



COMMONWEALTH OF PENNSYLVANIA

April 3, 2024

E-FILED

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

**Re: Venango Water Company – Ex Parte Emergency Order Naming Aqua
Pennsylvania, Inc. as Receiver, Docket No. M-2023-3042180 / Section 529
Investigation of Venango Water Company, Docket No. I-2023-3042312 / I&E
Petition to Request the Commission Open a Section 529 Investigation into the
Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin
Rhodes Estate, Docket No. P-2024-3045205**

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 proceedings.

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

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

Sincerely,

/s/ Rebecca Lyttle

Rebecca Lyttle
Assistant Small Business Advocate
Attorney I.D. No. 201399

Enclosures

cc: Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company – Ex Parte	:	Docket No. M-2023-3042180
Emergency Order Naming Aqua	:	
Pennsylvania, Inc. as Receiver	:	
	:	
Section 529 Investigation of Venango	:	Docket No. I-2023-3042312
Water Company	:	
	:	
I&E Petition to Request the	:	Docket No. P-2024-3045205
Commission Open a Section 529	:	
Investigation into the Acquisition of	:	
Several Small Water and Sewer	:	
Utilities Owned by the Blaine Edwin	:	
Rhodes Estate	:	

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

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the above-captioned dockets. On August 11, 2023, an Ex Parte Emergency Order was entered by the Pennsylvania Public Utility Commission (Commission) opening an investigation to determine whether the Commission should order a capable utility to acquire Venango Water Company (Venango) pursuant to 66 Pa.C.S. § 529. The Commission’s Bureau of Investigation and Enforcement (I&E) was ordered by the Commission to participate in the proceeding. Pursuant to 66 Pa.C.S. § 529(g), Aqua Pennsylvania, Inc. (Aqua) was ordered to act as the Receiver for Venango beginning August 12, 2023, and during the pendency of the Section 529 investigation proceeding.

On January 3, 2024, I&E filed a Petition to Request the Commission Open a second Section 529 Investigation into the Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin Rhodes Estate (529 Petition) at Docket No. P-2024-3045205.

The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in these proceedings before the Commission.

Representing the OSBA in these proceedings is:

Rebecca Lyttle
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
717-783-2525
relyttle@pa.gov

Respectfully submitted,

/s/ Rebecca Lyttle
Rebecca Lyttle
Assistant Small Business Advocate
Attorney I.D. No. 201399

For:
NazAarah Sabree
Small Business Advocate

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

Date: April 3, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company – Ex Parte	:	Docket No. M-2023-3042180
Emergency Order Naming Aqua	:	
Pennsylvania, Inc. as Receiver	:	
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Water Company	:	
	:	
I&E Petition to Request the	:	Docket No. P-2024-3045205
Commission Open a Section 529	:	
Investigation into the Acquisition of	:	
Several Small Water and Sewer	:	
Utilities Owned by the Blaine Edwin	:	
Rhodes Estate	:	

**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 stating concisely the specific interest of small business consumers to be protected by her initiation of or intervention in any proceedings involving those interests before the Public Utility Commission or any other agency or court.

On August 11, 2023, an Ex Parte Emergency Order was entered by the Pennsylvania Public Utility Commission (Commission) opening an investigation to determine whether the Commission should order a capable utility to acquire Venango Water Company (Venango) pursuant to 66 Pa.C.S. § 529. The Commission’s Bureau of Investigation and Enforcement (I&E) was ordered by the Commission to participate in these proceedings.

Pursuant to 66 Pa.C.S. § 529(g), Aqua Pennsylvania, Inc. (Aqua) was ordered to act as the Receiver for Venango beginning August 12, 2023, and during the pendency of the Section 529 investigation proceeding.

On January 3, 2024, I&E filed a Petition to Request the Commission Open a second Section 529 Investigation into the Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin Rhodes Estate (529 Petition) at Docket No. P-2024-3045205.

The Small Business Advocate is intervening in the above-captioned proceedings to protect the interests of the Company's small business customers. A thorough inquiry by the Commission into all the elements of the acquisitions is necessary to ensure that it is in accord with the Public Utility Code and with the Commission's Regulations.

In view of the foregoing, the Small Business Advocate is requesting that the acquisition be subject to investigation and evidentiary hearings before the Commission. The Small Business Advocate will ask the Commission to deny or modify any aspect of the acquisition that is not proven by the Company to be in accord with the Public Utility Code and with the Commission's regulations and policy statement.

Complainant:

NazAarah Sabree
Small Business Advocate
Office of Small Business Advocate
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(717) 783-2525

Complainant's Attorney:

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Dated: April 3, 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: April 3, 2024



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company – Ex Parte Emergency Order Naming Aqua Pennsylvania, Inc. as Receiver	:	Docket No. M-2023-3042180
	:	
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	:	
Section 529 Investigation of Venango Water Company	:	Docket No. I-2023-3042312
	:	
	:	
I&E Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin Rhodes Estate	:	Docket No. P-2024-3045205
	:	
	:	

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 Mark A. Hoyer
Deputy Chief Administrative Law Judge
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/s/ Rebecca Lyttle

Rebecca Lyttle
Assistant Small Business Advocate
Attorney I.D. No. 201399

DATE: April 3, 2024