

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Columbia Water Company for	:	
Approval of a Lead Service Line Replacement	:	
Program, Related Tariff Changes, Modification of	:	P-2023-3041845
a Long-Term Infrastructure Improvement Plan,	:	
and Waiver of Termination Regulations	:	

PREHEARING ORDER #3

On July 21, 2023, Columbia Water Company (CWC) filed with the Pennsylvania Public Utility Commission (Commission) a petition for approval of a lead service line replacement program, related tariff changes, modification of long-term infrastructure improvement plan and waiver of termination regulations, pursuant to Sections 5.41, 5.43 and 65.51 *et seq.* of Title 52 of the Pennsylvania Public Utility Code. The Petition was docketed at P-2023-3042845.

On August 10, 2023, Steven C. Gray, Esquire filed a Notice of Appearance and a Notice of Intervention on behalf of the Office of Small Business Advocate (OSBA).

Also on August 10, 2023, Harrison W. Breitman, Esquire filed an answer to the Petition on behalf of the Office of Consumer Advocate (OCA).

On September 19, 2023, the Commission served a notice establishing an initial telephonic prehearing conference for this matter for Thursday, October 5, 2023 at 1:30 p.m. and assigning Administrative Law Judge (ALJ) Mary Long and Administrative Law Judge Charece Z. Collins as the Presiding Officers.

Also on September 19, 2023, the Presiding Officers served a prehearing conference order setting forth the rules and expectations for the conference.

On September 20, 2023, Allison C. Kaster, Esquire filed a Notice of Appearance on behalf of the Commission's Bureau of Investigation and Enforcement ("I&E").

The first telephonic prehearing conference was held as scheduled on October 5, 2023. The participants were:

CWC	Phillip D. Demanchick, Jr., Esq.
I&E	Allison Kaster, Esq.
OCA	Harrison Breitman, Esq.
OSBA	Steven C. Gray, Esq.

In their prehearing conference memos and at the conference, the Parties requested 90 days to discuss settlement prior to proceeding with the formal litigation of this matter. The Parties further indicated that they would send monthly status reports for the duration of the settlement period. The Presiding Officers granted the Parties' request.

On October 5, 2023, the Presiding Officers issued Prehearing Order #1, which granted the Parties until Monday, January 8, 2024, to discuss settlement, and required the Parties to submit monthly status reports on November 9, 2023; December 11, 2023; and January 8, 2024. Consistent with Prehearing Order #1, the Parties submitted timely status reports.

On November 15, 2023, Rebecca Lyttle, Esquire filed a Notice of Appearance on behalf of the OSBA.

On January 8, 2024, the Parties advised that they were continuing to engage in settlement negotiations. The Parties therefore requested an additional 90 days to discuss settlement prior to proceeding with the formal litigation of this matter. The Presiding Officers granted the Parties' request.

On January 8, 2024, the Presiding Officers issued Prehearing Order #2, which granted the Parties until Monday, April 8, 2024, to discuss settlement, and required the Parties to

submit monthly status reports on February 7, 2024; March 8, 2024; and April 8, 2024. Consistent with Prehearing Order #2, the Parties submitted timely status reports.

On April 9, 2024, the Parties advised that they were continuing to engage in settlement negotiations. The Parties also requested a final 30 days to discuss settlement and determine whether a procedural schedule should be set for the proceeding. The Presiding Officers granted the Parties' request and also advised that they would schedule a second prehearing conference for June 6, 2024.

On April 11, 2024, the Commission served a notice establishing an initial telephonic prehearing conference for this matter for Thursday, June 6, 2024 at 1:30 p.m.

Also on April 11, 2024, the Presiding Officers served a second prehearing conference order setting forth the rules and expectations for the conference.

On June 5, 2024, Columbia Water filed a Motion for Summary Judgment of its Petition.

The second telephonic prehearing conference was held as scheduled on June 6, 2024. The participants were:

CWC	Whitney Snyder, Esq.
OCA	Harrison Breitman, Esq.
OSBA	Steven C. Gray, Esq.

At the conference, the Parties confidentially discussed the potential settlement of this proceeding and reached an agreement on a settlement term sheet. The Parties requested permission to submit settlement documentation no later than July 31, 2024. Columbia Water also indicated that it would seek to withdraw its Motion for Summary Judgment.

On June 6, 2024, Columbia Water filed a Letter Petition for Leave to withdraw its Motion for Summary Judgment without prejudice.

This Order sets forth the updated procedural schedule for this case.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the active parties of record as of this date remain CWC, I&E, OCA, and OSBA.

2. That, no later than **Wednesday, July 31, 2024**, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served on the Presiding Officers.

3. That the Petition to Withdraw the Motion for Summary Judgment, filed by Columbia Water, is granted.

Date: June 13, 2024

/s/
Charece Z. Collins
Administrative Law Judge

/s/
Mary D. Long
Administrative Law Judge

P-2023-3041845 - PETITION OF THE COLUMBIA WATER COMPANY, FOR APPROVAL OF A LEAD SERVICE LINE REPLACEMENT PROGRAM, RELATED TARIFF CHANGES, MODIFICATION OF LONG-TERM INFRASTRUCTURE IMPROVEMENT PLAN, AND WAIVER OF TERMINATION REGULATIONS.

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