

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Appalachian Utilities, Inc. for a :
Certificate of Public Convenience Evidencing the :
Evidencing the Pennsylvania Public Utility : A-2024-3046068
Commission’s Approval of the Transfer of 40% of :
Outstanding and Issued Stock in Appalachian :
Utilities, Inc. :

Joint Application of Pennsylvania-American :
Water Company and Appalachian Utilities, Inc., :
Pursuant to Section 1102 of the Public Utility :
Code, for approval of (1) the transfer to American :
Water Works Company, Inc., by merger, of all :
property of Appalachian Utilities, Inc. used and :
useful in the public service; (2) the transfer to : A-2024-3046084
Pennsylvania-American Water Company, : A-2024-3046092
by merger, of all property of Appalachian :
Utilities, Inc. used or useful in the public service, :
(3) the right of Pennsylvania American Water :
Company to begin to offer, render, furnish and :
supply water service to the public in the Borough :
of Avis and Townships of Pine Creek and :
Dunnstable, Clinton County, Pennsylvania, and :
(4) the abandonment by Appalachian Utilities, :
Inc. of all water service.

**PREHEARING CONFERENCE ORDER
FOR TELEPHONIC CONFERENCE**

An initial telephonic prehearing conference in this case is scheduled for **Tuesday, June 4, 2024, at 1:00 p.m.**

The telephonic conference will be conducted by the undersigned presiding officers: **Administrative Law Judge Conrad A. Johnson and Administrative Law Judge Charece Z. Collins.**

To participate in the prehearing conference, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to state your name and then the telephone system will connect you to the conference. For any person(s) you want to be present for the conference you must provide them with the telephone number and PIN number.

Toll-free Bridge Number: 1-866-566-0826
PIN Number: 76982683

You must call into the prehearing conference on the scheduled day and time. You will not be called by the Administrative Law Judges (ALJs).

You must participate in the prehearing conference. If you fail to do so, your case will be dismissed. Additionally, if you fail to participate in the prehearing conference, you will be removed from the attached Service List.

The parties also are hereby directed to comply with the following requirements:

1. You must email the ALJs at cojohnson@pa.gov and charcollin@pa.gov a copy of any documents that you electronically **file** with the Secretary's Bureau in this proceeding. If you email the ALJs any documents or correspondence, you must also send a copy to all parties in this case. The current Service List (with available email addresses) is attached to this order. **Accordingly, all parties are encouraged to sign up for e-filing and e-service. Please visit the Commission's website at www.puc.pa.gov for instructions.**

2. A request for a change of the scheduled prehearing conference date must state the agreement or opposition of other parties and must be emailed to the ALJ and all parties no later than five (5) business days prior to the prehearing conference. 52 Pa. Code § 1.15(b). Email the ALJs at cojohnson@pa.gov and charcollin@pa.gov with any request for a change of the prehearing conference date. For your convenience, a copy of the Commission's current Service List of all parties (with available email addresses) is attached to this Order. A change in the prehearing conference date may be granted for good cause shown.

3. Commission policy promotes settlements. 52 Pa. Code § 5.231(a). At least 3 business days before the scheduled prehearing conference the parties should talk over a proposed litigation schedule as well as a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks.

4. If you intend to present any documents for the ALJs' consideration during the prehearing conference, you must email them to the ALJs at cojohnson@pa.gov and charcollin@pa.gov. You must also submit a copy of each document you submit to us to all parties in this case. Your documents must be received by the ALJs and all parties at least 3 business days before the scheduled prehearing conference. As previously noted, a copy of the Commission's current Service List for all parties (with available email addresses) is attached to this Order.

If you are unable to scan and email your documents, please contact ALJ Johnson for possible alternative arrangements at the below address or telephone number.

Pennsylvania Public Utility Commission
Office of Administrative Law Judge
301 Fifth Avenue
Piatt Place, Suite 220
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (717) 231-4765

5. This telephonic prehearing conference is a formal proceeding and will be conducted in accordance with the Commission's regulations.

6. Please review the regulations pertaining to prehearing conferences, 52 Pa. Code § 5.221- § 5.224, particularly in § 5.222 which provides, in part, as follows:

(a) To make possible a more effective use of hearing time in formal proceedings, to otherwise expedite the orderly conduct and disposition of the proceedings and to serve the ends of justice and the public interest, it is the policy of the Commission to arrange for conferences between parties to the proceedings prior to the commencement of hearings.

(b) The Commission, or the presiding officer may direct that a prehearing conference be held and direct the parties to the proceeding to appear to consider the matters enumerated in subsection (c). Notice of the time and place of the conference shall be given to all parties to the proceeding.

(c) The following matters shall be considered at prehearing conference:

(1) The possibilities for settlement of the proceeding, subject to the approval of the Commission.

(2) The amount of hearing time which will be required to dispose of the proceeding and the establishment of a schedule of hearing dates.

(3) Other matters that may aid in expediting the orderly conduct and disposition of the proceeding and the furtherance of justice, including the following:

(i) The simplification of the issues.

(ii) The exchange and acceptance of service of exhibits proposed to be offered in evidence.

(iii) The obtaining of admissions as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents which might properly shorten the hearing.

(iv) The limitation of the number of witnesses.

(v) A proposed plan and schedule of discovery which may include specific limitations on the number of written interrogatories and requests for admissions a party may propound on another party.

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

(e) Failure of a party to attend the conference, after being served with notice of the time and place thereof, without good cause shown, shall constitute a waiver of all objections to the agreements reached and to an order or ruling with respect thereto.

7. Each party must prepare and serve a prehearing memorandum which sets forth a brief history of the proceeding, the issues you intend to present, a listing of your proposed witnesses and the subject of their testimony, a list of any exhibits or documents you intend to present at the hearing in this proceeding, the amount of hearing time needed, the possibility of settlement, a proposed litigation schedule (agreed to by all parties if possible), and any proposed revisions to the Commission's discovery rules on or before **4:00 p.m. Friday, May 31, 2024**. The parties should provide the ALJs with an electronic copy of their prehearing memorandum at cojohnson@pa.gov and charcollin@pa.gov. It is not necessary to also provide the ALJs with a hard copy.

8. The parties shall conduct discovery pursuant to 52 Pa. Code §§ 5.321-5.373. We encourage the parties to cooperate and exchange information on an informal basis. See and 52 Pa. Code § 5.322. The parties may also use alternative means of discovery, such as discovery conferences or depositions. All discovery requests should be as narrowly tailored as possible, and parties should coordinate their discovery if possible. Discovery responses are due on a best-efforts basis. The parties shall cooperate rather than engage in numerous or protracted discovery disagreements that require our participation to resolve. All motions to compel shall contain a certification by counsel setting forth the specific actions the parties have undertaken to resolve their discovery disputes informally. If a motion to compel does not contain this certification, we will contact the parties and direct them to resolve the matter informally and provide the certification if they are unsuccessful. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§ 5.361, 5.371-5.372.

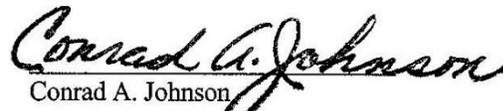
9. Pursuant to 52 Pa. Code §§ 1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. **However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, to 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).

10. Parties are reminded that each party wishing to offer an exhibit admission into evidence is required to provide two copies to the court reporter, one copy to the presiding officer and one copy to each party of record. 52 Pa. Code § 5.409.

11. During this proceeding, if you, or anyone you plan to call as a witness on your behalf, have a limited ability to speak or understand English or are deaf or hearing-impaired, a qualified interpreter can be provided upon your request. If you want an interpreter, please contact the Scheduling Office at least ten (10) days before the scheduled Prehearing Conference or Evidentiary Hearing to make your request.

Scheduling Office: (717) 787-1399
AT&T Relay Service number for persons who are deaf or hearing-impaired: 711.

Date: May 15, 2024


Conrad A. Johnson
Administrative Law Judge

_____/s/
Charece Z. Collins
Administrative Law Judge

A-2024-3046068 APPLICATION OF APPALACHIAN UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE EVIDENCING THE PENNSYLVANIA PUBLIC UTILITY COMMISSION'S APPROVAL OF THE TRANSFER OF 40% OF OUTSTANDING AND ISSUED STOCK IN APPALACHIAN UTILITIES, INC.

A-2024-3046084, A-2024-3046092 JOINT APPLICATION OF PENNSYLVANIA-AMERICAN WATER COMPANY AND APPALACHIAN UTILITIES, INC., PURSUANT TO SECTION 1102 OF THE PUBLIC UTILITY CODE

(SERVICE LIST)

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