

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2023-3042804
	:	R-2023-3042805
v.	:	
	:	
Community Utilities of Pennsylvania, Inc.	:	

**ORDER**  
**GRANTING JOINT STIPULATION AND ADMITTING EVIDENCE**

On April 1, 2024, a Joint Stipulation for Admission of Pre-Served Testimony and Exhibits into the Evidentiary Record (“Joint Stipulation”) was filed by Community Utilities of Pennsylvania, Inc. (“CUPA”), the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), the Office of Consumer Advocate (“OCA”), and the Office of Small Business Advocate (“OSBA”) (hereinafter collectively referred to as the "Joint Petitioners"). Each of the Joint Petitioners stipulated to the authenticity of the filings, statements, and exhibits listed in the Joint Stipulation and requested that they be admitted into the record of this proceeding on the terms and conditions set forth in the Joint Stipulation. The Stipulating Parties also included verifications by each witness offering testimony in this proceeding. As this request is reasonable, it will be granted.

**ORDER**

THEREFORE,

IT IS ORDERED:

1. That the Joint Stipulation for Admission of Pre-Served Testimony and Exhibits into the Evidentiary Record is granted.
2. That the following testimony and exhibits, and respective executed verifications, are admitted into the record:

## **Community Utilities of Pennsylvania Inc. Testimony and Exhibits:**

### Rate Case Filing and Direct Testimony

- A. CUPA Statement No. 1 – Direct Testimony of Nathaniel Spriggs, President, including Exhibit No. NS-1
- B. CUPA Statement No. 2 – Direct Testimony of Anthony Gray;
- C. CUPA Statement No. 3 – Direct Testimony of David Clark (adopted by Mr. Anthony Gray);
- D. CUPA Statement No. 4 – Direct Testimony of Emily Long, including Exhibit Nos. EAL-1 - EAL-3 and Confidential Exhibits EAL-4 - EAL-5;
- E. CUPA Statement No. 5 – Direct Testimony of Amber Capwen;
- F. CUPA Statement No. 6 – Direct Testimony of Steven Lubertozzi, including Attachments A to E;
- G. CUPA Statement No. 7 – Direct Testimony of Scott Miller, including Exhibits SAM-1 - SAM-3;
- H. CUPA Statement No. 8 – Direct Testimony of Matthew R. Howard, including Appendix A and Schedules MRH-1 – MRH-5;
- I. CUPA Statement No. 9 – Direct Testimony of Harold Walker, III, including Appendix A and Schedules HW-1 to HW-29; and
- J. CUPA’s November 9, 2023 Base Rate Filings (Water and Wastewater), including all supporting data and schedules.

### Rebuttal Testimony

- A. CUPA Statement No. 2-R – Rebuttal Testimony of Anthony Gray, including Confidential Exhibit AG-1R;
- B. CUPA Statement No. 4-R – Rebuttal Testimony of Emily Long, including Exhibits EAL-1R and EAL-2R;
- C. CUPA Statement No. 5-R – Rebuttal Testimony of Amber Capwen, including Exhibits AMC-1R and AMC-2R;
- D. CUPA Statement No. 6-R – Rebuttal Testimony of Steve Lubertozzi;
- E. CUPA Statement No. 7-R – Rebuttal Testimony of Scott A. Miller, including Exhibits SAM 2-R and SAM 3-R;
- F. CUPA Statement No. 8-R – Rebuttal Testimony of Matthew R. Howard, including Exhibits MRH-1-R to MRH-4-R; and
- G. CUPA Statement No. 9-R – Rebuttal Testimony of Harold Walker, including Exhibit HW-1R.

### Surrebuttal Testimony

- A. CUPA Statement No. 8-SR – Surrebuttal Testimony of Matthew R. Howard, including Schedules MRH-1-SR to MRH-2-SR.

### Rejoinder Testimony

- A. CUPA Statement No. 2-RJ – Rejoinder Testimony of Anthony Gray, including Exhibit AG-1RJ;
- B. CUPA Statement No. 4-RJ – Rejoinder Testimony of Emily Long;
- C. CUPA Statement No. 6-RJ – Rejoinder Testimony of Steve Lubertozzi;
- D. CUPA Statement No. 7-RJ – Rejoinder Testimony of Scott Miller, including Exhibit Nos. SAM 1-RJ (Corrected) and SAM 2-RJ (Corrected);
- E. CUPA Statement No. 8-RJ – Rejoinder Testimony of Matthew R. Howard; and
- F. CUPA Statement No. 9-RJ – Rejoinder Testimony of Harold Walker, including Schedule HW-1RJ.

### Verifications

- A. Testimony Verification of Nathaniel Spriggs;
- B. Testimony Verification of Anthony Gray;
- C. Testimony Verification of Emily Long;
- D. Testimony Verification of Amber Capwen;
- E. Testimony Verification of Steve Lubertozzi;
- F. Testimony Verification of Scott Miller;
- G. Testimony Verification of Matthew R. Howard; and
- H. Testimony Verification of Harold Walker.

### **Bureau of Investigation and Enforcement Testimony and Exhibits:**

#### Direct Testimony

- A. I&E Statement No. 1 (PROPRIETARY/Non-Proprietary) – Direct Testimony of Zachari Walker, including Exhibit No. 1 (PROPRIETARY/Non-Proprietary);
- B. I&E Statement No. 2 – Direct Testimony of D.C. Patel, including I&E Exhibit No. 2;
- C. I&E Statement No. 3 (Water) - Direct Testimony of Esyan Sakaya, including I&E Exhibit No. 3 (Water);
- D. I&E Statement No. 3 (Wastewater) – Direct Testimony of Esyan Sakaya, including I&E Exhibit 3 (Wastewater).

#### Rebuttal Testimony

- A. I&E Statement No. 2-R – Direct Testimony of D.C. Patel.

#### Surrebuttal Testimony

- A. I&E Statement No. 1-SR, Surrebuttal Testimony of Zachari Walker, including I&E Exhibit No. 1-SR.

- B. I&E Statement No. 2-SR – Surrebuttal Testimony of D.C. Patel;
- C. I&E Statement No. 3-SR (Water) - Surrebuttal Testimony of Esyan Sakaya, including I&E Exhibit No. 3-SR (Water);
- D. I&E Statement No. 3-SR (Wastewater) – Surrebuttal Testimony of Esyan Sakaya, including I&E Exhibit 3-SR (Wastewater).

Testimony Verifications

- A. Testimony Verification of Zachari Walker;
- B. Testimony Verification of D.C. Patel; and
- C. Testimony Verification of Esyan Sakaya.

**The Office of Consumer Advocate Testimony and Exhibits:**

Direct Testimony

- A. OCA Statement No. 1 - Direct Testimony of Nicholas A. DeMarco, including Exhibits NAD-A through NAD-C and a Verification;
- B. OCA Statement No. 2 – Direct Testimony of Jennifer L. Rogers, including Appendix A, Schedules JLR-W-1 through JLR-W-12, Schedules JLR-WW-1 through JLR-WW-13, and a Verification;
- C. OCA Statement No. 3 – Direct Testimony of Morgan N. DeAngelo, including Schedules MND-1 through MND-7, and a Verification;
- D. OCA Statement No. 4 – Direct Testimony of Jerome D. Mierzwa, including Schedules JDM-1 and JDM-2 and a Verification; and
- E. OCA Statement No. 5 – Direct Testimony of Terry L. Fought, including Exhibits TLF-1, TLF-W1, TLF-W2, TLF-W3, TLF-W4, TLF-W5, TLF-WW1, and TLF-WW2, and a Verification.

Rebuttal Testimony

- A. OCA Statement No. 3R – Rebuttal Testimony of Morgan DeAngelo, including a Verification; and
- B. OCA Statement No. 4R – Rebuttal Testimony of Jerome D. Mierzwa, and a Verification;

Surrebuttal Testimony

- A. OCA Statement No. 1SR – Surrebuttal Testimony of Nicholas A. DeMarco, including a Verification;
- B. OCA Statement No. 2SR – Surrebuttal Testimony of Jennifer Rogers, including Schedules JLR-W-1 to JLR-W-12, JLR-WW-1 to JLR-WW-13, Exhibit JLR-C, and a Verification;
- C. OCA Statement No. 3SR – Surrebuttal Testimony of Morgan DeAngelo, including Schedules MND-1SR to MND-9SR and a Verification;
- D. OCA Statement No. 4SR – Surrebuttal Testimony of Jerome D. Mierzwa, including Schedule JDM-1R and a Verification; and

E. OCA Statement No. 5SR – Surrebuttal Testimony of Terry L. Fought, including a Verification.

**Office of Small Business Advocate Testimony and Exhibits:**

Direct Testimony

A. OSBA Statement No. 1 - Direct Testimony Justin Bieber, including Exhibit Schedules JB-1 to JB-7 (Public), and a Verification.

Rebuttal Testimony

A. OSBA Statement No. 1-R – Rebuttal Testimony of Justin Bieber, including a Verification.

Surrebuttal Testimony

A. OSBA Statement No. 1-R – Surrebuttal Testimony of Justin Bieber, including Exhibit JB-08 and a Verification.

3. That the Parties are directed to file copies of the testimony and exhibits, including the accompanying verifications, electronically with the Commission pursuant to Section 5.412(a) of the Commission’s regulations. 52 Pa. Code § 5.412(a).

4. That all filings designated as “Confidential” be filed separately and placed in non-public folders by the Secretary’s Bureau of the Commission.

Date: April 2, 2024

\_\_\_\_\_  
/s/  
Steven K. Haas  
Administrative Law Judge

\_\_\_\_\_  
/s/  
Alphonso Arnold III  
Administrative Law Judge

**R-2023-3042804, R-2023-3042805 - PA PUBLIC UTILITY COMMISSION v.  
COMMUNITY UTILITIES OF PENNSYLVANIA INC - WATER AND WASTEWATER**

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