



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

October 3, 2023

Via Electronic Filing

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

Re: Petition of Columbia Water Company for Approval of a Lead Service Line Replacement Program, Related Tariff Changes, Modification of Long-Term Infrastructure Improvement Plan, Waiver of Termination Regulations
Docket No. P-2023-3041845
I&E Prehearing Memorandum

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the **Prehearing Memorandum of Bureau of Investigation and Enforcement (I&E)** in the above-captioned proceeding.

Copies are being served on parties per the attached Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads 'Allison C. Kaster'.

Allison C. Kaster
Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 93176
(717) 783-7998
akaster@pa.gov

ACK/ac
Enclosures

cc: Administrative Law Judge Mary D. Long (*via email*)
Administrative Law Judge Charece Z. Collins (*via email*)
Per Certificate of Service (*via email*)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Columbia Water Company	:	
for Approval of a Lead Service Line	:	
Replacement Program, Related Tariff	:	Docket No. P-2023-3041845
Changes, Modification of Long-Term	:	
Infrastructure Improvement Plan,	:	
Waiver of Termination Regulations	:	

**PREHEARING MEMORANDUM
OF THE
BUREAU OF INVESTIGATION AND ENFORCEMENT**

TO ADMINISTRATIVE LAW JUDGES CHARECE Z. COLLINS AND MARY D. LONG:

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) respectfully submits the following Prehearing Memorandum in the above-captioned proceeding.

I. INTRODUCTION

On July 21, 2023, Columbia Water Company (“Columbia” or “Company”) filed a Petition seeking approval of a Lead Service Line Replacement Program and tariff revisions in order to replace customer-owned lead service lines and recover those costs pursuant to Section 1311(b)(2) of the Public Utility Code.

The Office of Consumer Advocate filed an Answer to the Petition on August 10, 2023. The Office of Small Business Advocate filed a Notice of Intervention on August 10, 2023 and I&E filed a Notice of Appearance on September 20, 2023.

By Prehearing Conference Order dated September 19, 2023, Administrative Law Judges Charece Z. Collins and Mary D. Long (“ALJs”) notified interested parties that a telephonic prehearing conference was scheduled for Thursday, October 5, 2023, at 1:30 p.m. and directed parties to distribute a prehearing memorandum on or before noon on October 3, 2023. In accordance with that directive, I&E hereby files this timely prehearing memorandum.

II. SERVICE

The I&E Prosecutor in this proceeding is Allison C. Kaster. Contact information is as follows:

By mail: Allison C. Kaster
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

By e-mail: akaster@pa.gov

By telephone: (717) 783-7998

By fax: (717) 772-2677

III. ISSUES

I&E is currently monitoring this proceeding to determine if it will pursue any issues. I&E notes that this prehearing memorandum is provided without analysis of the positions of all parties to this proceeding and while the discovery process is still underway. Accordingly, I&E reserves the right to supplement its issue list as necessary to facilitate the development of a full record in this case. I&E will notify the parties and ALJs of additional issues as they arise.

IV. WITNESSES

I&E's technical staff is currently reviewing the Petition. I&E will notify the parties and ALJs if individual witnesses are assigned to prepare testimony in this proceeding.

V. LITIGATION SCHEDULE

I&E is optimistic that contested issues can be resolved through further discussions with the parties. Accordingly, I&E requests that no litigation schedule be set at this time so that parties can focus on resolving issues without the need for continued litigation. If those discussions do not result in a full settlement of all issues, I&E will work with the parties to develop a litigation schedule in this case.

VI. SETTLEMENT

As noted above, I&E is eager to have an open dialogue and will make good faith efforts to successfully resolve this matter through settlement. In the event settlement discussions fail to result in a full and complete resolution of the matter, I&E is prepared to fully or partially litigate this proceeding.

Respectfully Submitted,



Allison C. Kaster
Deputy Chief Prosecutor
PA Attorney ID No. 93176

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

Dated: October 3, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Columbia Water Company :
for Approval of a Lead Service Line :
Replacement Program, Related Tariff : Docket No. P-2023-3041845
Changes, Modification of Long-Term :
Infrastructure Improvement Plan, :
Waiver of Termination Regulations :

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **Prehearing Memorandum** dated October 3, 2023, in the manner and upon the persons listed below.

Served via Electronic Mail Only

Thomas J. Sniscak, Esq.
Whitney E. Snyder, Esq.
Phillip D. Demanchick, Jr., Esq.
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
tjsniscak@hmslegal.com
wesnyder@hmslegal.com
pddemanchick@hmslegal.com
Counsel for Columbia Water Company

Harrison W. Breitman, Esq.
Christine Maloni Hoover, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
hbreitman@paoca.org
choover@paoca.org

Steven C. Gray, Esq.
Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17101-1923
sgray@pa.gov



Allison C. Kaster
Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 93176
(717) 783-7998
akaster@pa.gov