



**Elizabeth Rose Triscari**  
Director, Corporate Counsel  
852 Wesley Drive | Mechanicsburg, PA 17055  
Phone: 717-550-1574 | Fax: 717-550-1255  
[elizabeth.triscari@amwater.com](mailto:elizabeth.triscari@amwater.com)

March 29, 2024

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105-3265

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

Dear Secretary Chiavetta:

Enclosed please find the attached Petition to Intervene of Pennsylvania-American Water Company in the above-referenced proceeding.

If you should have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari

Enclosure

cc: All Parties on the Attached Certificate of Service (*via electronic mail*)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: I&E Petition to Request the Commission Open as Section 529 Investigation Into the Acquisition of Several Small Water and Sewer Utilities Owned by Blaine Edwin Rhodes Estate	: : Docket No. P-2024-3045205 : : :
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**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving the above-referenced Petition upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code §1.54 (relating to service by a party).

**SERVED VIA ELECTRONIC MAIL ON MARCH 29, 2024**

Christy M. Appleby, Esquire Office of Consumer Advocate 555 Walnut Street 5th Floor Forum Place Harrisburg, PA 17101-1923 <a href="mailto:CApplby@paoca.org">CApplby@paoca.org</a>	Rebecca Lyttle, Esquire Assistant Small Business Advocate Office of Small Business Advocate Forum Place 555 Walnut Street, 1st Floor Harrisburg, PA 17101 <a href="mailto:relyttle@pa.gov">relyttle@pa.gov</a>
Scott B. Granger, Esquire Michael Podskoch, Esquire Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement Commonwealth Keystone Building 400 North Street Harrisburg, Pennsylvania 17120 <a href="mailto:sgranger@pa.gov">sgranger@pa.gov</a> <a href="mailto:mpodskoch@pa.gov">mpodskoch@pa.gov</a>	Frances Orth, Esquire Kim Joyce, Esquire Aqua Pennsylvania, Inc 762 W. Lancaster Avenue Bryn Mawr, PA 19010 <a href="mailto:fpoth@aquaamerica.com">fpoth@aquaamerica.com</a> <a href="mailto:kajoyce@aquaamerica.com">kajoyce@aquaamerica.com</a>
Anthony D. Kanagy, Esquire Post & Schell, P.C. 7 North Second Street, 12th Floor Harrisburg, PA 17101 <a href="mailto:akanagy@postschell.com">akanagy@postschell.com</a>	Gregory J. Merkel, Esquire Dale Woodard, Esquire Gent McFate Law Firm 1030 Liberty Street Franklin, PA 16323 <a href="mailto:merkel@dwgmlaw.com">merkel@dwgmlaw.com</a>

Joseph J. Ferguson, Esquire Cressman Erde Ferguson 300 Arch Street Meadville, PA 16335 <a href="mailto:jferguson@cressmanerdelaw.com">jferguson@cressmanerdelaw.com</a>	Rouseville Borough c/o Joseph Dengel 64 Main Street P.O. Box 317 Rouseville, PA 16344 <a href="mailto:rouseville@verizon.net">rouseville@verizon.net</a>
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Respectfully submitted,



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Elizabeth Rose Triscari, Esquire (PA ID #306921)  
Pennsylvania-American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055  
Phone: (717) 550-1574  
Email: [elizabeth.triscari@amwater.com](mailto:elizabeth.triscari@amwater.com)

**Attorney for Pennsylvania-American Water  
Company**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**PETITION TO INTERVENE OF PENNSYLVANIA-AMERICAN WATER  
COMPANY IN SECTION 529 INVESTGATION**

Pursuant to 52 Pa. Code §§ 5.71-5.75, Pennsylvania-American Water Company ("PAWC" or "Company") hereby files this Petition to Intervene in the above-captioned proceeding ("Petition"). In support of its Petition, PAWC states as follows:

1. The name and address of PAWC are:

Pennsylvania-American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055

2. PAWC's attorneys in this matter are:

Elizabeth Rose Triscari, Esquire (PA ID No. 306921)  
Pennsylvania-American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055  
Telephone: (717) 550-1574  
E-mail: [Elizabeth.Triscari@amwater.com](mailto:Elizabeth.Triscari@amwater.com)

3. PAWC is a regulated public utility corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania, and is engaged in the business of collecting, treating, storing, supplying, distributing and selling water to the public, and collecting, treating, transporting and disposing of wastewater for the public. Water and wastewater service is furnished by PAWC to the public in a service territory encompassing more than 418 communities in 37 counties across the Commonwealth with a combined population of over 2,400,000.

4. The Blain E. Rhodes Estate (“Rhodes Estate”) is the owner of several public utilities as that term is defined at 66 Pa. C.S. §102 and is engaged in providing water or wastewater service to the public pursuant to its certificate of public convenience on file with and regulated by the Pennsylvania Public Utility Commission (“Commission”).

5. The Rhodes Estate currently owns and operates six (6) water and wastewater public utilities including: Sugarcreek Water Company (Utility Code 212920); West Hickory Water Company (Utility Code 213210); Plumer Water Company (Utility Code 212400); Cooperstown Water Company (Utility Code No. 210600); Blaine E. Rhodes Sewer Company (Utility Code No. 230031) (together, the “Rhodes Utilities”) and Venango Water Company (Utility Code No. 213110)<sup>1</sup>.

6. On January 3, 2024, the Bureau of Investigation and Enforcement (“I&E”) filed a Petition requesting that the Commission open a Section 529 Investigation into the acquisition of the Rhodes Utilities (“Petition”).

7. In its Petition, I&E is requesting that the Commission initiate proceedings to determine whether a competent utility should be directed to acquire the Rhodes Utilities. The Petition outlines the Rhodes Utilities’ failure to comply with applicable statutory and regulatory standards, including but not limited to, multiple monitoring and reporting violations and multiple violations regarding water supply inspection for several of the companies. In addition, on December 20, 2023, the Commission’s Bureau of Technical Utility Services received a letter from the Department of Environmental Protection that the owner/operators of the Rhodes Utilities intended to cease their operator duties. I&E is requesting the Commission issue an

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<sup>1</sup> Venango Water Company is currently under receivership of Aqua Pennsylvania, Inc. at Docket No. M-2023-3042180. The Commission issued an investigation under Section 529 of Venango Water Company under Docket No. I-2023-3042313.

Emergency Order and appoint a competent public utility as receiver to take over the day-to-day operations of the Rhodes Utilities.

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). A "person" includes a corporation and an association. 52 Pa. Code§ 1.8.

9. As a proximate water and wastewater provider to the Rhodes Utilities, PAWC may be directly affected by the outcome of this proceeding and no other party can adequately represent the Company in this proceeding, and, therefore, PAWC's Petition should be granted.

**WHEREFORE**, Pennsylvania-American Water Company respectfully requests that the Commission grant its Petition to Intervene.

Respectfully submitted,



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Elizabeth Rose Triscari, Esquire (PA ID No. 306921)  
Pennsylvania-American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055  
Telephone: (717) 550-1574  
Email: [elizabeth.triscari@amwater.com](mailto:elizabeth.triscari@amwater.com)

Date: March 29, 2024