



June 27, 2024

**Via E-FILE**

Honorable Gail M. Chiodo  
Honorable Alphonso Arnold III  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
[gchiodo@pa.gov](mailto:gchiodo@pa.gov)  
[alphonarno@pa.gov](mailto:alphonarno@pa.gov)

**Re: Pa. PUC v. Aqua Pa., Inc., and Aqua Pa. Wastewater, Inc.,  
R-2024-3047822, R-2024-3047824**

*Prehearing Conference Memorandum of CAUSE-PA*

Dear Judge Chiodo and Judge Arnold:

Please find the **Prehearing Conference Memorandum of CAUSE-PA** in the above-captioned proceeding.

As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully,



John W. Sweet, Esq.  
*Counsel for CAUSE-PA*

CC: *Certificate of Service*

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :  
 :  
 v. : Docket Nos. R-2024-3047822  
 : R-2024-3047824  
 Aqua Pennsylvania, Inc., and :  
 Aqua Pennsylvania Wastewater, Inc. :  
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**PREHEARING CONFERENCE MEMORANDUM  
OF THE COALITION FOR AFFORDABLE UTILITY SERVICE AND ENERGY  
EFFICIENCY IN PENNSYLVANIA (CAUSE-PA)**

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**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*  
John W. Sweet, Esq., PA ID: 320182  
Elizabeth R. Marx, Esq., PA ID: 309014  
Lauren N. Berman, Esq., PA ID: 310116  
Ria M. Pereira, Esq., PA ID: 316771  
118 Locust Street  
Harrisburg, PA 17101  
Tel.: 717-236-9486  
[pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

**June 27, 2024**

On June 18th, 2024, a Prehearing Conference Order was issued by the Honorable Administrative Law Judges Gail M. Chiodo and Alphonso Arnold III setting a telephonic prehearing conference for Monday, July 1, 2024, at 10:00 am, and requiring parties to file a Prehearing Memorandum no later than 4:00 pm on Thursday, June 27, 2024. In accordance with that Order, CAUSE-PA, through its counsel at the Pennsylvania Utility Law Project, hereby files this Prehearing Conference Memorandum.

**I. Background**

On May 23, 2024, Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc. (collectively “Aqua”) filed respectively, Original Tariff Water – PA P.U.C. No. 4 (“Tariff Water No. 4”) and Original Tariff Sewer – PA P.U.C. No. 4 (“Tariff Sewer No. 4”) to become effective on July 22, 2024. In the filings, Aqua sets forth proposed tariffs, which outline the rates, policies, programs, and procedures which will govern the distribution of water and wastewater services to their respective customers. Aqua’s proposed tariffs seek approval to increase total annual operating revenues of \$126,675,472, or approximately 18.88% over the level of revenues anticipated for the fully projected future test year ending December 31, 2025. (See Statement of Reasons at 1).

On June 13, 2024, CAUSE-PA filed a Petition to Intervene and Answer, requesting full intervenor status as an active party to the proceeding.

**II. Service on CAUSE-PA**

CAUSE-PA is represented by the attorneys at the Pennsylvania Utility Law Project.

CAUSE-PA requests consolidated service as follows:

Lauren N. Berman, Esq.

Elizabeth R. Marx, Esq.

Ria M. Pereira, Esq.

John W. Sweet, Esq.

**PENNSYLVANIA UTILITY LAW PROJECT**

118 Locust Street  
Harrisburg, PA 17102  
Telephone: 717-236-9486  
Facsimile: 717-233-4088  
E-mail: [pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

CAUSE-PA consents to electronic/email service in this proceeding.

### **III. Representation of CAUSE-PA at Prehearing Conference**

CAUSE-PA will be represented by Lauren N. Berman, Esq. at the Prehearing Conference.

### **IV. Issues to be Presented**

Continued delivery of safe, affordable water and wastewater services is of critical importance to the safety, welfare, and economic stability of all Pennsylvanians – particularly those with limited financial means. CAUSE-PA has conducted an initial review of Aqua’s rate filing and opposes Aqua’s requests on the grounds that the proposed rate increases and tariff changes may result in unjust and unreasonable rates that would impose severe financial hardship on low and moderate income residential customers. CAUSE-PA identifies the following specific issues of concern, which it intends to address in this proceeding, though it reserves the right to raise additional issues which may arise through the course of this proceeding:

- i. Whether the terms, conditions, and rates set forth by Aqua’s tariff filing are just and reasonable. Preliminary review of Aqua’s filing suggests that the proposed rate increase would substantially increase residential customers’ monthly water and wastewater bills, leading to unaffordable, unjust, and unreasonable rates being charged to low income customers;
- ii. The conformity to law and the effect of Aqua’s rate filing and proposed rate increase on low income households;

- iii. The effect of Aqua’s rate filing and proposed rate increase on low income households enrolled in or eligible for Aqua’s low income assistance programs, and the adequacy of those programs in delivering universally accessible services;
- iv. Whether Aqua’s policies and procedures regarding consumer protections for vulnerable customers are compliant with the requirements of the Public Utility Code and the Commission’s regulations; and
- v. Whether Aqua’s proposed changes to its low income programs are adequate to remediate the effect of the proposed rate increase on low income customers.

**V. Witnesses and Testimony**

CAUSE-PA intends to sponsor testimony of the following expert witness in this matter, and reserves the right to call additional witnesses as may be warranted upon notice to Your Honors and parties:

Harry S. Geller, Esq.  
c/o Pennsylvania Legal Aid Network  
118 Locust Street  
Harrisburg, PA 17101  
[hgeller@pautilitylawproject.org](mailto:hgeller@pautilitylawproject.org)

Mr. Geller will address the issues identified above, as well as any other relevant issues that may arise through the course of this proceeding.

**VI. Discovery**

CAUSE-PA supports the discovery modifications proposed by the Office of Consumer Advocate in its prehearing memorandum.

**VII. Settlement**

CAUSE-PA is willing and ready to engage in settlement discussions at any time in an attempt to resolve or narrow the issues in this proceeding, with any and all parties, and encourages the parties to set aside time early in the process for meaningful settlement discussions.

**VIII. Service**

CAUSE-PA requests that the Commission allow parties, including pro se parties, to serve all documents required to both the Commission and other parties electronically.

**IX. Litigation Schedule**

CAUSE-PA is actively engaged in discussions with the parties regarding a mutually agreeable schedule; however, as of the time of this filing, the parties have not reached an agreement. In the event the parties do not reach an agreement on the proposed schedule, CAUSE-PA supports the following schedule:

|                                     |                                   |
|-------------------------------------|-----------------------------------|
| Direct Testimony Other Parties      | Friday, August 16                 |
| Rebuttal Testimony                  | Tuesday, September 10             |
| Surrebuttal Testimony               | Thursday, September 26            |
| Oral Rejoinder Outline/Written Rej. | Monday, October 3                 |
| Evidentiary Hearings                | Wed., Oct 9 – Tuesday, October 15 |
| Main Brief                          | Monday, October 28                |
| Reply Brief                         | Thursday, November 7              |

We note that the above schedule is carefully balanced to avoid numerous intervening deadlines in multiple large-scale rate proceedings, holidays, and conflicts identified by the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation and Enforcement, and CAUSE-PA.

**X. Hearings**

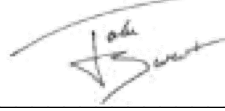
CAUSE-PA requests that evidentiary hearings in this matter be held telephonically.

**XI. Conclusion**

WHEREFORE, CAUSE-PA respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



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John W. Sweet, Esq., PA ID: 320182  
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Date: June 27, 2024

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 Aqua Pennsylvania, Inc., and :  
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 :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served copies of the *Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania* (CAUSE-PA) upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54.

**VIA EMAIL**

Michael W. Hassell, Esq.  
Garrett Lent, Esq.  
Nicholas Stobbe, Esq.  
Post & Schell  
17 North Second Street  
Harrisburg, PA 17101-1601  
[mhassell@postschell.com](mailto:mhassell@postschell.com)  
[glent@postschell.com](mailto:glent@postschell.com)  
[nstobbe@postschell.com](mailto:nstobbe@postschell.com)

Kimberly A. Joyce, Esq.  
Alexander R. Stahl, Esq.  
Aqua Pennsylvania  
762 W. Lancaster Ave.  
Bryn Mawr, PA 19010  
[kajoyce@essential.com](mailto:kajoyce@essential.com)  
[astahl@aquaamerica.com](mailto:astahl@aquaamerica.com)

Gina L. Miller, Esq.  
Melanie Joy El Atieh, Esq.  
Andrew J. Zerby, Esq.  
Jacob D. Guthrie, Esq.  
Office of Consumer Advocate  
555 Walnut Street  
5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
[OCAAqua2024@paoca.org](mailto:OCAAqua2024@paoca.org)

Steven C. Gray, Esq.  
Rebecca Lyttle, Esq.  
Commonwealth of Pennsylvania  
Office of Small Business Advocate  
555 Walnut Street, 1st Floor  
Harrisburg, PA 17101  
[sgray@pa.gov](mailto:sgray@pa.gov)  
[relyttle@pa.gov](mailto:relyttle@pa.gov)

Carrie B. Wright, Esq.  
Bureau of Investigation & Enforcement  
400 North Street  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
[carwright@pa.gov](mailto:carwright@pa.gov)

Donna Bullard  
311 Harrison Ave.  
Elkins Park, PA 19027  
[Dbullard5449@gmail.com](mailto:Dbullard5449@gmail.com)

Linc Slipakoff  
416 Mill Creek Rd  
Gladwyne, PA 19035  
[lincslip@gmail.com](mailto:lincslip@gmail.com)

Lori Kennedy  
1132 Myrtlewood Ave  
Havertown, PA 19083  
[ljason@comcast.net](mailto:ljason@comcast.net)

Ronald Roebuck  
71 Edgerock Dr.  
BML  
Drums, PA 18222  
[Pinheads81@aol.com](mailto:Pinheads81@aol.com)

Sky Dumont  
27 Oak Hill Circle  
Malvern, PA 19355  
[snevendumont@gmail.com](mailto:snevendumont@gmail.com)

Teri Dahl  
134 Crooked Stick Lane  
Hazle Twp, PA 18202  
[Teri.dahl@comcast.net](mailto:Teri.dahl@comcast.net)

Daniel O'Neill  
810 Plumtry Dr  
West Chester, PA 19382  
[Djo723@gmail.com](mailto:Djo723@gmail.com)

Joel T. Postema  
2549 Beechwood Rd  
New Wilmington, PA 16142  
[srbunn@yahoo.com](mailto:srbunn@yahoo.com)

Lori Hill  
3 Horseshoe Dr.  
Hazleton, PA 18202  
[Hilllori1@gmail.com](mailto:Hilllori1@gmail.com)

Robert J. Fogarty  
628 Fair Street  
Nescopeck, PA 18635  
[Rjfl2@verizon.net](mailto:Rjfl2@verizon.net)

Sebastian Borriello  
5065 Ryan Rd.  
Pipersville, PA 18947  
[Sebby21@hotmail.com](mailto:Sebby21@hotmail.com)

Susan Unvarsky  
Sharon Ellis  
151 Brook St.  
Sugar Notch, PA 18706  
[Sunvarsky24@gmail.com](mailto:Sunvarsky24@gmail.com)  
[sharonankner@gmail.com](mailto:sharonankner@gmail.com)

Theodore J. Voltolina, III  
219 Mill Pond Dr.  
Exton, PA 19341  
[Ted.voltolina@gmail.com](mailto:Ted.voltolina@gmail.com)

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*

A handwritten signature in black ink, appearing to read "John W. Sweet", with a horizontal line above it.

John W. Sweet, Esq., PA ID: 320182  
118 Locust Street  
Harrisburg, PA 17101  
717-236-9486  
[pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

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