

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2024-3045192 <i>et al.</i> , (Water)
	:	R-2024-3045193, <i>et al.</i> (Wastewater)
v.	:	
	:	
Veolia Water Pennsylvania, Inc.	:	

**INTERIM ORDER  
APPROVING AND ENTERING INTO THE RECORD THE  
JOINT STIPULATION FOR THE ADMISSION OF EVIDENCE**

On June 27, 2024, Veolia Water Pennsylvania, Inc. (VWPA), the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), the Bureau of Investigation and Enforcement (I&E), and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) (collectively, the Stipulating Parties) filed a Joint Stipulation for the Admission of Evidence (Stipulation) in the above-captioned proceedings. Each of the Stipulating Parties agreed to the authenticity of and admission of into the evidentiary record in this matter of the following statements and exhibits:

PARTY	STATEMENT/EXHIBITS
VWPA	VWPA St. No. 1, Direct Testimony of Larry Finnicum, together with Exhibits LKF-1 through LKF-4
	VWPA Statement No. 1-R, Rebuttal Testimony of Larry Finnicum, together with Exhibits LKF-1-R through LKF-3-R
	VWPA Statement No. 2, Direct Testimony of Gregory R. Herbert, together with Appendix A and Exhibit GRH-1 through GRH-5
	VWPA Statement No. 2-R, Rebuttal Testimony of Gregory R. Herbert, together with Exhibits GRH-1-R through GRH-5-R
	VWPA Statement No. 3, Direct Testimony of Constance E. Heppenstall, together with Exhibit CEH-1 through CEH-4
	VWPA Statement No. 3-R, Rebuttal Testimony of Constance E. Heppenstall
	VWPA Statement No. 4, Direct Testimony of Harold Walker, III together with Exhibit HW-1 through HW-2
	VWPA Statement No. 4-R, Rebuttal Testimony of Harold Walker, III together with Exhibits HW-1R and HW-2R

	VWPA Statement No. 5, Direct Testimony of Dane Watson, together with Exhibit DAW-1 through DAW-2
	VWPA Statement No. 5-R, Rebuttal Testimony of Dane Watson together with Exhibits DAW-1-R through DAW-5-R
	VWPA Statement No. 6, Direct Testimony of James Cagle
	VWPA Statement No. 6-R, Rebuttal Testimony of James Cagle ( <b>Public Version</b> )
	VWPA Statement No. 6-R, Rebuttal Testimony of James Cagle ( <b>PROPRIETARY VERSION</b> )
	VWPA Statement No. 7, Direct Testimony of Judith McCoy Jordan
	VWPA Statement No. 7-R, Rebuttal Testimony of Judith McCoy Jordan together with Exhibits JMJ-1-R through JMJ-3-R
	VWPA Statement No. 8, Direct Testimony of Anupa Jacob
	VWPA Statement No. 8-R, Rebuttal Testimony of Anupa Jacob
CAUSE-PA	CAUSE-PA St. 1, Direct Testimony of Robert W. Ballenger, Esq. (as corrected June 7, 2024), together with Exhibit 1 (as corrected on June 7, 2024) and Appendices A and B
	CAUSE-PA St. 1-R (as corrected on June 12, 2024), Rebuttal Testimony of Robert W. Ballenger, Esq.
	CAUSE-PA St. 1-SR Surrebuttal Testimony of Robert W. Ballenger
	Verification of Robert W. Ballenger, Esq.
I&E	I&E Statement No. 1, Direct Testimony of Vanessa Okum ( <b>Non-Proprietary Version</b> ), together with I&E Exhibit No. 1
	I&E Statement No. 1, Direct Testimony of Vanessa Okum ( <b>PROPRIETARY VERSION</b> ), together with I&E Exhibit No. 1
	I&E Statement No. 2, Direct Testimony of D. C. Patel, together with I&E Exhibit No. 2
	I&E Statement No. 3, Direct Testimony of Esyan Sakaya, together with I&E Exhibit No. 3 (as corrected on May 24, 2024)
	I&E Exhibit No. 3-R, Rebuttal Testimony of Esyan Sakaya
	I&E Statement No. 1-SR, Surrebuttal Testimony of Vanessa Okum, together with I&E Exhibit No. 1-SR
	I&E Statement No. 2-SR, Surrebuttal Testimony of D. C. Patel
	I&E Statement No. 3-SR, Surrebuttal Testimony of Esyan Sakaya, together with I&E Exhibit No. 3-SR
OSBA	OSBA Statement No. 1, Direct Testimony of Neal Townsend, together with Attachment A
	OSBA St. No. 1-R, Rebuttal Testimony of Neal Townsend, together with Exhibit
	OSBA Statement No. 1-S, Surrebuttal Testimony of Neal Townsend
OCA	OCA St. 1, Direct Testimony of Morgan N. DeAngelo ( <b>CONFIDENTIAL VERSION</b> ), together with Appendices A and B and Exhibits MND-1 through MND-9 (Exhibits MND-4 through MND-6 are <b>CONFIDENTIAL</b> )

	OCA St. 1, Direct Testimony of Morgan N. DeAngelo ( <b>Public Version</b> ), together with Appendices A and B and Exhibits MND-1 through MND-3 and Exhibits MND-7 through MND-9
	OCA St. 2, Direct Testimony of Lafayette K. Morgan, together with Exhibits LKM-W-1 through LKM-W-19 and Exhibits LKM-WW-1 through LKM-WW-12
	OCA St. 3, Direct Testimony of David J. Garrett, together with Exhibits DJG-1 through DJG-27, and Appendices A through E
	OCA St. 4, Direct Testimony of Jerome D. Mierzwa, together with Exhibits JDM-1
	OCA St. 5, Direct Testimony of Terry L. Fought, together with Exhibits TLF-1 - 6 and TLF-8 - 19 (Exhibits TLF-2B and 7 are <b>CONFIDENTIAL</b> )
	OCA St. 6, Direct Testimony of Nicholas A. DeMarco, together with Exhibits NAD-1 through NAD-8
	OCA St. 2R, Rebuttal Testimony of Lafayette K. Morgan, together with Exhibits LKM-W-1R through LKM-W-20R and Exhibits LKM-WW-1R through LKM-WW-14R
	OCA St. 4R, Rebuttal Testimony of Jerome Mierzwa
	OCA St. 1SR, Surrebuttal Testimony of Morgan N. DeAngelo ( <b>Public Version</b> ), together with Exhibit MND-1SR
	OCA St. 1SR, Surrebuttal Testimony of Morgan N. DeAngelo, ( <b>CONFIDENTIAL VERSION</b> ), together with Exhibit MND-1SR
	OCA St. 2SR, Surrebuttal Testimony of Lafayette K. Morgan, together with Exhibits LKM-W-1S through LKM-W-20S, and Exhibits LKM-WW-1S through LKM-WW-14S
	OCA St. 3SR, Surrebuttal Testimony of David J. Garrett
	OCA St. 4SR, Surrebuttal Testimony of Jerome D. Mierzwa
	OCA St. 5SR, Surrebuttal Testimony of Terry L. Fought, together with Exhibits TLF-20 through TLF-22
	OCA St. 6SR, Surrebuttal Testimony of Nicholas A. DeMarco

The Stipulation is presented by the Stipulating Parties in conjunction with the Settlement, which is intended to settle all issues in the above-captioned proceedings. The Settlement, with accompanying Statements in Support are due to be filed by August 2, 2024.

The Stipulating Parties request the Stipulation be adopted and the exhibits and statements identified in the Stipulation be admitted into the record on the terms and conditions set forth in the Stipulation.

As this request is reasonable, it will be granted. The Stipulation is attached to this Order as **Attachment A**.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Joint Stipulation for the Admission of Evidence filed by the parties on June 27, 2024, and attached to this Order as **Attachment A** is APPROVED and admitted into the record.
2. That the statements and exhibits listed therein are admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation.
3. That, by **4:00 pm on Wednesday, July 10, 2024**, the parties shall file the statements (with all appropriate verifications) and exhibits entered into the record pursuant to Ordering Paragraph 2 with the Commission's Secretary's Bureau, indicating in their cover letters that the filing contains statements and exhibits admitted into the record by this Order.
4. That, when filing a confidential or proprietary document with the Secretary's Bureau pursuant to Ordering Paragraph 3, the parties shall properly mark the document.
5. That filings made pursuant to Ordering Paragraph 3 shall satisfy the Commission's regulation at 52 Pa. Code § 5.412a.
6. That the parties shall file and serve the joint petition for settlement, along with statements in support by **August 2, 2024**.

7. That the parties shall serve me by email with *Word*-compatible versions of all documents filed pursuant to Ordering Paragraph 6.

Date: 07/01/2024

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

Emily I. DeVoe

Administrative Law Judge

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**Administrative Law Judge Emily I. DeVoe**

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Pennsylvania Public Utility Commission	:	Docket Nos. R-2024-3045192 <i>et al.</i> ,
	:	(Water)
v.	:	
	:	Docket No. R-2024-3045193, <i>et al.</i>
Veolia Water Pennsylvania, Inc.	:	(Wastewater)

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**JOINT STIPULATION FOR THE  
ADMISSION OF EVIDENCE**

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Veolia Water Pennsylvania, Inc. (“VWPA”), the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) (individually, a “Stipulating Party” and collectively, the “Stipulating Parties”) hereby join in this Joint Stipulation for the Admission of Evidence (“Stipulation”) in the above-captioned proceedings.

In support of the Stipulation, the Stipulating Parties represent as follows:

**I. INTRODUCTION**

1. On February 16, 2024, VWPA (Water Division) filed a general base rate proceeding at Docket No. R-2024-3045192. Also on February 16, 2024, VWPA (Wastewater Division) filed a general base rate proceeding at Docket No. R-2024-3045193.

2. On February 16, 2024, the OCA filed its Formal Complaint and Public Statement. The lead counsel for the OCA in this matter is Christy M. Appleby, Esq.

3. On February 20, 2024, Michael A. Podskoch, Jr. entered his Notice of Appearance on behalf of I&E.

4. On February 21, 2024, VWPA filed corrected cover letters for its water and wastewater general base rate cases.

5. On February 23, 2024, VWPA filed affidavits verifying compliance with the notice requirements for its water and wastewater filings.

6. On February 26, 2024, counsel for OSBA filed their Notices of Appearance. The lead counsel for the OSBA in this matter is Sharon E. Webb, Esq.

7. On March 4, 2024, VWPA filed a revised answer to minimum filing requirement II-8.

8. On March 8, 2024, CAUSE-PA filed a Petition to Intervene. The lead counsel for CAUSE-PA is John W. Sweet, Esq.

9. On March 14, 2024, the Commission issued orders suspending both the proposed water tariff and the proposed wastewater tariff until November 16, 2024, and directing VWPA to file suspension tariffs within ten days.

10. On March 20, 2024, the Commission issued a Call-In Telephone Prehearing Conference Notice advising the parties that a Prehearing Conference would be held on March 27, 2024. Also on March 20, 2024, Administrative Law Judge Emily I. DeVoe (the "ALJ") issued her Prehearing Conference Order.

11. On March 25, 2024, VWPA filed its suspension water tariff and its suspension wastewater tariff.

12. On March 26, 2024, VWPA, the OCA, the OSBA, I&E and CAUSE-PA filed Prehearing Conference Memoranda.

13. The Prehearing Conference was held as scheduled on March 27, 2024.
14. On March 28, 2024, VWPA filed a Petition for Protective Order. The Petition was granted by Order issued April 23, 2024.
15. On April 1, 2024, and again on April 2, 2024, VWPA re-filed the water tariff supplement to make minor language/formatting corrections at the request of Commission staff.
16. Also on April 1, 2024, the ALJ issued her Prehearing Order which, inter alia, granted CAUSE-PA's Petition to Intervene.
17. On April 2, 2024, the ALJ issued her Interim Order Approving VWPA's Request to Voluntarily Extend Suspension Period. On April 5, 2024, VWPA filed water and wastewater tariffs voluntarily extending the suspension period subject to the condition that, at the time compliance filings are approved by the Commission, the Company will recoup revenues lost for the period from November 16, 2024 through the date the Commission makes approved rates effective.
18. On April 8, 2024, the Commission issued a Public Input Hearings Notice, scheduling one in-person public input hearing to be held in Bloomsburg on April 29, 2024 and two hybrid public input hearings to be held in Harrisburg on April 30, 2024.
19. On April 18, 2024, the ALJ issued her Interim Order Adding Additional Complainants to Parties List and Providing Information to Customer Complainants.
20. On April 25, 2024, VWPA filed an Affidavit of Compliance with Public Notice Requirements for the Public Input Hearings
21. On June 17, 2024, the Commission issued a Hearing Type Change Notice, advising the parties that the hearing was changed from In-Person Evidentiary Hearings to Call-In Evidentiary Hearings.

22. By e-mail of June 25, 2024, counsel for VWPA notified the ALJ that the parties had reached a unanimous settlement of all issues (the “Settlement”). He requested that hearings be cancelled and the procedural schedule be suspended. The ALJ advised the parties that the hearings scheduled for June 26 and 27, 2024 would be cancelled, but the hearing scheduled for June 28, 2024 would not be cancelled unless a stipulation for the admission of evidence was filed by noon on June 27, 2024.

23. Consistent with the Prehearing Order, the parties will file the Settlement on or before August 2, 2024.

**II. STIPULATION**

24. The Stipulating Parties hereby jointly stipulate to the authenticity of and admission into the evidentiary record in this matter of the following testimony and exhibits:

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	OCA St. 4, Direct Testimony of Jerome D. Mierzwa, together with Exhibits JDM-1

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	OCA St. 6SR, Surrebuttal Testimony of Nicholas A. DeMarco

25. This Stipulation is presented by the Stipulating Parties in conjunction with the Settlement, which is intended to settle all issues in the above-captioned proceedings. If the Commission rejects or otherwise modifies the Settlement, the Stipulating Parties reserve their respective procedural rights to object to the admission of the above-referenced testimony and exhibits, to submit testimony and additional exhibits, and to cross-examine witnesses, at on-the-record evidentiary hearings.

26. This Stipulation is being presented in conjunction with the Settlement only to resolve issues in the above-captioned proceedings. Regardless of whether this Stipulation is approved, no adverse inference shall be drawn, nor shall prejudice result to any Stipulating Party in this or any future proceeding as a consequence of this Stipulation, or any of its terms or conditions.

27. One copy of the foregoing testimony and exhibits are attached for filing with the Commission's Secretary, for inclusion in the official case record upon approval of this Stipulation.

28. Attached hereto as **Appendix A** is a proposed “Order Granting Joint Stipulation for the Admission of Evidence” for consideration by the Honorable Administrative Law Judge Emily I. DeVoe.

WHEREFORE the Stipulating Parties, by their respective counsel, respectfully request that the Honorable Administrative Law Judge Emily J. DeVoe admit the foregoing testimony and exhibits into the record in this proceeding on the terms and conditions set forth in the Stipulation.

Respectfully submitted,



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Counsel for *Office of Consumer Advocate*

28. Attached hereto as **Appendix A** is a proposed “Order Granting Joint Stipulation for the Admission of Evidence” for consideration by the Honorable Administrative Law Judge Emily I. DeVoe.

WHEREFORE the Stipulating Parties, by their respective counsel, respectfully request that the Honorable Administrative Law Judge Emily J. DeVoe admit the foregoing testimony and exhibits into the record in this proceeding on the terms and conditions set forth in the Stipulation.

Respectfully submitted,



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*Counsel for Office of Consumer Advocate*

28. Attached hereto as **Appendix A** is a proposed "Order Granting Joint Stipulation for the Admission of Evidence" for consideration by the Honorable Administrative Law Judge Emily I. DeVoe.

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Respectfully submitted,

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*Counsel for Veolia Water Pennsylvania, Inc.*



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*Counsel for Veolia Water Pennsylvania, Inc.*

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket Nos. R-2024-3045192 <i>et al.</i> ,
	:	(Water)
v.	:	
	:	Docket No. R-2024-3045193, <i>et al.</i>
Veolia Water Pennsylvania, Inc.	:	(Wastewater)

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**ORDER GRANTING JOINT STIPULATION  
FOR THE ADMISSION OF EVIDENCE**

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On June 27, 2024, Veolia Water Pennsylvania, Inc., the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission, and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, (singularly, a “Stipulating Party” and collectively, the “Stipulating Parties”) filed a Joint Stipulation for the Admission of Evidence (“Stipulation”) in the above-captioned proceeding.

Each of the Stipulating Parties stipulated to the authenticity of the testimony and exhibits listed in the Stipulation and requested that they be admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation. The Stipulation is attached to this Order.

As this request is reasonable, it will be granted.

THEREFORE,

IT IS ORDERED:

1. That the Stipulation, filed on June 27, 2024, is APPROVED;

2. That the statements and exhibits listed therein are admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation.

Date: \_\_\_\_\_

\_\_\_\_\_  
Emily I DeVoe  
Administrative Law Judge

**R-2024-3045192, R-2024-3045193 - PENNSYLVANIA PUBLIC UTILITY COMMISSION  
v. VEOLIA WATER PENNSYLVANIA INC**

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