



October 19, 2023

VIA E-FILING

Jonathan P. Nase

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

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 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 right 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; Docket No. A-2023-3042058

Motion for Continuance of Pennsylvania-American Water Company

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission ("Commission") is the Motion for Continuance of Pennsylvania-American Water Company. Copies are being served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. Please contact me if you have any question or concern.

Sincerely,

COZEN O'CONNOR

By: Jonathan P. Nase
Counsel for *Pennsylvania-American Water Company*

Enclosure

cc: Administrative Law Judge Katrina L. Dunderdale
Nicholas Miskanic, Legal Assistant
Per Certificate of Service
Erin Fure, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Pennsylvania-American Water Company :
Under Section 1102(a) of the Pennsylvania Public Utility :
Code, 66 Pa. C.S. § 1102(a), for approval of (1) the :
transfer, by sale, of substantially all of the Sadsbury :
Township Municipal Authority’s assets, properties and : Docket No. A-2023-3042058
rights related to its wastewater collection and conveyance :
system to Pennsylvania-American Water Company, and :
(2) the right 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 :

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the above-referenced **Motion for Continuance of Pennsylvania-American Water Company** upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Via E-mail and First Class Mail

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Department of Environmental Protection
Southcentral Regional Office
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Harrisburg, PA 17110
dherb@pa.gov

Via First Class Mail

Township Manager
Township of Sadsbury
P.O. Box 11232
Lancaster, PA 17605

Respectfully submitted,



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Jonathan P. Nase, Esq. (PA ID 44003)
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Date: October 19, 2023

VERIFICATION

I, Jody E. Watts, hereby state that the facts set forth above 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).



Date: October 19, 2023

Jody E. Watts, Manager Business Development
Pennsylvania-American Water Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Pennsylvania-American Water Company :
under Section 1102(a) of the Pennsylvania Public Utility :
Code, 66 Pa. C.S. § 1102(a), for approval 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 : Docket No. A-2023-3042058, *et al.*
conveyance system to Pennsylvania-American Water :
Company, and (2) the right 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

Pursuant to 52 Pa. Code § 5.103, you are hereby notified that Pennsylvania-American Water Company (“PAWC”) has filed a Motion for Continuance (“Motion”) at the above-referenced docket, to which you may file an answer within twenty (20) days unless otherwise provided in Chapter 5 of Title 52 of the Pennsylvania Code or by the Commission. Your failure to answer will allow the Commission to rule on the Motion without a response from you, thereby requiring no other proof. All pleadings, such as an Answer, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on counsel for PAWC, and where applicable, the Administrative Law Judge presiding over the case.

File with:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

With a copy to:

David P. Zambito (PA ID #80017)
Jonathan P. Nase (PA ID #44003)
Cozen O’Connor
17 North Second St., Suite 1410
Harrisburg, PA 17101



Jonathan P. Nase
Counsel for
Pennsylvania-American Water Company

Date: October 19, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**ADMINISTRATIVE LAW JUDGE
KATRINA L. DUNDERDALE**

Application of Pennsylvania-American Water Company :
under Section 1102(a) of the Pennsylvania Public Utility :
Code, 66 Pa. C.S. § 1102(a), for approval 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 : Docket No. A-2023-3042058, *et al.*
conveyance system to Pennsylvania-American Water :
Company, and (2) the right 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 :

**MOTION FOR CONTINUANCE OF
PENNSYLVANIA-AMERICAN WATER COMPANY**

AND NOW COMES Pennsylvania-American Water Company (“PAWC”), pursuant to 52 Pa Code §§ 1.15(b) and 5.103, to file this Motion for Continuance of the Initial Telephonic Status Conference scheduled for November 2, 2023. PAWC respectfully requests that the parties be given approximately thirty additional days to engage in discovery and settlement negotiations.

In support whereof, PAWC avers as follows:

1. At the Prehearing Conference held on September 11, 2023, PAWC requested that Administrative Law Judge Katrina L. Dunderdale (the “ALJ”) not establish a litigation schedule. Instead, PAWC requested that a status conference be held in approximately 45 days so that the

parties could engage in discovery and settlement discussions. No Party objected to this request, and the ALJ granted it.

2. An Initial Telephonic Status Conference is currently scheduled for November 2, 2023.

3. This proceeding involves an Application for Certificates of Public Convenience pursuant to 66 Pa. C.S. § 1102, and the approval of certain contracts pursuant to 66 Pa. C.S. § 507. There is no statutory deadline for the Commission to issue a final order in this case.

4. Since the Prehearing Conference, PAWC and the Sadsbury Township Municipal Authority (“STMA”) have responded to some discovery requests but additional discovery requests remain outstanding.

5. PAWC believes additional time would be helpful for the Parties to exchange additional information and conduct settlement discussions.

6. PAWC is cautiously optimistic that a resolution can be reached without the need for litigation.

7. The Commission’s policy is to promote settlements. 52 Pa. Code § 5.231. Additional time for the Parties to conduct negotiations may enable them to reach a settlement.

8. 52 Pa. Code § 1.15 requires a request for a continuance to be filed at least five days prior to the hearing. This Motion is being filed more than five days prior to the scheduled Initial Telephonic Status Conference.

9. 52 Pa. Code § 1.15 states that requests for continuance will only be granted for good cause. PAWC respectfully submits that it has good cause for the requested continuance: continuing to exchange information and engage in settlement discussions with the other Parties to this case. It would be a waste of resources to force the Parties to begin actively litigating this case

when there is no need to do so. Allowing the Parties additional time to engage in negotiations could save substantial resources for the Parties and the Commission if those discussions are able to reach an amicable resolution of this case.

10. PAWC has discussed this Motion with the other Parties, and can represent to the ALJ that no Party opposes the Motion.

WHEREFORE, for all of the above reasons, PAWC respectfully requests that Administrative Law Judge Katrina L. Dunderdale grant this Motion for Continuance and re-schedule the Initial Telephonic Status Conference on or after Monday, December 4, 2023.

Respectfully submitted,



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Counsel for *Pennsylvania-American Water Company*

Date: October 19, 2023