



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

July 16, 2024

**Via Electronic Filing**

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

Re: Application of Aqua Pennsylvania Wastewater, Inc. for approval of the acquisition of Greenville Sanitary Authority situated within the Borough of Greenville, Hempfield Township, and West Salem Township, Mercer County, Pennsylvania  
Docket No. A-2023-3041695  
**I&E Prehearing Memorandum**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's (I&E) Prehearing Memorandum in the above-captioned proceeding.

Copies are being served on parties per the attached Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Carrie B. Wright' with a stylized flourish at the end.

Carrie B. Wright  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 208185  
(717) 783-6156  
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CBW/ac  
Enclosures

cc: Deputy Chief Administrative Law Judge Mark A. Hoyer (*via email* – [mhoyer@pa.gov](mailto:mhoyer@pa.gov))  
Administrative Law Judge Alphonso Arnold III (*via email* – [alphonarno@pa.gov](mailto:alphonarno@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania	:	
Wastewater, Inc. for approval of the	:	
acquisition of Greenville Sanitary Authority	:	Docket No. A-2023-3041695
situated within the Borough of Greenville,	:	
Hempfield Township, and West Salem	:	
Township, Mercer County, Pennsylvania	:	

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**PREHEARING MEMORANDUM  
OF THE  
BUREAU OF INVESTIGATION AND ENFORCEMENT**

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**TO DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE MARK HOYER AND  
ADMINISTRATIVE LAW JUDGE ALPHONSO ARNOLD III:**

In accordance with Deputy Chief Administrative Law Judge Mark A. Hoyer and Administrative Law Judge Alphonso Arnold III's Prehearing Conference Order, the Bureau of Investigation and Enforcement (I&E) hereby submits this Prehearing Memorandum. The I&E prosecutor assigned to this proceeding is Carrie B. Wright. Ms. Wright may be contacted as follows:

By Mail: Carrie B. Wright  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Fl.  
Harrisburg, PA 17120

By E-mail: [carwright@pa.gov](mailto:carwright@pa.gov)

Telephone: (717) 783-6156

## **I. BACKGROUND**

On November 17, 2024, Aqua Pennsylvania Wastewater, Inc. (Aqua or Company) filed with the Pennsylvania Public Utility Commission (Commission) its Application pursuant to Sections 1102 and 1329 of the Public Utility Code (Code), related to its acquisition of the wastewater assets of the Greenville Sanitary Authority (GSA).

By way of a Secretarial Letter of May 2, 2024, the Commission conditionally accepted the filing. By Secretarial Letter dated June 21, 2024, the Commission informed Aqua that its Application was accepted for filing. Thereafter, Aqua's Application was assigned to the Office of Administrative Law Judge for establishment of an evidentiary record culminating in a Recommended Decision for the Commission's consideration.

A telephonic Prehearing Conference is now scheduled for July 17, 2024, at 10:00 a.m., before ALJs Hoyer and Arnold. In accordance with the Prehearing Conference Order, I&E now respectfully submits this prehearing memorandum.

## **II. ISSUES**

Based upon a preliminary review of the filing, I&E has identified the following areas of inquiry, representing a listing of potential issues at this time. However, I&E reserves the right to address such other issues when those issues arise:

1. Errors and omissions in the Fair Market Appraisals;
2. Cost of Service Study;
3. Easements and Other Property Rights;
4. Comparison of Rate Base per Customer;
5. Benefits and detriments of the acquisition;
6. Whether the transaction is in the public interest under 66 Pa. C.S. § 1102 of the Public Utility Code;
7. Evaluation of Aqua's claimed rate base;

8. Future Base Rate Implications;
9. Upstream Utility Plant

I&E notes that this listing of issues is provided without analysis of the positions of all parties to this proceeding and while the discovery process is still underway. Accordingly, I&E necessarily reserves the right to supplement its issue list, to remove issues from this list, and to reassign issues between witnesses as necessary to facilitate the development of a full record in this case. Additionally, most of the issues raised by I&E will be supported by the Direct Testimony of I&E witnesses. If there are issues of Commission policy or legal interpretation that are not properly the subject of testimony or factual issues that are clear on the record and need not be supported by testimony, I&E reserves the right to dispense with testimony when, in its opinion, an issue can be adequately addressed in Brief.

### **III. WITNESSES**

It is currently expected that I&E may call the following witness without being limited thereto:

- Joseph Kubas, Fixed Utility Valuation Engineer

The I&E witnesses may be contacted through the contact information listed above for Ms. Wright. I&E notes that this listing of witnesses is provided without analysis of the positions of all parties to this proceeding and while the discovery process is still underway. Accordingly, I&E necessarily reserves the right to supplement its witness list, and to remove witnesses from this list, as necessary to facilitate the development of a full record in this case. The ALJs and all active parties will be notified of any amendments to the I&E witness list.

### **IV. SCHEDULE**

I&E will work with the Parties and the ALJ to develop a procedural schedule in this proceeding.

I&E requests that hearings be held telephonically in this matter. To the extent that in person hearings are required, I&E respectfully requests that those hearings be held in Harrisburg.

**V. DISCOVERY**

I&E will work with the Parties and the ALJ to develop any necessary discovery modifications.

**VI. SERVICE OF DOCUMENTS**

For purposes of satisfying in-hand service requirements for discovery responses, prepared testimony, briefs and other documents, I&E requests that electronic delivery of documents satisfy the service requirements without the need to follow up with service of a hard copy of such documents.

**VII. SETTLEMENT**

I&E intends to participate in any settlement discussions and is willing to work with the parties in an attempt to reach a resolution of any or all issues.

Respectfully submitted,



Carrie B. Wright  
Prosecutor  
PA Attorney ID No. 308185

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
[carwright@pa.gov](mailto:carwright@pa.gov)

Dated: July 16, 2024

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania :  
Wastewater, Inc. for approval of the :  
acquisition of Greenville Sanitary Authority : Docket No. A-2023-3041695  
situated within the Borough of Greenville, :  
Hempfield Township, and West Salem :  
Township, Mercer County, Pennsylvania :

**CERTIFICATE OF SERVICE**

I hereby certify that I am serving the foregoing **Prehearing Memorandum** dated July 16, 2024, in the manner and upon the persons listed below:

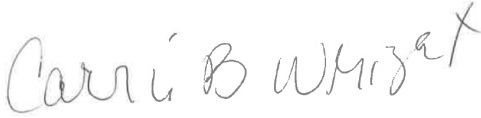
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