



Sydney N. Melillo, Esquire
Direct Dial: 215.665.3286
sydney.melillo@obermayer.com

Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
P: 215.665.3000
F: 215.665.3165

September 6, 2023

VIA ELECTRONIC FILING

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

RE: Docket No. A-2023-3042058 – Application of Pennsylvania-American Water Company to Acquire the Wastewater System Assets of the Sadsbury Township Municipal Authority

Dear Secretary Chiavetta:

We are counsel to the Sadsbury Township Municipal Authority (“STMA”) in the above matter, and are submitting, with this letter, STMA’s **Revised** Petition to Intervene. Please note that the original filing, dated September 5, 2023, contained an error with respect to STMA's business address. This error is corrected in the enclosed Revised Petition to Intervene.

This document is being served via electronic mail on all parties of record.

Very truly yours,

A handwritten signature in black ink that reads "S. Melillo".

Sydney N. Melillo

CC: All parties of record
Thomas S. Wyatt, Esq.
Matthew S. Olesh, Esq.

CERTIFICATE OF SERVICE

I, Sydney N. Melillo, Esq., hereby certify that I have served a true and correct copy of the foregoing document upon the following parties via electronic mail:

The Honorable The Honorable Katrina
Dunderdale, Administrative Law Judge
Nicholas Miskanic, Legal Assistant
Pennsylvania Public Utility Commission
kdunderdal@pa.gov
nmiskanic@pa.gov

Elizabeth Triscari, Esq.
Erin K. Fure, Esq.
Director, Corporate Counsel
Pennsylvania American Water Company
Erin.Fure@amwater.com

David P. Zambito, Esq.
Jonathan P. Nase, Esq.
Cozen O'Connor
dzambito@cozen.com
jnase@cozen.com

Sharon Webb, Esq.
Office of Small Business Advocate
swebb@pa.gov

Erin L. Gannon, Esq.
Office of Consumer Advocate
egannon@paoca.org

Richard Kanaskie, Esq.
Bureau of Investigation and Enforcement
rkanaskie@pa.gov

/s/ Sydney N. Melillo

Dated: September 6, 2023

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of Pennsylvania-American Water :
Company under Section 1102(a) of the Pennsylvania :
Public Utility Code, 66 Pa C.S. § 1102(a), for approval : Docket No. A-2023-3042058
of (1) the transfer, by sale, of substantially all of the :
Sadsbury Township Municipal Authority’s assets, :
properties and rights related to its wastewater collection :
and conveyance system to Pennsylvania-American :
Water Company, and (2) the rights of Pennsylvania- :
American Water Company to begin to offer or furnish :
wastewater service to the public in portions of Sadsbury :
Township, Pennsylvania, Lancaster County, :
Pennsylvania :

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.66, YOU MAY ANSWER THE ENCLOSED PETITION TO INTERVENE WITHIN TWENTY (20) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PETITION TO INTERVENE 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 SADSBRURY TOWNSHIP MUNICIPAL AUTHORITY.

/s/ Thomas Wyatt

Thomas Wyatt, Esquire (PA I.D. 89342)
Matthew S. Olesh, Esquire (PA I.D. 206553)
Sydney N. Melillo, Esquire (PA I.D. 328031)
Obermayer Rebmann Maxwell & Hippel, LLP
Centre Square West
1500 Market Street, Suite 3400
Philadelphia, PA 19102
Thomas.Wyatt@obermayer.com
Matthew.Olesh@obermayer.com
Sydney.Melillo@obermayer.com
*Counsel for Sadsbury Township Municipal
Authority*

Dated: September 6, 2023

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of Pennsylvania-American Water :
Company under Section 1102(a) of the Pennsylvania :
Public Utility Code, 66 Pa C.S. § 1102(a), for approval : Docket No. A-2023-3042058
of (1) the transfer, by sale, of substantially all of the :
Sadsbury Township Municipal Authority’s assets, :
properties and rights related to its wastewater collection :
and conveyance system to Pennsylvania-American :
Water Company, and (2) the rights of Pennsylvania- :
American Water Company to begin to offer or furnish :
wastewater service to the public in portions of Sadsbury :
Township, Pennsylvania, Lancaster County, :
Pennsylvania :

REVISED PETITION TO INTERVENE

Pursuant to 52 Pa. Code §§ 5.71, 5.72 and 5.74, the Sadsbury Township Municipal Authority (“STMA”), by and through its attorneys, Obermayer Rebmann Maxwell & Hippel LLP, hereby files with the Pennsylvania Public Utility Commission (the “Commission”) this Petition to Intervene in the above-captioned Application of Pennsylvania-American Water Company (“Pennsylvania-American”) for approval to acquire the wastewater collection and conveyance system of STMA (the “System”). The Application directly affects the interests of STMA, as the owner of the System to be acquired, which are not adequately represented by any existing party.

For the reasons that follow, STMA respectfully requests that the Commission grant its Petition to Intervene, and in support thereof avers as follows:

1. STMA is a municipal authority which owns, maintains, and operates the System that serves approximately two-hundred twenty-three (223) residential and twenty-eight (28) commercial customers in Sadsbury Township, Lancaster County (“Service Area”).
2. STMA’s business address is P.O. Box 11232 Lancaster PA 17605.

3. STMA is interested in the above-captioned docket as a party to the agreement under which Pennsylvania-American seeks approval to acquire the System.

4. STMA supports the Application filed by Pennsylvania-American at this docket.

5. 52 Pa. Code § 5.72 sets forth the eligibility requirements for a party to intervene and provides in part as follows:

(a) Persons. A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

(1) A right conferred by statute of the United States or of the Commonwealth.

(2) An interest which may be directly affected, and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.

(3) Another interest of such nature that participation of the petitioner may be in the public interest.

6. STMA seeks intervention in the proceeding for due cause shown for the following reasons:

(a) STMA is a party to the Asset Purchase Agreement (the "APA") whereby Pennsylvania-American agreed to purchase STMA's System, which provides wastewater service to approximately two-hundred twenty-three (223) residential and twenty-eight (28) commercial customers in the Service Area;

(b) Pennsylvania-American's Application relies on the STMA's consent to the sale of the System.

7. STMA has a substantial and bona fide interest in the subject matter of this docket and its interests cannot be represented or protected adequately by other existing parties to this docket.

8. As a party to the APA, STMA submits that its intervention is in the public interest.

9. STMA intends to play an active role in the Commission's decision-making process and its participation herein will not unduly prejudice any party.

WHEREFORE, the Sadsbury Township Municipal Authority respectfully requests that the Commission grant the instant Petition to Intervene in this proceeding.

Respectfully submitted,

/s/ Thomas Wyatt

Thomas Wyatt, Esquire (PA I.D. 89342)

Matthew S. Olesh, Esquire (PA I.D. 206553)

OBERMAYER REBMANN

MAXWELL & HIPPEL LLP

Centre Square West

1500 Market Street, Suite 3400

Philadelphia, PA 19102

Tel.: (215) 665-3000

Fax: (215) 665-3165

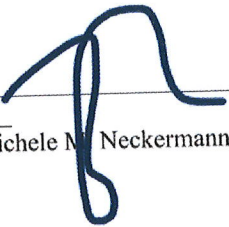
Thomas.Wyatt@obermayer.com

Matthew.Olesh@obermayer.com

Dated: September 6, 2023

VERIFICATION

I, Michele M. Neckermann, the Manager of the Sadsbury Township Municipal Authority, hereby verify that the statements of fact made in the foregoing document 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 made herein are subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



Michele M. Neckermann

Dated: September 6, 2023