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VIA E-FILING

The Honorable Katrina L. Dunderdale
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Suite 220, Piatt Place
301 Fifth Avenue
Pittsburgh, PA 15222

Re: Docket No. A-2021-3024058– Application of Pennsylvania-American Water Company to Acquire the Wastewater System Assets of the Borough of Brentwood

Dear Judge Dunderdale:

I write on behalf of the Borough of Brentwood (“Brentwood”) in connection with the above-referenced proceeding. Brentwood joins in Pennsylvania-American Water Company’s Motion to Admit Exhibit ALJ-2 or, in the Alternative to Admit ALJ-1, and adopts all arguments made in Pennsylvania-American Water Company’s brief in support of the same.

Brentwood wishes to emphasize that no party can claim any prejudice as a result of the fact that an updated version of the stipulation (ALJ-2) was circulated this morning to correct what is essentially a clerical error. The substantive content of the stipulation remains virtually unchanged. Moreover, the fact that the referenced schedules were not included with ALJ-1, and only first included with ALJ-2, does not result in any due process violation because the prior versions of the schedules have been accessible to all parties since the filing of this application appended as Appendix A-24-a and Exhibit J to the Application, and the substance of ALJ-1 makes clear what changes are being made to those schedules by way of the stipulation.

The notion posited by the Bureau of Investigation and Enforcement (“I&E”) that it or any other party could not have determined whether cross-examination might be required due to solely receiving ALJ-1 is disingenuous. Issues related to ALCOSAN have been present from the outset of this proceeding, as evidenced by its unopposed intervention. I&E has not identified a single question or topic that it now believes is relevant, but was not apparent from the circulation of ALJ-1. Moreover, any party could have requested that witnesses from PAWC, Brentwood or ALCOSAN be re-called for questioning about any issues pertaining to any version of this stipulation. No party made that request during the hearing, and no party has made any

such request since the conclusion of the hearing, even though the record remains open at this time.

In short, there is no prejudice to any party by the admission of ALJ-2 or ALJ-1, and thus no due process issue that results from either document. Brentwood joins with PAWC in requesting that the relief sought in its motion be granted.

Respectfully,



Matthew S. Olesh, Esq.

cc: All parties of record (via e-filing)