



COMMONWEALTH OF PENNSYLVANIA

March 4, 2024

E-FILED

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

Re: Application of Appalachian Utilities, Inc. for a Certificate of Public Convenience Evidencing the Pennsylvania Public Utility Commission's Approval of the Transfer of 40% of Outstanding and Issued Stock in Appalachian Utilities, Inc. / Docket No. A-2024-3046068

Dear Secretary Chiavetta:

Enclosed please find the Notice of Intervention, Public Statement, and Verification, on behalf of the Office of Small Business Advocate ("OSBA"), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Kevin Higgins
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Appalachian Utilities, Inc. : Docket No.: A-2024-3046068
for a Certificate of Public Convenience :
Evidencing the Pennsylvania Public :
Utility Commission’s Approval of the :
Transfer of 40% of Outstanding and :
Issued Stock in Appalachian Utilities, :
Inc. :

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

1. The Intervenor is:

NazAarah Sabree
Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

2. The name and address of the Intervenor’s attorney is:

Sharon E. Webb
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov

3. The respondent utility is:

Physical Address:
Appalachian Utilities, Inc.
2265 Bear Pen Hollow Rd.
Lock Haven, PA 17745

Mailing Address:
Appalachian Utilities, Inc.
1674 Park Avenue
Lock Haven, PA 17745

4. The Intervenor is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

5. This Intervention is filed regarding the Application of Appalachian Utilities, Inc. (“Appalachian” or the “Company”) for a Certificate of Public Convenience evidencing the Commission’s approval of the transfer by sale of title to 40% which is a minority of the issued and outstanding stock of Appalachian, a public utility providing water service in Pennsylvania, from present 100% majority stockholder Mr. Frank R. Sargent, Jr., President, Director and current Sole Shareholder of Appalachian Utilities, Inc. (“Seller”), to Mr. Kyle Gallagher, Co-Director, and Operations Manager of Appalachian Utilities (“Buyer”) that was filed with the Commission on February 2, 2024.

6. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Direct the Office of Administrative Law Judge to holding hearings on the *Petition* and prepare an initial decision; and
- B. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Office of Small Business Advocate
Forum Place
555 Walnut St., 1st Floor
Harrisburg, PA 17101
(717) 783-2525 / (717) 783-2831 (fax)

Dated: March 4, 2024

**BEFORE THE
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Inc. :

**PUBLIC STATEMENT OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§399.41 – 399.50 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement setting forth the specific interest of small business consumers to be protected by the intervention in any proceeding involving those interests before the Public Utility Commission (“PUC” or “Commission”). This public statement relates to the filing today of a Notice of Intervention is filed regarding the Application of Appalachian Utilities, Inc. (“Appalachian” or the “Company”)for a Certificate of Public Convenience evidencing the Commission’s approval of the transfer by sale of title to 40% which is a minority of the issued and outstanding stock of Appalachian, a public utility providing water service in Pennsylvania, from present 100% majority stockholder Mr. Frank R. Sargent, Jr., President, Director and current Sole Shareholder of Appalachian Utilities, Inc. (“Seller”), to Mr. Kyle Gallagher, Co-Director, and Operations Manager of Appalachian Utilities (“Buyer”) that was filed with the Commission on February 2, 2024.

The Office of Small Business Advocate (“OSBA”) has intervened in this case to assure that the interests of small business customers served are protected.

The proposed acquisition will affect the rates, terms, and conditions under which small business customers receive water and sewer services. Therefore, the OSBA has filed a Notice of Intervention and Protest in this proceeding to assure that the interests of the small business customers served by Appalachian Utilities, Inc., are adequately represented and protected.

Dated: March 4, 2024

VERIFICATION

I, NazAarah Sabree, hereby state that the facts set forth herein 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: March 4, 2024



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
crainey@pa.gov

Patrick Cicero, Consumer Advocate
Office of Consumer Advocate
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tjsniscak@hmslegal.com
tsstewart@hmslegal.com

/s/ Sharon E. Webb
Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

DATE: March 4, 2024