

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Newtown Artesian Water	:	
Company for Approval of Its Lead	:	P-2023-3041859
Service Line Replacement Program and	:	
Related Tariff Changes	:	

PREHEARING CONFERENCE ORDER

On November 21, 2023, Newtown Artesian Water Company (NAWC) filed a Petition with the Pennsylvania Public Utility Commission (Commission) for approval of its Lead Service Line Replacement Program (LSLR Program) and related revisions to its Tariff, pursuant to 66 Pa.C.S. § 1311(b)(2) and 52 Pa. Code § 65.54.

On February 5, 2024, the Office of Consumer Advocate (OCA), through its counsel, filed a Notice of Intervention.

The Office of Small Business Advocate (OSBA), through its counsel, filed a Notice of Intervention, Public Statement, and Notice of Appearance, previously on August 11, 2023, in response to NAWC's Petition for Extension of Time to File Its LSLR Program.¹

A telephonic prehearing conference will be held on **Wednesday, April 24, 2024, at 10:00 a.m.** To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a Passcode Participant number, which is also listed below.

Toll-free Conference Number: 1-877-874-1047

Passcode Participant Number: 11738422

¹ The Commission granted the extension on August 16, 2023.

THEREFORE,

IT IS ORDERED:

1. That absent a continuance for good cause, all parties must be prepared to participate in the scheduled prehearing conference. Failure of a party to participate in the conference, after being served with notice of the time thereof, without good cause shown, shall constitute a waiver of all objections to the agreements reached and an order or ruling with respect thereto.

2. That all parties shall review the regulations relating to discovery, specifically 52 Pa. Code § 5.331(b), which provides, among other things, that “a party shall initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code § 5.322, which encourages parties to exchange information on an informal basis. All parties are urged to cooperate in discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371 – 5.372.

3. That pursuant to 52 Pa. Code §§1.21 – 1.23, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code § 1.24(b).

4. That you must serve me directly with a copy of any document that you file in this proceeding. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission’s current service list of the parties to this proceeding is enclosed with this Order.

5. That the parties shall review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222, and in particular, subsection (d) which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

6. That all of the following matters shall be considered at the prehearing conference:

- (1) A proposed plan and schedule of discovery;
- (2) Possibility of settlement;
- (3) Amount of hearing time needed;
- (4) Witnesses;
- (5) Schedule for submission of testimony, hearings, and briefs; and
- (6) Any other appropriate matter.

7. That on or before **Friday, April 19, 2024**, the parties shall serve me and each other with a Prehearing Conference Memorandum addressing each of the subjects included in Paragraph 6 above.

Date: April 8, 2024

_____/s/
F. Joseph Brady
Administrative Law Judge

**P-2023-3041859 - PETITION OF NEWTOWN ARTESIAN WATER COMPANY FOR
EXTENSION OF TIME TO SUBMIT LEAD SERVICE LINE REPLACEMENT
PROGRAM**

THOMAS J WALSH III ESQUIRE
3655 ROUTE 202 SUITE 105
DOYLESTOWN PA 18902
267.247.5024
215.962.3956
twalsh@twalshlaw.com
Accepts eService
(*Counsel for Newtown Artesian Water Co.*)

HARRISON W BREITMAN ESQUIRE
CHRISTINE M HOOVER ESQUIRE
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET 5TH FLOOR
FORUM PLACE
HARRISBURG PA 17101
717.783.5048
hbreitman@paoca.org
choover@paoca.org
Accepts eService

STEVEN C GRAY ESQUIRE
REBECCA LYTTLE ESQUIRE
OFFICE OF SMALL BUSINESS ADVOCATE
FORUM PLACE
555 WALNUT STREET 1ST FLOOR
HARRISBURG PA 17101
717.783.2525
717.783.2831
sgray@pa.gov
relyttle@pa.gov