

COMMONWEALTH OF PENNSYLVANIA



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September 6, 2024

Via Electronic Filing

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

Re: Petition of Deer Haven, L.L.C.
Requesting an Ex Parte Emergency Order
Allowing Aqua Pennsylvania, Inc. to Act as a
Receiver to Operate the Deer Haven Water
and Sewer Systems
Docket No. P-2024-3050545

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Notice of Intervention and Public Statement, in the above-referenced proceeding.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Barrett C. Sheridan
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Assistant Consumer Advocate
PA Attorney I.D. # 61138
Email: BSheridan@paoca.org

Enclosures

cc: The Honorable Charles E. Rainey, Jr. (email only: crainey@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Petition of Deer Haven, L.L.C. Requesting an :
Ex Parte Emergency Order Allowing Aqua : Docket No. P-2024-3050545
Pennsylvania, Inc. to Act as a Receiver to :
Operate the Deer Haven Water and Sewer :
Systems

I hereby certify that I have this day filed electronically on the Commission’s electronic filing system and served a true copy of the following document, the Office of Consumer Advocate’s Notice of Intervention and Public Statement, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 6th day of September 2024.

SERVICE BY E-MAIL ONLY

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Dated: September 6, 2024

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Deer Haven, LLC Requesting an : Docket No. P-2024-3050545
Ex Parte Emergency Order Allowing Aqua :
Pennsylvania, Inc. to Act as a Receiver to :
Operate the Deer Haven Water and Sewer
Systems

NOTICE OF INTERVENTION
OF THE
OFFICE OF CONSUMER ADVOCATE

Pursuant to 52 Pa. Code § 5.71-74, the Office of Consumer Advocate (OCA) hereby gives Notice of Intervention in the captioned proceeding. The attorneys listed below in the signature line will represent the OCA in this proceeding and service should be directed to them at the information shown below.

Respectfully submitted,

/s/ Barrett C. Sheridan

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PA Attorney I.D. # 209323
Email: MElAtieh@paoca.org

Dated: September 6, 2024

PUBLIC STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file an Intervention and participate in proceedings before the Commission involving an investigation into whether the Commission should order a capable public utility to acquire Deer Haven, LLC (Deer Haven).

On August 1, 2024, Deer Haven filed a Petition for Ex Parte Emergency Order to appoint a temporary Receiver to operate its Water and Sewer Systems. Deer Haven has not provided safe and adequate water service under Section 1501 of the Public Utility Code. Deer Haven does not have the financial capability to make necessary repairs to provide adequate service, and as such it is not a viable system. On August 15, 2024, Chairman DeFrank issued an Emergency Order, appointing Pocono Water Works Company, Inc. as the temporary Receiver of the Water System, and initiated an investigation under Section 529 of the Public Utility Code. A Ratification Order as Modified by Motion of Chairman DeFrank has since been entered, appointing Aqua Pennsylvania, Inc. as the temporary Receiver of the Water System, replacing Pocono Water. The purpose of the investigation is to determine whether the Commission should order a capable public utility to acquire Deer Haven.

The Office of Consumer Advocate will participate in this proceeding to ensure that adequate service is provided to all customers at just and reasonable rates and in accordance with applicable statutes.