

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
HARRISBURG, PA 17120**

Public Meeting held December 21, 2023

Commissioners Present:

Stephen M. DeFrank, Chairman  
Kimberly Barrow, Vice Chair  
Ralph V. Yanora  
Kathryn L. Zerfuss  
John F. Coleman, Jr.

Pennsylvania Public Utility Commission

v.

Community Utilities of Pennsylvania Inc. –  
Wastewater Division

Docket Nos.  
R-2023-3042805  
C-2023-3044528  
C-2023-3044738

**ORDER**

**BY THE COMMISSION:**

On November 9, 2023, Community Utilities of Pennsylvania Inc. – Wastewater Division (CUPA-WD), Utility Code 2318090, filed Supplement No. 11 to Tariff Wastewater-Pa. P.U.C. No. 1 (Supplement No. 11) with the Pennsylvania Public Utility Commission (Commission) to become effective January 9, 2024. Supplement No. 11 would increase CUPA-WD’s total annual operating revenues for wastewater service by approximately \$1.8 million, or 50.9%.

On November 29, 2023, the Office of Small Business Advocate filed a formal complaint at Docket No. C-2023-3044528. On December 8, 2023, the Office of Consumer Advocate filed a formal complaint at Docket No. C-2023-3044738. Pursuant to Section 1308(d) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1308(d) (relating to general rate increases), the filing will be suspended by operation of law until

August 9, 2024, unless permitted by Commission Order to become effective at an earlier date.

Investigation and analysis of this proposed tariff supplement and the supporting data indicates that the proposed changes in rates, rules, and regulations may be unlawful, unjust, unreasonable, and contrary to public interest. It also appears that consideration should be given to the reasonableness of CUPA-WD's existing rates, rules, and regulations; **THEREFORE,**

**IT IS ORDERED:**

1. That an investigation on Commission motion be, and hereby is, instituted to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in Community Utilities of Pennsylvania Inc. – Wastewater Division's proposed Supplement No. 11 to Tariff Wastewater-Pa. P.U.C. No. 1.

2. That Community Utilities of Pennsylvania Inc. – Wastewater Division's proposed Supplement No. 11 to Tariff Wastewater-Pa. P.U.C. No. 1 is suspended by operation of law until August 9, 2024, unless otherwise directed by Order of the Commission.

3. That within ten (10) days following the entry date of this Order, pursuant to 52 Pa. Code § 53.71, Community Utilities of Pennsylvania Inc. – Wastewater Division shall e-file (or file) a tariff supplement, which shall bear no effective date, with the Commission and post the tariff supplement at the offices of Community Utilities of Pennsylvania Inc. – Wastewater Division announcing that the aforementioned tariff supplement is suspended until August 9, 2024. A sample copy of a suspension supplement is provided in Attachment A of this Order.

4. That the investigation instituted in Ordering Paragraph No. 1 of this Order shall include consideration of the lawfulness, justness, and reasonableness of the existing

rates, rules, and regulations of Community Utilities of Pennsylvania Inc. – Wastewater Division.

5. That this case be assigned to the Office of Administrative Law Judge for Alternative Dispute Resolution, if possible, and for the prompt scheduling of such hearings as may be necessary culminating in the issuance of a recommended decision.

6. That a copy of this Order shall be served upon Community Utilities of Pennsylvania Inc. – Wastewater Division, the Commission’s Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and any persons who have filed formal complaints against the proposed tariff supplement.

**BY THE COMMISSION,**



Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: December 21, 2023

ORDER ENTERED: December 21, 2023

ATTACHMENT A  
Sample Suspension Supplement

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Supp. No. \_\_\_\_\_ to  
\_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_.

(COMPANY NAME)

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(TERRITORY SERVED BY COMPANY)

The application of rates proposed in Supplement No. \_\_\_\_\_ to Tariff \_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_ filed to become effective \_\_\_\_\_, is hereby suspended until \_\_\_\_\_, at Docket No. \_\_\_\_\_. Presently effective rates contained in Tariff \_\_\_\_\_ Pa. P.U.C. No. \_\_\_\_\_ and supplements thereto, will continue in effect until otherwise amended. Issued in compliance with Title 66 Pa. C.S. § 1308.