

January 8, 2024

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Via Electronic Filing

Rosemary Chiavetta, Secretary
Pa. Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Pa. Public Utility Commission, et al. v. Pennsylvania American Water Company
Docket Nos. R-2023-3043189 and R-2023-3043190

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Petition to Intervene of Victory Brewing Company with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

/s/ Karen O. Moury

Karen O. Moury

Enclosure

cc: Hon. Christopher P. Pell (cpell@pa.gov)
Hon. John M. Coogan (jcoogan@pa.gov)
Certificate of Service (with Enclosures)

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Victory Brewing's Petition to Intervene upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email Service Only

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Date: January 8, 2024

Karen O. Moury

Karen O. Moury, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2023-3043189
	:	R-2023-3043190
Pennsylvania American Water Company	:	

**PETITION TO INTERVENE OF
VICTORY BREWING COMPANY**

Pursuant to 52 Pa. Code §§ 5.71-5.75, Victory Brewing Company (“Victory Brewing”) petitions to intervene in the above-captioned proceedings filed by Pennsylvania American Water Company (“PAWC” or “Company”) at the Pennsylvania Public Utility Commission (“Commission”). In support of its Petition to Intervene, Victory Brewing states as follows:

1. On November 8, 2023, PAWC filed Supplement No. 45 to Tariff Water-PA P.U.C. No. 5 (“Supplement No. 45”) with the Commission to become effective January 7, 2024. Supplement No. 45 proposes to increase PAWC’s total annual operating revenues for water service by approximately \$199.2 million, or 24.2%.

2. On November 8, 2023, PAWC filed Supplement No. 47 to Tariff Wastewater PA P.U.C. No. 16 (“Supplement No. 47”) with the Commission to become effective January 7, 2024. Supplement No. 47 proposes to increase PAWC’s total operating revenues for wastewater service by approximately \$4.7 million, or 2.5%.

3. By Orders entered on December 21, 2023, the Commission suspended the rate increases proposed by Supplement No. 45 and Supplement No. 47 for further investigation until August 7, 2024, unless permitted by Commission Order to become effective at an earlier date.

4. A telephonic prehearing conference was held on January 3, 2024.

5. On January 5, 2024, Deputy Chief Administrative Law Judge Christopher P. Pell and Administrative Law Judge John M. Coogan issued Prehearing Order #1 setting forth the procedural matters addressed during the prehearing conference, including the litigation schedule that was established.

6. Victory Brewing's attorneys in this matter are:

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7. Victory Brewing consents to the service of documents by electronic mail to kmoury@eckertseamans.com and lburge@eckertseamans.com.

8. The Commission's regulations allow intervention where a person has an interest in the proceeding which may be directly affected and which is not adequately represented by existing parties, and as to which the person may be bound by the action of the Commission in the proceeding. 52 Pa. Code § 5.72(a)(2). Intervention is also permitted where participation of the person may be in the public interest. 52 Pa. Code § 5.72(a)(3).

9. Victory Brewing is an industrial customer that receives water and wastewater services from PAWC in Rate Zone 1 and the Coatesville District. Victory Brewing is also subject to payment of Pollutant Removal Costs under Schedule U of Supplement No. 47.

10. Victory Brewing meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). As one of PAWC's largest industrial customers, Victory Brewing possesses an interest which may be directly affected and which is not adequately represented by existing participants, and as to which it will be bound by the action of the Commission in the proceeding. Under

PAWC's proposals, Victory Brewing's water and wastewater rates would be significantly increased, thereby affecting its operations.

11. The scope of issues that Victory Brewing intends to examine and potentially address in this proceeding include the amount of PAWC's proposed increases, as well as the method by which any increases would be allocated to customer classes and within customer classes through PAWC's proposed rate structure, including rate design. In addition, Victory Brewing plans to review issues raised by other parties during the proceeding and consider the impact of any alternative proposals on Victory Brewing's existing and future rates.

12. Victory Brewing accepts the procedural schedule and other procedural matters that were addressed at the prehearing conference, as reflected in Prehearing Order #1. At this time, Victory Brewing has not identified a witness for this proceeding but will advise the Administrative Law Judges and parties upon the identification of any witness.

WHEREFORE, Victory Brewing Company respectfully requests that the Commission grant this Petition to Intervene and that Victory Brewing Company be afforded full party status in this proceeding.

Respectfully submitted,

Karen O. Moury

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Dated: January 8, 2024

Counsel for Victory Brewing Company

Verification

I, Karen O. Moury, state that I am an Attorney of Record for Victory Brewing Company and that as such I am authorized to make this verification on its behalf. I hereby state that the facts set forth in the foregoing Petition are true and correct (or are true and correct to the best of my knowledge, information and belief). I understand that the statements here in are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: January 8, 2024

Karen O. Moury

Karen O. Moury, Esq.