



January 30, 2024

**VIA E-FILING**

**David P. Zambito**

Direct Phone 717-703-5892

Direct Fax 215-989-4216

dzambito@cozen.com

**REQUESTS EXPEDITED CONSIDERATION**

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

**Re: Veolia Water Pennsylvania, Inc. (Wastewater Division) 2024 General Rate Filing; Docket No. R-2024-3045193**

**Petition of Veolia Water Pennsylvania, Inc. for a Limited Waiver of 52 Pa. Code § 53.45(b)(4) and for Expedited Consideration**

**Dear Secretary Chiavetta:**

Enclosed for filing with the Pennsylvania Public Utility Commission is the above-referenced Petition. Please note that, due to the need to file its rate case this week, Veolia Water Pennsylvania, Inc. respectfully requests expedited consideration. Copies have been served as shown on the enclosed Certificate of Service.

Thank you for your attention to this matter. Please contact me if you have any questions or concerns about this correspondence.

Sincerely,

COZEN O'CONNOR

By: David P. Zambito  
Counsel for Veolia Water Pennsylvania, Inc.  
(Wastewater Division)

DPZ

Enclosure

cc: Per Certificate of Service  
Paul Diskin (*Bureau of Technical Utility Services*)  
Erin Laudenslager (*Bureau of Technical Utility Services*)  
Marissa Boyle (*Bureau of Technical Utility Services*)  
James C. Cagle, Vice President and General Manager  
Maryanne Hatch, Senior Director, Rates and Regulatory Affairs  
Larry Finnicum, President and General Manager, VWPA

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3045193
	:	
Veolia Water Pennsylvania, Inc. (Wastewater Division)	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 30th day of January, 2024, served a true copy of the foregoing **Petition of Veolia Water Pennsylvania, Inc. for a Limited Waiver of 52 Pa. Code § 53.45(b)(4) and for Expedited Consideration** upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA E-MAIL AND FIRST CLASS MAIL:**

Christy Appleby, Esq.  
Consumer Advocate  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Floor  
Harrisburg, PA 17101-1923  
CAappleby@paoca.org

Allison Kaster, Esq.  
Acting Director and Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street – 2 West  
Harrisburg, PA 17120  
E-mail: akaster@pa.gov

Steven C. Gray, Esq.  
Office of Small Business Advocate  
555 Walnut Street  
Forum Place, 1st Floor  
Harrisburg, PA 17101-1923  
E-mail: sgray@pa.gov

Respectfully submitted,



---

David P. Zambito, Esq.  
Counsel for *Veolia Water Pennsylvania, Inc.*  
(*Wastewater Division*)

**VERIFICATION**

I, James C. Cagle, 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:

1-30-2024

A handwritten signature in dark ink, consisting of several overlapping loops and a long horizontal stroke extending to the right, positioned above a horizontal line.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3045193
	:	
Veolia Water Pennsylvania, Inc. (Wastewater Division)	:	

---

**Petition of Veolia Water Pennsylvania, Inc.  
For a Limited Waiver of 52 Pa. Code § 53.45(b)(4)  
and for Expedited Consideration**

---

AND NOW COMES Veolia Water Pennsylvania, Inc. (Wastewater Division) (“VWPA”), pursuant to 52 Pa. Code Section 1.91(a), to request that the Pennsylvania Public Utility Commission (“Commission”) grant a limited waiver of 52 Pa. Code § 53.45(b)(4) (regarding notice of a proposed rate increase by bill insert). This request pertains to a rate case that must be filed this week. Consequently, VWPA also requests expedited consideration.

In support whereof, VWPA states as follows:

**I. REQUEST FOR WAIVER**

1. 52 Pa. Code § 53.45(b)(2) requires a utility filing a general rate increase to provide notice to customers by written or printed notice. As an alternative, 52 Pa. Code § 53.45(b)(4) allows a utility on a 1-month billing cycle to provide notice by means of a bill insert that meets the following requirements:

(i) The text of the bill insert shall be printed on distinctive color paper and shall contain the exact notice language specified in paragraph (1).

(ii) The bill insert shall be included with customer bills beginning no later than the day the tariff, tariff supplement or tariff revision containing the rate increase is filed.

(iii) There may be no sales, marketing or promotional type literature included in a customer bill that contains the customer notice of proposed rate increase.

(iv) The billing envelope's front side, in conspicuous type, shall call attention to the fact that rate increase information is contained in that month's mailing.

(v) The bill insert shall continue each billing day until the 1-month billing cycle is completed and all customers have been notified.

(vi) Due to the longer time frame of this method of notification, a public utility that elects to use bill inserts shall agree to extend from 60 to 90 days the minimum period within which the filing of a complaint places the burden of proof upon the company with respect to proposed rates.

(vii) On the date the rate increase is filed, notice by bill insert shall be supplemented by paid newspaper advertisements published in the major newspapers serving the public utility's service area containing a description of the proposed rate changes.

2. It has come to VWPA's attention that its vendor for printing and distributing bill inserts no longer uses colored paper. VWPA respectfully requests that the Commission permit it to use the following approach rather than using colored paper: The text of the bill insert will contain the exact notice language specified in 52 Pa. Code § 53.45(b)(1). In addition, the header will be printed in a bold 2" block color header to draw attention to the document.

3. It has also come to VWPA's attention that, due to understaffing, printer production time and lack of material availability, VWPA does not have the ability to produce an envelope with a front-facing special notice at this time. VWPA asks that the Commission waive subsection (iv). In lieu of printing this notice on the envelope, VWPA will provide such additional customer notice of the rate case as the Commission directs.

4. VWPA will comply with the other subsections of 52 Pa. Code § 53.45(b)(4).

5. In addition, in compliance with the other provisions in 52 Pa. Code § 53.45, VWPA will: issue a press release, publish paid legal advertisements, post notice in its offices, and provide

notice to persons who move into its service territory during the pending of the rate increase proceeding.

## **II. REQUEST FOR EXPEDITED CONSIDERATION**

6. On January 23, 2024, VWPA requested an extension of time to file its rate case, until Friday, February 2, 2024, using an historic test year ending September 30, 2023. The Commission granted this request.

7. In view of the need to file its rate case this week, VWPA respectfully requests expedited consideration of this request for a limited waiver of 52 Pa. Code § 53.45(b)(4).

## **III. CONCLUSION**

WHEREFORE, for all of the foregoing reasons, Veolia Water Pennsylvania, Inc. (Wastewater Division) respectfully requests that the Pennsylvania Public Utility Commission expeditiously grant this request for a limited waiver of 52 Pa. Code § 53.45(b)(4).

Respectfully submitted,



David P. Zambito, Esq. (PA ID 80017)  
Jonathan P. Nase, Esq. (PA ID 44003)  
Cozen O'Connor  
17 North Second Street, Suite 1401  
Harrisburg, PA 17101  
Telephone: 717-703-5892  
Facsimile: 215-989-4216  
E-mail: dzambito@cozen.com  
E-mail: jnase@cozen.com  
Counsel for *Veolia Water Pennsylvania, Inc.*

Date: January 30, 2024