



COMMONWEALTH OF PENNSYLVANIA

September 6, 2024

E-FILED

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

Re: The Newtown Artesian Water Company Application for Increase in Base Rates for Water Service / Docket No. R-2024-3050208

Dear Secretary Chiavetta:

Enclosed please find the Prehearing Memorandum, 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/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Kevin Higgins
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket No. R-2024-3050208
	:	
v.	:	
	:	
The Newtown Artesian Water Company	:	
	:	

**PREHEARING MEMORANDUM OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

I. **INTRODUCTION**

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Sharon E. Webb, Assistant Small Business Advocate. Please address all correspondence as follows:

Sharon E. Webb, Esq.
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
swebb@pa.gov

II. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA's case in this proceeding will be:

Mr. Kevin C. Higgins
Principal, Energy Strategies
111 East Broadway, Suite 1200
Salt Lake City, Utah 84111
(801) 355-4365
(801) 521-9142 – Fax
khiggins@energystrat.com

The OSBA will participate in the proceeding to assure that the interests of small business customers are adequately represented and protected. The OSBA has identified the following issues:

1. Whether the rates, terms, and other provisions of Supplement No. 158 to Tariff Water - Pa. P.U.C. No. 9 ("Supplement No. 158") --which was filed on July 19, 2024, by The Newtown Artesian Water Company ("Company")--would result in the implementation of a rate structure which would be unjust, unreasonable, unduly discriminatory and otherwise contrary to law, particularly as it pertains to small business customers.

2. Whether those materials filed by the Company are sufficient to justify the rate increase requested, particularly as pertains to small business customers.

3. Whether the Company's requested return on common equity will provide an excessive return on the Company's investments and is unjust, unreasonable and contrary to law.

As appropriate and necessary, the OSBA will investigate and analyze the claims of all parties, setting forth the OSBA's positions through the presentation of testimony by its expert witness, the cross-examination of witnesses appearing for other parties, and the briefing of the issues that arise in this proceeding.

The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding.

III. HEARING AND BRIEFING SCHEDULE

The OSBA will work with the other parties to create a mutually acceptable procedural schedule.

Respectfully submitted,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

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

Dated: September 6, 2024

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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	:	
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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 Eranda Vero
Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
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evero@pa.gov

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Date: September 6, 2024

/s/ Sharon E. Webb
Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995