



COMMONWEALTH OF PENNSYLVANIA

August 8, 2024

E-FILED

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

Re: Petition of Evitts Creek Water Company for a Lead Service Line Replacement Program / Docket No. P-2024-3050185

Dear Secretary Chiavetta:

Enclosed please find the Notice of Intervention, Public Statement and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Rebecca Lyttle

Rebecca Lyttle
Assistant Small Business Advocate
Attorney ID No. 201399

Enclosures

cc: Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Evitts Creek Water Company : Docket No. P-2024-3050185
for a Lead Service Line Replacement :
Program :

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the Petition of Evitts Creek Water Company for Approval of its Lead Service Line Replacement Program that was filed with the Pennsylvania Public Utility Commission (“Commission”) on July 19, 2024. In support of this Notice of Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

2. Representing the OSBA in this proceeding is:

Rebecca Lyttle, Esq.
Assistant Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
(717) 783-2525 / (717) 783-2831 (fax)
relyttle@pa.gov

Respectfully submitted,

/s/ Rebecca Lyttle

Rebecca Lyttle
Assistant Small Business Advocate
Attorney I.D. No. 201399

For: NazAarah Sabree
Small Business Advocate

Commonwealth of Pennsylvania
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101

Date: August 8, 2024

**BEFORE THE
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**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by her initiation of or intervention in any proceeding involving those interests before the Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a Protest and Notice of Intervention in the above-captioned Commission proceeding.

On July 19, 2024, pursuant to Section 1311(b)(2) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1311(b)(2), and the Pennsylvania Public Utility Commission’s (“Commission”) Lead Service Line Replacement (“LSLR”) Regulations, 52 Pa. Code § 65.51, et seq., Evitts Creek Water Company (“the Company”) seeks Commission approval (“Petition”) of its LSLR program and plan to replace the Company owned and customer-owned lead service lines (“LSLs”) and to recover the associated costs related to those replacements as set forth in the Company’s Lead Service Line Replacement Program (“LSLR Program”). In accordance with the

LSLR Program and proposed tariff revisions, upon approval by the Commission, the Company will be able to begin replacing customer-owned LSLs at its sole cost and recover a return on and of those costs pursuant to Act 120.

The Small Business Advocate is intervening in this proceeding to protect the interests of the Company's small business customers. A thorough inquiry by the Commission into all the elements of the Petition is necessary to ascertain whether the Company's request conforms to the Public Utility Code and to the Commission's regulations.


In view of the foregoing, the Small Business Advocate is requesting that the Petition be either denied or subject to investigation and evidentiary hearings before the Commission. The Small Business Advocate will ask the Commission to deny or modify any aspect of the Company's proposals that are not proven by it to be just, reasonable, non-discriminatory, and fully in accordance with the Public Utility Code and the Commission's regulations regarding Lead Service Line Replacements.

Dated: August 8, 2024

VERIFICATION

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: August 8, 2024



(Signature)

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey, Jr.
Chief Administrative Law Judge
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400 North Street
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Allison Kaster, Esquire
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Robert Smith, P.E.
Direct of Engineering and Utilities
Secretary - Evitts Creek Water Company
57 North Liberty Street
Cumberland, MD 21502
Robert.smith@cumberlandmd.gov

DATE: August 8, 2024

/s/ Rebecca Lyttle
Rebecca Lyttle
Assistant Small Business Advocate
Attorney I.D. No. 201399