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June 28, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

RE: Pennsylvania Public Utility Commission v. Aqua Pennsylvania, Inc.;
Docket Nos. R-2024-3047822 and R-2024-3047824

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is the Prehearing Memorandum on behalf of the Aqua Large Users Group ("Aqua LUG") in the above-referenced proceeding.

As evidenced by the attached Certificate of Service, all parties to this proceeding are being duly served with a copy of this document. Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'A. Bakare', written over a light blue horizontal line.

Adeolu A. Bakare
MCNEES WALLACE & NURICK LLC

Counsel to the Aqua Large Users Group

c: Administrative Law Judge Gail M. Chiodo (via email – gchiodo@pa.gov)
Administrative Law Judge Alphonso Arnold III (via email – alphonarno@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

VIA E-MAIL AND FIRST-CLASS MAIL

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Adeolu A. Bakare

Counsel to the Aqua Large Users Group

Dated this 28th day of June, 2024, at Harrisburg, Pennsylvania.

Contemporaneously with the submittal of this Prehearing Memorandum, Aqua LUG is also filing a Complaint against proposed Tariff Water No. 4. A description of Aqua LUG is set forth in Paragraph 5 of its Complaint.

A Prehearing Conference has been scheduled in this proceeding for July 1, 2024.

II. ANTICIPATED ISSUES

Aqua LUG's preliminary review of the Company's filing indicates a need for Commission investigation into at least the following issues:

- a) whether the size of the requested rate increase is appropriate;
- b) whether the proposed distribution of the increase among customer classes is appropriate in light of the cost-of-service study results;
- c) whether the rate design and rate structure proposed by Aqua are appropriate;
- d) whether issues related to unaccounted-for-water are just, reasonable and non-discriminatory.

Aqua LUG anticipates pursuing these issues during this proceeding and reserves the right to raise further issues and to respond to all issues raised by other parties.

III. PROPOSED WITNESSES

At this time, Aqua LUG is in the process of evaluating whether it will sponsor testimony in this proceeding. In the event that Aqua LUG decides to sponsor testimony, it will inform the parties and the ALJ as soon as possible of the intended witnesses and topics of testimony. Aqua LUG also intends to participate in this proceeding through the submission of discovery, cross-examination of other parties' witnesses, and the submission of briefs, exceptions and reply exceptions, if necessary.

IV. PROPOSED SCHEDULE AND DISCOVERY RULES


Aqua LUG will cooperate with the ALJ and the parties at the Prehearing Conference to finalize an appropriate procedural schedule and discovery rules in accordance with the Commission's regulations and any directives issued by the ALJ.

V. POSSIBILITY OF SETTLEMENT

Aqua LUG is willing to participate in discussions with the other parties to amicably resolve the issues in this proceeding.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

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Dated: June 28, 2024