

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of the Pittsburgh Water and Sewer Authority :	
for Approval of its Lead Service Line Replacement :	P-2024-3046468
Program :	
:	
:	
Petition of the Pittsburgh Water and Sewer Authority :	
for Waiver of Certain Regulations Regarding its :	P-2024-3046465
Lead Service Line Replacement Program :	

INTERIM ORDER
HOLDING PROCEEDINGS IN ABEYANCE

On February 15, 2024, the Pittsburgh Water and Sewer Authority (“PWSA”) filed with the Pennsylvania Public Utility Commission (“Commission”) a Petition for Approval of its Lead Service Line Replacement (“LSLR”) Program in compliance with the Commission’s LSLR regulations at 52 Pa. Code § 65.51, *et seq.* Attached to this Petition are: (1) PWSA’s proposed LSLR Plan; (2) proposed revised pages of PWSA’s current Commission approved Second Long-Term Infrastructure Improvement Plan, updated with information about PWSA’s LSLR Plan consistent with this Petition; (3) the pro forma tariff supplement with proposed changes necessary to implement the LSLR Plan; and (4) information required under Section 53.52(a) of the Commission’s regulations (related to tariff revisions). This Petition was docketed at Docket No. P-2024-3046468.

Also on February 15, 2024, PWSA filed a Petition for Waiver of Certain Regulations Regarding its LSLR Program. This Petition sought waivers of the Commission’s regulations at Sections 65.58(d), 65.58(d)(1)(iii)(A) and (B), and 65.56(b)(10)(ii) relating to reimbursements to an eligible customer or property owner who replaces their lead service line within one year before or from LSLR project commencement. This Petition was docketed at Docket No. P-2024-3046465.

On March 6, 2024, the Office of Consumer Advocate (“OCA”) filed an Answer to both Petitions.

Also on March 6, 2024, Pittsburgh United Our Water Table (“United”) filed a Petition to Intervene and Answer to both Petitions.

On April 8, 2024, the Commission issued a Telephonic Prehearing Conference Notice, scheduling a prehearing conference in both matters for Friday, May 3, 2024, at 10:00 a.m. and formally assigned Administrative Law Judges Steven K. Haas and Alphonso Arnold III as Presiding Officers to the proceedings.

On April 10, 2024, a Prehearing Conference Order was issued, setting forth the procedural matters that were to be discussed at the prehearing conference. Specifically, the prehearing conference was to be utilized to discuss: (1) Consolidation of the Petitions at P-2024-3046468 and P-2024-3046465, (2) The Petition to Intervene of United, (3) Whether the Petitions are appropriate matters to be mediated by the Office of Administrative Law Judge’s Mediation Unit, and (4) If the matters are not appropriate for mediation, establishment of a litigation schedule. The Parties were directed to file prehearing conference memorandum addressing these procedural matters.

On April 29, 2024, PWSA, OCA, and United (together, “the Parties”) informed the Presiding Officers through email that the Petitions are not appropriate matters for mediation and that they intended on requesting that the matters be held in abeyance for 120 days for the Parties to engage in settlement discussions. The Parties further informed the Presiding Officers that there was no objection to the consolidation of the Petitions at P-2024-3046468 and P-2024-3046465 or to United’s Petition to Intervene.

As the procedural matters to be discussed at the prehearing conference were addressed by the Parties through email, we notified the Parties that the prehearing conference would be cancelled. On April 30, 2024, the Commission issued a Notice formally cancelling the May 3, 2024, prehearing conference.

This Order memorializes the agreements made by the Parties to this proceeding.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Docket Nos. P-2024-3046468 and P-2024-3046465, are consolidated for purposes of Commission investigation and disposition.

2. That the May 3, 2024, prehearing conference scheduled in these consolidated matters is cancelled. The Parties are not required to submit prehearing memorandum, as directed by the April 10, 2024, Prehearing Conference Order.

3. That the Petition to Intervene filed by Pittsburgh United Our Water Table, filed in these consolidated matters, is granted.

4. That the Parties shall file a Joint Status Report no later than **September 20, 2024**, informing the Presiding Officers of the status of settlement discussions between the Parties, and proposing the next procedural step to be taken in these consolidated matters.

5. That it is the Commission's policy to encourage settlements. 52 Pa. Code § 5.231(a). The Parties are commended for their attempt to resolve this matter in lieu of costly litigation. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory

P-2024-3046468 - PITTSBURGH WATER AND SEWER AUTHORITY PETITION FOR APPROVAL OF ITS LEAD SERVICE LINE REPLACEMENT PROGRAM

P-2024-3046465 - PITTSBURGH WATER AND SEWER AUTHORITY FILED PETITION FOR WAIVER OF CERTAIN REGULATIONS REGARDING ITS LEAD SERVICE LINE REPLACEMENT PROGRAM. 52 PA. CODE § 65.58(D)(1)(III)(A) AND (B) AND 52 PA. CODE § 65.56(B)(10)(II)

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