

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2024-3049248
Office of Consumer Advocate	:	C-2024-3049646
Office of Small Business Advocate	:	C-2024-3049713
	:	
v.	:	
	:	
City of Lock Haven Water Department	:	
	:	
Petition of the City of Lock Haven Water	:	P-2024-3049249
Department for Authorization to Implement	:	
a PENNVEST Surcharge	:	

SCHEDULING ORDER

On July 12, 2024, the Commission issued a telephonic prehearing conference notice, setting these proceedings for a prehearing conference on July 22, 2024 at 10:30 a.m. Also on July 12, 2024, and in accordance with the provisions of 66 Pa.C.S. §333 and 52 Pa.Code §§5.221-5.224, a prehearing conference order was issued outlining various procedural matters to be addressed at the prehearing conference.

In response to the prehearing conference order, the parties submitted prehearing memoranda outlining their respective positions on various procedural matters. The prehearing conference convened on June 22, 2024 as scheduled. The following counsel appeared on behalf of the respective parties:

Lauren Burge, Sarah Stoner..... City of Lock Haven Water Department (Lock Haven)
Christine Maloni Hoover.....Office of Consumer Advocate (OCA)
Sharon Webb Office of Small Business Advocate (OSBA)
Michael Podskoch Bureau of Investigation & Enforcement (I&E)

During the conference, various procedural matters were discussed. On May 24, 2024, Lock Haven filed a motion to consolidate the proceedings at R-2024-3049248 and P-2024-3049249. No answers to the motion were received, and no parties objected to the consolidation at the prehearing conference. Therefore, the motion was granted during the prehearing conference.

Parties have agreed to pursue Alternative Dispute Resolution (ADR) through the Office of Administrative Law Judge's Mediation Unit. Accordingly, on July 19, 2024, Lock Haven filed Supplement No. 21 to Water – PA P.U.C. No. 1, further suspending the proposed rate effective period from March 2, 2025 to May 1, 2025. In their prehearing conference memoranda, parties proposed that a litigation schedule not yet be set in this consolidated proceeding pending parties' participation in ADR/mediation. I agreed with the parties' proposal, and during the prehearing conference directed that parties submit a status report by noon on September 20, 2024. Additionally, I informed parties that a further telephonic prehearing conference would take place on September 23, 2024 at 10 a.m., pending the need to set a litigation schedule in this consolidated proceeding, or if other circumstances warrant a further prehearing conference.

During the prehearing conference, the parties did not indicate there is substantial public interest in a public input hearing. I also have no basis at this time to find there is substantial public interest in public input hearings regarding this consolidated proceeding. Therefore, a public input hearing is not being scheduled. However, parties should inform me and the other parties should they learn of any public interest in this proceeding that may merit scheduling public input hearings.

The parties also agreed that service via electronic mail shall constitute sufficient service to satisfy any "in hand" due dates.

Finally, the parties are reminded that Commission policy promotes settlements. 52 Pa.Code § 5.231(a). The parties are encouraged to commence settlement discussions as early as possible. Even if the parties are unable to settle this case, they may still resolve some of the

questions or issues during their discussions. If the parties reach an agreement on all issues, a formal hearing will not be necessary and the scheduled hearing will be cancelled. Any settlement, however, must be supported by substantial record evidence. 2 Pa.C.S. § 704.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the proceedings at Docket Numbers R-2024-3049248 and P-2024-3949249 are consolidated for discovery, litigation, and decision purposes.
2. That the parties of record in this consolidated proceeding as of this date are the City of Lock Haven Water Department, the Office of Consumer Advocate, the Office of Small Business Advocate, and the Commission's Bureau of Investigation and Enforcement.
3. That parties shall submit either separate status reports or a joint status report to the undersigned by noon on September 20, 2024. The status report(s) shall detail parties' positions regarding the need for further litigation in this proceeding. If parties believe further litigation is needed, the status report(s) should include parties' proposal(s) regarding a litigation schedule. If a litigation schedule is proposed, the due date for filing Reply Briefs is January 9, 2025. The status report(s) may include any other information parties believe will aid in administration of this consolidated proceeding. However, the status report(s) shall not include any information discussed in confidence during ADR/mediation.
4. A further telephonic prehearing conference is scheduled for September 23, 2024, at 10 a.m. A separate prehearing conference notice has been issued with instructions for participation. Parties' status report(s) due September 20, 2024 should include parties' positions on whether the further prehearing conference is necessary or should be cancelled or postponed.

R-2024-3049248 - PENNSYLVANIA PUBLIC UTILITY COMMISSION v. CITY OF LOCK HAVEN WATER DEPARTMENT

P-2024-3049249 - CITY OF LOCK HAVEN WATER DEPARTMENT FOR AUTHORIZATION TO IMPLEMENT A PENNVEST SURCHARGE

Revised: July 22, 2024

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