

COMMONWEALTH OF PENNSYLVANIA



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March 14, 2024

**Via Electronic Mail Only**

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

Re: Pennsylvania Public Utility Commission  
v.  
The Blaine Edwin Rhodes Estate  
Docket No. P-2024-3045205

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Notice of Intervention and Public Statement in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/Christy M. Appleby  
Christy M. Appleby  
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Enclosures:

cc: The Honorable Mark A. Hoyer (**email only**: [mhoyer@pa.gov](mailto:mhoyer@pa.gov))  
Certificate of Service

\*4888-3953-0924

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission :  
v. : Docket No. P-2024-3045205  
The Blaine Edwin Rhodes Estate :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Notice of Intervention and Public Statement, 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:

Dated this 14th day of March 2024.

**SERVICE BY E-MAIL ONLY**

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Phone: (717) 783-5048  
Dated: March 14, 2024  
\*4864-3868-5100

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

I&E Petition to Request the Commission	:	
Open a Section 529 Investigation into the	:	
Acquisition of Several Small Water and	:	Docket No. P-2024-3045205
Sewer Utilities Owned by the Blaine	:	
Rhodes Estate	:	

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NOTICE OF INTERVENTION  
OF THE  
OFFICE OF CONSUMER ADVOCATE

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Pursuant to 52 Pa. Code § 5.71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceedings. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

Christy M. Appleby  
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Respectfully submitted,

/s/ Christy M. Appleby  
Christy M. Appleby  
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Dated: March 14, 2024

PUBLIC STATEMENT OF THE  
OFFICE OF CONSUMER ADVOCATE  
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a Notice of Intervention and participate in this proceeding before the Commission involving an investigation into whether the Commission should order a capable public utility to acquire several small water and sewer utilities owned by the Blaine Rhodes Estate.

On January 3, 2024, the Bureau of Investigation and Enforcement filed a Petition to Request the Commission Open a Section 529 Investigation into the acquisition of Several Small Water Utilities Owned by the Blaine Edwin Rhodes Estate. The owner of what I&E's Petition calls the "Rhodes Utilities," Blaine Rhodes, passed away in March 2020 and his sons currently are the certified operators of the system. The sons, "the Rhodes Brothers," have requested to cease their role as certified operators of the system. Rhodes Utilities also owns Venango Water Company which is the subject of an August 11, 2023 Ex Parte Order by the Commission at Docket No. M-2023-3042180, and an investigation of Venango was further ordered under Section 529 of the Public Utility Code. I&E has petitioned for a 529 investigation for Rhodes Utilities because the Company has not provided safe and adequate water service under Section 1501 of the Public Utility Code. Rhodes Utilities does not have the financial capability to make necessary repairs to provide adequate service, and as such it is not a viable system. The purpose of the Petition is to determine whether the Commission should open an investigation to order a capable public utility to acquire Rhodes Utilities and whether a receiver should be appointed for any or all of Rhodes

Utilities. I&E has also petitioned to consolidate the Venango 529 investigation with this proceeding.

The Consumer Advocate has determined that it is necessary to participate in this proceeding to protect the interests of Rhodes Utilities' customers. The Office of Consumer Advocate will seek to ensure that adequate service is provided to all customers at just and reasonable rates and in accordance with applicable statutes.