDU's	=	2,625
Total gallon consumption billed in 2020		
Avondale Sewer	=	29,413,000
Kennett Sewer	=	59,764,000
Somerset Sewer	=	37,287,000
Total Gallons	=	126,464,000
% Commercial Accounts	=	Total # of Accounts is 1904 Total # of Commercial Accounts is 137 Percentage is 7.2%

Hope this is what you were looking for. Let me know if you need any additional information.

Hey Steve – one of the reports I ran last week actually broke down usage for Commercial vs. Residential so it was easy to find.

Out of the 126,464,000 gallons used in 2020, 25,250,000 were Commercial (this includes Commercial 1, Commercial 2, and mixed accounts) for all 3 plants which equates to 19.97%.

Hope this helps.

Exhibit G

The following table is from a Petition For Approval Of Settlement for Aqua's acquisition of New Garden's sewer[11]. It is part of Aqua's William Packer explaining the impact of the acquisition on rates. The relevant volumes are highlighted for convenience.

Aqua Pennsylvania Wastewater, Inc.
Calculation of New Garden Wastewater - Present Revenues

	Usage (Kgals)		Revenue*
1,916 Residential customers ^			
Base rate of $112.91 per quarter for 0 to 5,000 gallons x 4 quarters	9,580	$	865,000
Charges per quarter for 5,001 to 15,000 gallons x 4 quarters	17,826	$	270,422
Charges per quarter over 15,000 gallons x 4 quarters	58,759	$	1,154,607
Average Monthly Usage - Residential Class	3.75		
	45		
171 Commercial 1 customers ^			
Base rate of $158.12 per quarter for 0 to 5,000 gallons x 4 quarters	855	$	108,000
Charges per quarter for 5,001 to 15,000 gallons x 4 quarters	13,149	$	309,011
Charges per quarter over 15,000 gallons x 4 quarters	0	$	-
Average Monthly Usage - Commercial 1 Class	6.82		
19 Commercial 2 customers ^			
Base rate of $192.92 per quarter for 0 to 5,000 gallons x 4 quarters	95	$	15,000
Charges per quarter for 5,001 to 15,000 gallons x 4 quarters	1,977	$	65,281
Charges per quarter over 15,000 gallons x 4 quarters	1,752	$	73,022
Average Monthly Usage - Commercial 2 Class	16.77		
Average Monthly Usage - Commercial 1 & 2 Class	7.82		
0 Industrial customers ^			
Base rate of $423.50 per quarter for 0 to 5,000 gallons x 4 quarters	0	$	-
Charges per quarter for 5,001 to 15,000 gallons x 4 quarters	0	$	-
Charges per quarter over 15,000 gallons x 4 quarters	0	$	-
Total Annual Projected Revenue		**$**	**2,860,343**

[11] 21-Feb-2020 Settlement petition for Aqua's purchase of New Garden's sewer system https://www.puc.pa.gov/pcdocs/1655518.pdf PDF page 38

Exhibit H

For the convenience of the user, this section reproduces the six pages of Aqua's compliance data for New Garden customers (23-May-2022, link previously cited). It is Exhibit 5-B Compliance, pages 87 – 92. In the pdf file it is pages 157 – 162.

AQUA PENNSYLVANIA, INC.
WASTEWATER - RATE ZONE 11
NEW GARDEN DIVISION
APPLICATION OF PRESENT AND PROPOSED RATES TO CONSUMPTION ANALYSIS
FOR THE TWELVE MONTHS ENDED MARCH 31, 2021

Rate Block, 100 Gallons	Number of Bills	Consumption, 100 Gallons	Present Rate	Present Revenue	Proposed Rate	Proposed Revenue
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Residential - Monthly				
Customer Charge						
5/8	6,080	-	$ 37.64	$ 228,826	$ 45.46	$ 276,391
Subtotal	6,080	-		228,826		276,391
Allowance (1,667 Gallons)		95,055	-	$ -	2.3259	$ 221,088
1st block (up to 5,000 gallons)		121,041	1.5170	183,618	2.3259	281,528
2nd block (Over 5,000 gallons)	-	44,054	1.9650	86,567	3.3435	147,295
Subtotal	-	260,150		270,185		649,911
Total Metered	6,080	260,150		$ 499,011		$ 926,302
		Commercial 1 - Monthly				
Customer Charge						
5/8	1,177	-	$ 52.71	$ 62,041	$ 62.52	$ 73,592
Subtotal	1,177	-		62,041		73,592
Allowance (1,667 Gallons)		18,230	-	$ -	3.4850	$ 63,533
1st block (up to 5,000 gallons)		16,023	2.3500	37,655	3.4850	55,842
2nd block (Over 5,000 gallons)	-	8,647	3.0150	26,070	4.4868	38,796
Subtotal	-	42,901		63,725		158,171
Total Metered	1,177	42,901		$ 125,766		$ 231,763
		Commercial 2 - Monthly				
Customer Charge						
5/8	90	-	$ 64.31	$ 5,800	$ 62.52	$ 5,639
Subtotal	90	-		5,800		5,639
Allowance (1,667 Gallons)		1,450	-	$ -	4.4580	$ 6,464
1st block (up to 5,000 gallons)		2,420	3.3020	7,991	4.4580	10,788
2nd block (Over 5,000 gallons)	-	3,400	4.1670	14,168	5.0000	17,000
Subtotal	-	7,270		22,159		34,252
Total Metered	90	7,270		$ 27,959		$ 39,891
Total Commercial	1,267	50,171		$ 153,725		$ 271,654

Exhibit H - continued

AQUA PENNSYLVANIA, INC.
WASTEWATER - RATE ZONE 11
NEW GARDEN DIVISION
APPLICATION OF PRESENT AND PROPOSED RATES TO CONSUMPTION ANALYSIS
FOR THE TWELVE MONTHS ENDED MARCH 31, 2021

Rate Block, 100 Gallons	Number of Bills	Consumption, 100 Gallons	Present Rate	Present Revenue	Proposed Rate	Proposed Revenue
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Combined Residential & Commercial - Monthly					
Customer Charge						
5/8	3	-	$ 218.32	$ 655	$ 311.55	$ 935
Subtotal	3	-		655		935
Allowance (1,667 Gallons)		250	-	$ -	3.4850	$ 871
1st block (up to 5,000 gallons)		48	2.3500	113	3.4850	167
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	298		113		1,038
Total Metered	3	298		$ 768		$ 1,973
	Combined Residential & Commercial - Monthly					
Customer Charge						
5/8	10	-	$ 180.69	$ 1,873	$ 257.85	$ 2,673
Subtotal	10	-		1,873		2,673
Allowance (1,667 Gallons)		35	-	$ -	3.4850	$ 124
1st block (up to 5,000 gallons)		-	2.3500	-	3.4850	-
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	35		-		124
Total Metered	10	35		$ 1,873		$ 2,797
	Combined Residential & Commercial - Monthly					
Customer Charge						
5/8	3	-	$ 165.62	$ 497	$ 236.34	$ 709
Subtotal	3	-		497		709
Allowance (1,667 Gallons)		200	-	$ -	3.4850	$ 697
1st block (up to 5,000 gallons)		247	2.3500	580	3.4850	861
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	447		580		1,558
Total Metered	3	447		$ 1,077		$ 2,267
	Combined Residential & Commercial - Monthly					
Customer Charge						
5/8	3	-	$ 143.05	$ 429	$ 204.14	$ 612
Subtotal	3	-		429		612
Allowance (1,667 Gallons)		150	-	$ -	3.4850	$ 523
1st block (up to 5,000 gallons)		10	2.3500	24	3.4850	35
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	160		24		558
Total Metered	3	160		$ 453		$ 1,170

Exhibit H - continued

AQUA PENNSYLVANIA, INC.
WASTEWATER - RATE ZONE 11
NEW GARDEN DIVISION
APPLICATION OF PRESENT AND PROPOSED RATES TO CONSUMPTION ANALYSIS
FOR THE TWELVE MONTHS ENDED MARCH 31, 2021

Rate Block, 100 Gallons	Number of Bills	Consumption, 100 Gallons	Present Rate	Present Revenue	Proposed Rate	Proposed Revenue
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Combined Residential & Commercial - Monthly				
Customer Charge						
5/8	6	-	$ 127.98	$ 768	$ 182.63	$ 1,096
Subtotal	6	-		768		1,096
Allowance (1,667 Gallons)		100	-	$ -	3.4850	$ 349
1st block (up to 5,000 gallons)		-	2.3500	-	3.4850	-
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	100		-		349
Total Metered	6	100		$ 768		$ 1,445
		Combined Residential & Commercial - Monthly				
Customer Charge						
5/8	12	-	$ 90.34	$ 1,084	$ 128.92	$ 1,547
Subtotal	12	-		1,084		1,547
Allowance (1,667 Gallons)		350	-	$ -	3.4850	$ 1,220
1st block (up to 5,000 gallons)		260	2.3500	611	3.4850	906
2nd block (Over 5,000 gallons)	-	170	3.0150	513	4.4868	763
Subtotal	-	780		1,124		2,889
Total Metered	12	780		$ 2,208		$ 4,436
Total Combined Residential & Commercial	37	1,820		$ 7,147		$ 14,088
Total Commercial & Combined	1,305	51,991		$ 160,872		$ 285,742
		Public - Monthly				
Customer Charge						
5/8	4	-	$ 52.71	$ 198	$ 62.52	$ 234
Subtotal	4	-		198		234
Allowance (1,667 Gallons)		61	-	$ -	2.2849	$ 140
1st block (up to 5,000 gallons)		82	1.5170	125	2.2849	188
2nd block (Over 5,000 gallons)	-	97	1.9650	190	3.2847	318
Subtotal	-	240		315		646
Total Metered	4	240		$ 513		$ 880
Total New Garden Division	7,388	312,381		$ 660,396		$ 1,212,924

Exhibit H - continued

AQUA PENNSYLVANIA, INC.
WASTEWATER - RATE ZONE 11
NEW GARDEN DIVISION
APPLICATION OF PRESENT AND PROPOSED RATES TO BILLING ADJUSTMENTS
FOR THE TWELVE MONTHS ENDED MARCH 31, 2021

Rate Block, 100 Gallons	Number of Bills	Consumption, 100 Gallons	Present Rate	Present Revenue	Proposed Rate	Proposed Revenue
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Residential - Monthly				
Customer Charge						
5/8	16,912	-	$ 37.64	$ 636,516	$ 45.46	$ 768,826
Subtotal	16,912	-		636,516		768,826
Allowance (1,667 Gallons)		745	-	$ -	2.3259	$ 1,733
1st block (up to 5,000 gallons)		57,220	1.5170	86,803	2.3259	133,089
2nd block (Over 5,000 gallons)	-	543,532	1.9650	1,068,040	3.3435	1,817,299
Subtotal	-	601,498		1,154,843		1,952,121
Total Metered	16,912	601,498		$ 1,791,359		$ 2,720,947
		Commercial 1 - Monthly				
Customer Charge						
5/8	875	-	$ 52.71	$ 46,113	$ 62.52	$ 54,699
Subtotal	875	-		46,113		54,699
Allowance (1,667 Gallons)		(9,680)	-	$ -	3.4850	$ (33,736)
1st block (up to 5,000 gallons)		115,471	2.3500	271,356	3.4850	402,416
2nd block (Over 5,000 gallons)	-	(8,647)	3.0150	(26,070)	4.4868	(38,796)
Subtotal	-	97,144		245,286		329,884
Total Metered	875	97,144		$ 291,399		$ 384,583
		Commercial 2 - Monthly				
Customer Charge						
5/8	242	-	$ 64.31	$ 15,585	$ 62.52	$ 15,152
Subtotal	242	-		15,585		15,152
Allowance (1,667 Gallons)		(500)	-	$ -	4.4580	$ (2,229)
1st block (up to 5,000 gallons)		17,350	3.3020	57,290	4.4580	77,347
2nd block (Over 5,000 gallons)	-	14,124	4.1670	58,854	5.0000	70,619
Subtotal	-	30,974		116,144		145,737
Total Metered	242	30,974		$ 131,729		$ 160,889
Total Commercial	1,117	128,118		$ 423,128		$ 545,472

Exhibit H - continued

AQUA PENNSYLVANIA, INC.
WASTEWATER - RATE ZONE 11
NEW GARDEN DIVISION
APPLICATION OF PRESENT AND PROPOSED RATES TO BILLING ADJUSTMENTS
FOR THE TWELVE MONTHS ENDED MARCH 31, 2021

Rate Block, 100 Gallons	Number of Bills	Consumption, 100 Gallons	Present Rate	Present Revenue	Proposed Rate	Proposed Revenue
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Combined Residential & Commercial - Monthly				
Customer Charge						
5/8	(3)	-	$ 218.32	$ (655)	$ 311.55	$ (935)
Subtotal	(3)	-		(655)		(935)
Allowance (1,667 Gallons)		(250)	-	$ -	3.4850	$ (871)
1st block (up to 5,000 gallons)		(48)	2.3500	(113)	3.4850	(167)
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	(298)		(113)		(1,038)
Total Metered	(3)	(298)		$ (768)		$ (1,973)
		Combined Residential & Commercial - Monthly				
Customer Charge						
5/8	(10)	-	$ 180.69	$ (1,873)	$ 257.85	$ (2,673)
Subtotal	(10)	-		(1,873)		(2,673)
Allowance (1,667 Gallons)		(35)	-	$ -	3.4850	$ (124)
1st block (up to 5,000 gallons)		-	2.3500	-	3.4850	-
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	(35)		-		(124)
Total Metered	(10)	(35)		$ (1,873)		$ (2,797)
		Combined Residential & Commercial - Monthly				
Customer Charge						
5/8	(3)	-	$ 165.62	$ (497)	$ 236.34	$ (709)
Subtotal	(3)	-		(497)		(709)
Allowance (1,667 Gallons)		(200)	-	$ -	3.4850	$ (697)
1st block (up to 5,000 gallons)		(247)	2.3500	(580)	3.4850	(861)
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	(447)		(580)		(1,558)
Total Metered	(3)	(447)		$ (1,077)		$ (2,267)
		Combined Residential & Commercial - Monthly				
Customer Charge						
5/8	(3)	-	$ 143.05	$ (429)	$ 204.14	$ (612)
Subtotal	(3)	-		(429)		(612)
Allowance (1,667 Gallons)		(150)	-	$ -	3.4850	$ (523)
1st block (up to 5,000 gallons)		(10)	2.3500	(24)	3.4850	(35)
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	(160)		(24)		(558)
Total Metered	(3)	(160)		$ (453)		$ (1,170)
		Combined Residential & Commercial - Monthly				
Customer Charge						
5/8	(6)	-	$ 127.98	$ (768)	$ 182.63	$ (1,096)
Subtotal	(6)	-		(768)		(1,096)
Allowance (1,667 Gallons)		(100)	-	$ -	3.4850	$ (349)
1st block (up to 5,000 gallons)		-	2.3500	-	3.4850	-
2nd block (Over 5,000 gallons)	-	-	3.0150	-	4.4868	-
Subtotal	-	(100)		-		(349)
Total Metered	(6)	(100)		$ (768)		$ (1,445)

Exhibit H - continued

AQUA PENNSYLVANIA, INC.
WASTEWATER - RATE ZONE 11
NEW GARDEN DIVISION
APPLICATION OF PRESENT AND PROPOSED RATES TO BILLING ADJUSTMENTS
FOR THE TWELVE MONTHS ENDED MARCH 31, 2021

Rate Block, 100 Gallons	Number of Bills	Consumption, 100 Gallons	Present Rate	Present Revenue	Proposed Rate	Proposed Revenue
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Combined Residential & Commercial - Monthly				
Customer Charge						
5/8	(12)	-	$ 90.34	$ (1,084)	$ 128.92	$ (1,547)
Subtotal	(12)	-		(1,084)		(1,547)
Allowance (1,667 Gallons)		(350)	-	$ -	3.4850	$ (1,220)
1st block (up to 5,000 gallons)		(260)	2.3500	(611)	3.4850	(906)
2nd block (Over 5,000 gallons)	-	(170)	3.0150	(513)	4.4868	(763)
Subtotal	-	(780)		(1,124)		(2,889)
Total Metered	(12)	(780)		$ (2,208)		$ (4,436)
Total Combined Residential & Commercial	(37)	(1,820)		$ (7,147)		$ (14,088)
Total Commercial & Combined	1,080	126,297		$ 415,981		$ 531,384
		Public - Monthly				
Customer Charge						
5/8	(4)	-	$ 52.71	$ (198)	$ 62.52	$ (234)
Subtotal	(4)	-		(198)		(234)
Allowance (1,667 Gallons)		(61)	-	$ -	2.2849	$ (140)
1st block (up to 5,000 gallons)		(82)	1.5170	(125)	2.2849	(188)
2nd block (Over 5,000 gallons)	-	(97)	1.9650	(190)	3.2847	(318)
Subtotal	-	(240)		(315)		(646)
Total Metered	(4)	(240)		$ (513)		$ (880)
Total New Garden Division	17,988	727,555		$ 2,206,827		$ 3,251,451

Exhibit I

The data below details the weighted average calculation for an estimated 78% New Garden increase noted in Major Issue #4.

Combined Consumption and Billing Adjustments			
		Annual	Percent of
	# Bills	Gallons	Total Volume
Residential			
Monthly Fixed	22,992		
0 - 1667		9,580,000	
1667 - 5,000		17,826,100	
Over 5,000		58,758,600	
Totals	22,992	86,164,700	82.9%
Commerical #1			
Monthly Fixed	2,052		
0 - 1667		855,000	
1667 - 5,000		13,149,400	
Over 5,000		0	
Totals	2,052	14,004,400	13.5%
Commerical #2			
Monthly Fixed	332		
0 - 1667		95,000	
1667 - 5,000		1,977,000	
Over 5,000		1,752,400	
Totals	332	3,824,400	3.7%
Grand Total	25,376	103,993,500	
Customer Category	**Weight**	**Increase**	**Contribution**
Residential	**82.9%**	**84.0%**	**69.6%**
Commercial 1	**13.5%**	**57.0%**	**7.7%**
Commercial 2	**3.7%**	**28.0%**	**1.0%**
		Weighted Average Increase	**78.3%**

Exhibit J

The following is Aqua's letter to New Garden ratepayers following up on the 21-Nov-2022 public meeting.

AQUA

An Essential Utilities Company

December 9, 2022

Dear New Garden Township Aqua Customer,

I want to thank township supervisors for inviting us to their November meeting with you to discuss the sewer system. My colleagues and I appreciated your questions and comments regarding sewer system operations and rates. An important point we shared at the meeting, which is worth repeating, is that our customer rates are set by the Pennsylvania Public Utility Commission (PUC) and that our requested rate adjustment was consistent with the agreement we made with the township including a 5,000-gallon allowance in your quarterly bill. The PUC, however, chose a different proposal presented in the case which is within their authority and they set your rates accordingly.

Other information we shared at the meeting focused on sewer system operations. Once your wastewater is treated, it is disposed of by spraying onto fields dedicated for this purpose. The facilities and spray field condition matter significantly to our operations and ability to protect the environment. Upon taking ownership, the condition of the facilities required that we immediately contact the PA Department of Environmental Protection to enter into an agreement in which we committed to improve operations. Initially, we had to truck excess treated wastewater from one wastewater treatment plant to another which cost more than $800,000. After several months, we replaced hauling with a pipeline connecting the two treatment plants. It was work our experienced, dedicated, and creative employees completed safely and expeditiously. Over the next 10-years we expect investment needs to be more than $11 million to sustain operations and environmental compliance. Please know that we will continue to evaluate alternatives that maintain operations, environmental compliance, and reduce capital investment and operational expense. We also discussed our active pursuit of grants and low-interest loans.

In closing, I want to say again that we are proud of the work we do, our commitment to environmental protection, the service we provide and are excited to be your sewer system service provider. I also want to remind you that we are aware how rates impact you and will continue to evaluate repair and replacement of these systems so that we may ensure uninterrupted, quality service and compliance. You can rest assured that we will never minimize our responsibility or avoid a challenge, so that your service is never compromised and the environment in which we operate will not suffer.

Sincerely,

Marc A. Lucca
President, Aqua Pennsylvania

Exhibit J - continued

The following is a page from Aqua's 2021 annual report to the PUC.

Aqua Pennsylvania Wastewater, Inc. — For the Year Ended December 31, 2021

(Company Name)

204. CONSTRUCTION WORK IN PROGRESS - Account No. 105.0

1. Describe the particulars concerning utility plant in process of construction but not ready for service at end of Calendar Year.
2. Describe separately each work order that exceeds an estimated expenditure of $250,000 or 1%, whichever is lesser, of the book cost of utility plant at the beginning of the year. All other work orders may be grouped by nature of project.

Line No.	Description of Work (a)		Balance End of Year (b)	Estimate Total Cost of Construction (c)	Projected In-Service Date (d)
1	15075081550	Media WWTP Upgrade - Phase II	17,486,621	18,236,621	12/31/21
2	15089491798	Penn Twp WWTP Upgrade I (B1-2)	1,551,373	4,751,373	12/31/22
3	15084087775	Rehab Thornhurst WWTP	772,704	3,772,704	10/31/22
4	15081003127	Pinecrest WWTP Upgrade	6,474	3,656,474	12/31/25
5	15079003128	Rivercrest WWTP Upgrade I	348,056	3,363,056	12/31/22
6	15088006258	Masthope WWTP Add Treatment Train	125,276	3,275,276	12/31/23
7	15087087776	Upgrade Laurel Lakes WWTP	414,727	2,764,727	12/31/23
8	15089216947	Lake Harmony Hydraulic Improvements	1,964,120	2,664,120	12/31/21
9	15070087544	Headworks Improvements-LW (A-1)	2,398,284	2,398,284	12/31/21
10	15025070312	W Springs WWTP Upgrades Phase 1A	506,350	1,923,350	12/31/23
11	15078006637	WH Collection System Imprv (2019)	129,008	1,659,008	12/31/22
12	15068017506	New Garden Spray Field Automation	1,361,970	1,361,970	3/31/22
13	15069214471	PennDot SR202 Sewer Relocation	94,259	1,339,259	12/31/22
14	15090014365	Delcora-Infrastructure	960,204	1,255,604	12/31/21
15	15089476471	Jenners Pond Pump Station Upgrade	1,136,148	1,186,148	12/31/21
16	15069111889	Cheltenham Sewer I&I Program	1,049,708	1,049,708	12/31/22
17	15071006585	Peddlers WWTP Upgrade PLC	1,306	1,011,306	12/31/22
18	15064013170	Stoney Creek Electical Upgrades	16,954	816,954	12/31/22
19	15089367286	TL West WWTP-CopperTrtmntAdd(WER)	761,945	761,945	6/30/22
20	15070091530	Rehab (6) Process Tanks- LWW	48,819	698,819	12/31/25
21	15068020333	New Garden Dry Line Activation	666,833	666,833	12/31/21
22	15063076694	Repl Effluent Pump Station - WWTP	87,522	637,522	12/31/22
23	15069311220	VCTS Elec Upg @ Wilson Rd PS	616,908	616,908	9/30/22
24	15083076711	ER Relocate & repl Bellacola PS	23,658	603,658	12/31/23
25	15063003132	Cove Village-Ballpark (Stratton) PS	94,252	601,752	12/31/24
26	15063003286	CV Replace Haystack PS	91,893	599,393	12/31/23
27	15078024405	WH Rehab Treatment Train A	595,817	595,817	12/1/21
28	15063003133	Cove Village Princess PS Replace	81,302	588,802	12/31/24

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APPENDIX B

FORMAL COMPLAINT FORM

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

Filing this form begins a legal proceeding and you will be a party to the case.
If you do not wish to be a party to the case, consider filing an informal complaint.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), email address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name _____

Street/P.O. Box _____ Apt # _____

City _____ State _____ Zip _____

County _____

Telephone Number(s) Where We Can Contact You During the Day (required):

(_____) _____ (home) (_____) _____ (mobile)

Email Address (required): _____

Utility Account Number (from your bill)_____

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____Zip _____

_____

2. Methods of Communication by the Commission

You have three options on how you would like to receive all communication from the Commission about your Complaint. By selecting one of the following three options, you are agreeing to receive all hearing notices, orders, and related documents about your Complaint in the manner selected.

Select one of the following options for receiving all communications from the Commission:

a. **eFiling**: You agree to open and use an eFiling account – free of charge through the Commission's website. By selecting this method you will be eServed. (This is the best way to receive, file, and submit documents).

Initial here if you are selecting eFiling:_____
(And create an eFiling account at http://www.puc.pa.gov/efiling/default.aspx)

b. **Email:** You agree to receive all documents by email (using the email you provided on page 1). Please note that you will only be able to receive documents from the Commission by email and will not be able to file documents by Email or Fax. To submit documents to the Commission you must create an eFiling account accessed at http://www.puc.pa.gov/efiling/default.aspx or mail your submissions.

Initial here if you are selecting Email service:_____

c. **First Class Mail:** You agree to be served only by First Class Mail (at the address on page 1 of this form).

Initial here if you are selecting First Class Mail service:_____

***If you do not select one of the three options above, the Commission will serve all documents to you by First Class Mail at the address listed on page 1 of this form.**

3. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

_____

4. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

□ Electric □ Gas □ Water □ Wastewater/Sewer □ Storm Water
□ Steam Heat □ Motor Carrier (taxi, moving co., limo)
□ Telephone/Telecommunications (local, long distance)

5. Reason for Complaint

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

□ The utility is threatening to shut off my service or has already shut off my service.
□ I would like a payment agreement.
□ Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.
□ I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.
□ Other (explain).

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

6. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

7. Protection From Abuse (PFA)/ Domestic Violence

Has a court granted you a "Protection From Abuse" order or any other order which provides clear evidence of domestic violence against you that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order or any other order for your personal safety or welfare?

YES ☐ NO ☐

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

8. Prior Utility Contact

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES ☐ NO ☐

Note: If you answered yes, move to Section 9. No further contact with the utility or company is required. If you answered no, answer the question in Section 8 b. and answer the question in Section 8 c. if relevant.

b. **If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?**

YES ☐ NO ☐

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

_____

_____

_____

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

9. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer **in this matter**, provide your lawyer's name, address, telephone number, and email address, (all required contact information). Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City_____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

10. Verification and Signature

You must sign your complaint. Individuals filing a Formal Complaint **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink. If you do not sign the Formal Complaint, the PUC will not accept it.**

Verification:

I _____, hereby state that the facts above set forth are true and correct (or 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).

_____ _____

(Signature of Complainant) **(Date)**

_____

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions**)**

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification must be signed by an authorized officer or authorized employee. If the Formal Complaint is not signed by one of these individuals, the PUC will not accept it.

11 How to File Your Formal Complaint

Electronically. You must create an account on the PUC's eFiling system, which may be accessed at http://www.puc.pa.gov/efiling/default.aspx.

Mail. Mail the completed form with your original signature and any attachments, by certified mail, priority mail, or overnight delivery to this address and retain the tracking information as proof of submission:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

If you are appealing a BCS decision: follow the directions in the cover letter you received from the Secretary's Bureau with the formal complaint form. ONLY Formal complaints appealing a BCS decision can be filed by fax, email or overnight delivery to meet filing deadlines. All other formal complaints MUST be efiled or mailed.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your Formal Complaint for your records. Please know that your complaint form and the utility's answer will not be published to the PUC's website. Once your complaint case moves to the Office of Administrative Law Judge, any filings you make should be marked confidential if you do not want them published to the website.

APPENDIX C

FORMAL COMPLAINT TO A PROPOSED RATE INCREASE FORM

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint to Proposed Rate Increase

Filing this form will make you a party to a legal proceeding or case.
If you do not wish to be a party to the case, consider filing a Comment to Proposed Rate Increase.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information (required)

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you. Failure to provide this information may cause your complaint to be considered as deficient.

Name _____

Street/P.O. Box _____ Apt # _____

City _____ State _____ Zip _____

County _____

Telephone Number(s) Where We Can Contact You During the Day (**required**):

(_____) _____ (home) (_____) _____ (mobile)

E-mail Address (**required**): _____

Utility Account Number (from your bill): _____

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. Name of Utility

Provide the full name of the utility who filed the proposed rate increase about which you are complaining. The name of your utility is on your bill.

_____

3. PUC Case Docket Number

Provide the Public Utility Commission case docket number (if known). It begins with the letter "R" and contains the year of filing and a 7-digit code, such as R-2014-1234567.

_____

4. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

□ ELECTRIC
□ GAS
□ WATER
□ STEAM HEAT
□ STORM WATER
□ WASTEWATER/SEWER
□ TELEPHONE/TELECOMMUNICATIONS (local, long distance)
□ MOTOR CARRIER (*e.g.* taxi, moving company, limousine)

5. Reason for Complaint

Explain why you oppose the company's proposed rate increase. Use additional paper if you need more space.

6. Requested Relief

How do you want your complaint to be resolved? Use additional paper if you need more space.

7. Legal Representation

If you are filing a Formal Complaint to Proposed Rate Increase as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are represented by a lawyer **in this matter**, provide your lawyer's name, address, telephone number, and e-mail address, (all required contact information). Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

8. Verification and Signature

You must sign your complaint. Individuals filing a Formal Complaint to Proposed Rate Increase **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink.** **If you do not sign the Formal Complaint to Proposed Rate Increase, the PUC will not accept it.** By filing this Formal Complaint to Proposed Rate Increase, you will be a party to the case. If you efile your formal rate complaint, an electronic signature is acceptable.

Verification:

I _____, hereby state that the facts above set forth are true and correct (or 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).

_____ _____

(Signature of Complainant) **(Date)**

_____

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions**)**

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification must be signed by an authorized officer or authorized employee. If the Formal Complaint to Proposed Rate Increase is not signed by one of these individuals, the PUC will not accept it.

9. How to File and Receive Service

You should electronically file your Formal Complaint to the Proposed Rate Increase with the Secretary. To do so, establish an account free of charge on the PUC's eFiling system, which may be accessed at http://www.puc.pa.gov/efiling/default.aspx.

If you do not electronically file your Formal Complaint to Proposed Rate Increase, mail the completed form (along with any attachments) to the address listed below:

By overnight delivery, certified, priority mail – retain tracking information as proof of submission.

	Secretary Pennsylvania Public Utility Commission 400 North Street 2nd Floor Harrisburg, Pennsylvania 17120

Note: Formal Rate Complaints sent by fax or e-mail will not be accepted.

Methods of Service by the Commission

You have three options on how you would like to receive all communication from the Commission about your Complaint. By selecting one of the following three options, you are agreeing to receive all hearing notices, orders, and related documents about your Complaint in the manner selected.

Select one of the following options for receiving all communications from the Commission:

a. **eFiling**: You agree to open and use an eFiling account – free of charge through the Commission's website. By selecting this method you will be eServed. (This is the best way to receive, file, and submit documents).

   Initial here if you are selecting eFiling:_____
   (And create an eFiling account at http://www.puc.pa.gov/efiling/default.aspx.

b. **Email:** You agree to receive all documents by email (using the email you provided on page 1). Please note that you will only be able to receive documents from the Commission by email and will not be able to file documents by Email or Fax. To submit documents to the Commission you must create an eFiling account accessed at http://www.puc.pa.gov/efiling/default.aspx or mail your submissions.

   Initial here if you are selecting Email service:_____

c. **First Class Mail:** You agree to be served only by First Class Mail (at the address on page 1 of this form).

   Initial here if you are selecting First Class Mail service:_____

***If you do not select one of the three options above, the Commission will serve all documents to you by First Class Mail at the address listed on page 1 of this form.**

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your Formal Complaint to Proposed Rate Increase for your records.

VERIFICATION

I, Erin M. Feeney, being Manager of Rates for Aqua Pennsylvania, Inc., hereby state that the fact above set forth are true and correct to the best of my knowledge, information, and belief and that I expect Aqua Pennsylvania Wastewater, Inc. 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: June 30, 2023

Erin Feeney

Erin M. Feeney