

COMMONWEALTH OF PENNSYLVANIA



PATRICK M. CICERO  
Consumer Advocate

OFFICE OF CONSUMER ADVOCATE  
555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048  
(800) 684-6560

 @pa\_oca  
 /pennoca  
FAX (717) 783-7152  
consumer@paoca.org  
www.oca.pa.gov

January 18, 2024

**Via Electronic Mail Only**

The Honorable Christopher P. Pell  
The Honorable John M. Coogan  
Office of Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107

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

Dear Deputy Chief Judge Pell and Judge Coogan:

On January 12, 2024, the Office of Consumer Advocate (OCA) filed a Motion to Dismiss the Objections and Compel Answers to OCA Interrogatories Set 26 Nos. 6, 7, 12, 17, 18, 19, and 21, subparts a. and b. (Set 26 Motion). After filing, PAWC and the OCA engaged in further informal discussions. As a result of these informal discussions, the OCA hereby withdraws, in part, its Set 26 Motion as to Interrogatories OCA-26-17, 26-18, and 26-19. Specifically:

- Interrogatory OCA-26-17: the OCA is satisfied with PAWC's answer to OCA-25-3; given that the request in Interrogatory OCA-26-17 sought to obtain the same or similar information, the OCA withdraws its Set 26 Motion as to this interrogatory.
- Interrogatory OCA-26-18: the OCA and PAWC have reached an informal agreement regarding this request; therefore, the OCA withdraws its Set 26 Motion as to this interrogatory.
- Interrogatory OCA-26-19: PAWC has informed the OCA that it will answer this request; therefore, the OCA withdraws its Set 26 Motion as to this interrogatory.

However, the OCA maintains its Set 26 Motion as to Interrogatories OCA-26-6, 26-7, 26-12, and 26-21, subparts a. and b.

Copies of this letter have been served upon the parties as evidenced by the attached Certificate of Service.

Respectfully submitted,

/s/ Melanie J. El Atieh

Melanie J. El Atieh

Senior Assistant Consumer Advocate

PA Attorney I.D. # 309232

E-Mail: [MElAtieh@paoca.org](mailto:MElAtieh@paoca.org)

Enclosures:

cc: Rosemary Chiavetta, PUC Secretary  
Certificate of Service

CERTIFICATE OF SERVICE

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

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate’s Letter to Withdraw, in part, Motion to Dismiss the Objections and Compel Answers to OCA Interrogatories Set 26, Nos. 17, 18 and 19, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below. This document was filed electronically on the Commission’s electronic filing system.

Dated this 18<sup>th</sup> day of January 2024.

SERVICE BY E-MAIL ONLY

Carrie B. Wright, Esquire  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120  
[carwright@pa.gov](mailto:carwright@pa.gov)  
*Counsel for I&E*

Steven C. Gray, Esquire  
Rebecca Lyttle, Esquire  
Office of Small Business Advocate  
555 Walnut Street  
1<sup>st</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
[sgray@pa.gov](mailto:sgray@pa.gov)  
[relyttle@pa.gov](mailto:relyttle@pa.gov)  
*Counsel for OSBA*

Elizabeth Rose Triscari, Esquire  
Teresa K. Harrold, Esquire  
Erin K. Fure, Esquire  
Pennsylvania-American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055  
[elizabeth.triscari@amwater.com](mailto:elizabeth.triscari@amwater.com)  
[teresa.harrold@amwater.com](mailto:teresa.harrold@amwater.com)  
[erin.fure@amwater.com](mailto:erin.fure@amwater.com)  
*Counsel for PAWC*

Kenneth M. Kulak, Esquire  
Brooke E. McGlenn, Esquire  
Catherine Vasudevan, Esquire  
Mark A. Lazaroff, Esquire  
Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
[ken.kulak@morganlewis.com](mailto:ken.kulak@morganlewis.com)  
[brooke.mcglenn@morganlewis.com](mailto:brooke.mcglenn@morganlewis.com)  
[catherine.vasudevan@morganlewis.com](mailto:catherine.vasudevan@morganlewis.com)  
[mark.lazaroff@morganlewis.com](mailto:mark.lazaroff@morganlewis.com)  
*Counsel for PAWC*

SERVICE BY E-MAIL ONLY (continued)

Ria M. Pereira, Esquire  
Lauren N. Berman, Esquire  
John W. Sweet, Esquire  
Elizabeth R. Marx, Esquire  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)  
*Counsel for CAUSE-PA*

Kurt J. Boehm, Esquire  
Jody Kyler Cohn, Esquire  
Boehm, Kurtz, & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
[kboehm@bkllawfirm.com](mailto:kboehm@bkllawfirm.com)  
[jkylercohn@bkllawfirm.com](mailto:jkylercohn@bkllawfirm.com)  
*Counsel for Cleveland-Cliffs Steel*

Joseph L. Vullo, Esquire  
Burke Vullo Reilly Roberts  
1460 Wyoming Avenue  
Forty Fort, PA 18704  
[jlvullo@bvrrlaw.com](mailto:jlvullo@bvrrlaw.com)  
*Counsel for CEO*

Joan E. London, Esquire  
Kozloff Stoudt, PC  
2640 Westview Drive  
Wyomissing, PA 19610  
[jlondon@kozloffstoudt.com](mailto:jlondon@kozloffstoudt.com)  
*Counsel for Borough of  
St. Lawrence, Berks County*

Jessica Eskra, Esquire  
Katherine Kennedy, Esquire  
City of Scranton Law Department  
340 North Washington Avenue  
Scranton, PA 18503  
[jeskra@scrantonpa.gov](mailto:jeskra@scrantonpa.gov)  
[kkennedy@scrantonpa.gov](mailto:kkennedy@scrantonpa.gov)  
*Counsel for The City of Scranton*  
Lauren M. Burge, Esquire  
Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street  
44<sup>th</sup> Floor  
Pittsburgh, PA 15219  
[lburge@eckertseamans.com](mailto:lburge@eckertseamans.com)  
*Counsel for Victory Brewing Company*

Adeolu A. Bakare, Esquire  
Charis Mincavage, Esquire  
Ryan Block, Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)  
[cmincavage@mcneeslaw.com](mailto:cmincavage@mcneeslaw.com)  
[rblock@mcneeslaw.com](mailto:rblock@mcneeslaw.com)  
*Counsel for PAWLUG*

Sean M. Gallagher, Esquire  
Gallagher Law Group  
110 East Diamond Street, Suite 101  
Butler, PA 16001  
[smgallagher@gallagher.legal](mailto:smgallagher@gallagher.legal)  
*Counsel for Cleveland-Cliffs Steel*

J. Chadwick Schnee, Esquire  
Schnee Legal Services, LLC  
74 E. Main Street, #648  
Lititz, PA 17543  
[chadwick@schneelegal.com](mailto:chadwick@schneelegal.com)  
*Counsel for Exeter Township*

Robert K. Ralls  
254 Red Haven Road  
New Cumberland, PA 17070  
[rralls73@yahoo.com](mailto:rralls73@yahoo.com)

Kyle Donahue  
[kyle.23.donahue@gmail.com](mailto:kyle.23.donahue@gmail.com)

Karen O. Moury, Esquire  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street  
8<sup>th</sup> Floor  
Harrisburg, PA 17101  
[kmoury@eckertseamans.com](mailto:kmoury@eckertseamans.com)  
*Counsel for Victory Brewing Company*

Erin L. Gannon  
Senior Assistant Consumer Advocate  
Andrew J. Zerby  
Christopher M. Andreoli  
David T. Evrard  
Assistant Consumer Advocates  
[OCAPAWC2023@paoca.org](mailto:OCAPAWC2023@paoca.org)

/s/ Melanie J. El Atieh  
Melanie J. El Atieh  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 209323  
[MElAtieh@paoca.org](mailto:MElAtieh@paoca.org)

Counsel for:  
Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Dated: January 18, 2024  
\*4873-9554-6270