

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Aqua Pennsylvania, Inc. for approval : P-2023-3044459  
of its Lead Service Line Replacement Program :

**PREHEARING ORDER #6**

On November 27, 2023, Aqua Pennsylvania, Inc. (“Aqua”) filed with the Pennsylvania Public Utility Commission (“Commission”) a Petition for approval of a lead service line replacement program, pursuant to Section 1311(b) of the Pennsylvania Public Utility Code and Sections 65.51 et seq. of the Commission’s regulations at Title 52 of the Pennsylvania Code. The Petition was docketed at P-2023-3044459.

On December 15, 2023, Steven C. Gray, Esquire filed a Notice of Appearance, Notice of Intervention and Public Statement on behalf of the Office of Small Business Advocate (“OSBA”).

On December 18, 2023, John Sweet, Esquire filed a Petition to Intervene and Answer on behalf of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”).

On January 18, 2024, Harrison W. Breitman, Esquire filed a Notice of Intervention and Public Statement on behalf of the Office of Consumer Advocate (“OCA”).

On January 22, 2024, the Commission served a notice establishing an initial telephonic prehearing conference for this matter for Thursday, February 8, 2024, at 10:00 a.m. and assigning Administrative Law Judge (“ALJ”) Charece Z. Collins as the Presiding Officer.

On January 23, 2024, the Commission served ALJ Collins’ prehearing conference order setting forth the rules and expectations for the conference.

On February 8, 2024, the telephonic prehearing conference was held as scheduled.

The participants were:

Aqua - Michael W. Hassell, Esq.; Megan E. Rulli, Esq.; and Alexander R. Stahl, Esq.

OCA - Harrison W. Breitman, Esq.

OSBA - Steven C. Gray, Esq.

CAUSE-PA - John Sweet, Esq.

At the conference, the Parties addressed preliminary procedural matters and requested 90 days to discuss settlement prior to proceeding with the formal litigation of this case. The Parties further indicated that they would send monthly status reports for the duration of the settlement period. ALJ Collins granted the Parties' request.

On February 8, 2024, the Commission issued ALJ Collins' Prehearing Order #1, which granted the parties until May 10, 2024, to discuss settlement, and required the Parties to submit monthly status reports on March 11, 2024, April 10, 2024, and May 10, 2024, respectively. Consistent with Prehearing Order #1, the Parties submitted timely status reports.

On May 10, 2024, the Parties advised ALJ Collins that the Parties had discussed the potential settlement of this matter and believed that the matter can be resolved without the need for litigation. The Parties therefore requested that the settlement period be extended for an additional 30 days, until Monday, June 10, 2024, to allow time for the development of a term sheet. ALJ Collins granted the Parties' request via Order dated May 10, 2024.

On June 10, 2024, the Parties provided a fourth status report, advising that they were continuing to discuss the potential settlement of this matter and continued to believe that the matter could be resolved without the need for litigation. The Parties requested to extend the settlement discussion period for an additional thirty days, until Wednesday, July 10, 2024, to allow the Parties additional time to develop a term sheet. ALJ Collins granted the Parties' request in an email dated June 13, 2024 and via Order dated July 1, 2024.

On July 10, 2024, the Parties provided a fifth status report, advising that they were continuing to discuss the potential settlement of this matter and continued to believe that

the matter could be resolved without the need for litigation. The Parties requested to extend the settlement discussion period for an additional thirty days, until Monday, August 12, 2024, to allow the Parties additional time to develop a term sheet. ALJ Collins granted the Parties' request via Order dated July 11, 2024.

On August 12, 2024, the Parties provided a sixth status report, requesting to extend the settlement discussion period for an additional thirty days, until Wednesday, September 11, 2024, to allow the Parties additional time to develop a term sheet. ALJ Collins granted the Parties' request via Order dated August 16, 2024.

On August 19, 2024, the Commission issued a Judge Change Notice, reassigning this matter from ALJ Collins to ALJs Gail M. Chiodo and Alphonso Arnold III.

On September 11, 2024, the Parties provided a seventh status report, requesting to extend the settlement discussion period for an additional thirty days, until Friday, October 11, 2024, to allow the Parties additional time to develop a term sheet. This Order grants the Parties' request.

### ORDER

THEREFORE,

IT IS ORDERED:

1. That the Parties shall e-mail a status report to the Presiding Officers no later than **October 11, 2024**.

2. That, if the case does not resolve, a second prehearing conference will be scheduled, at which time a formal litigation schedule will be set and the remaining procedural matters for this case will be addressed, including, but not limited to, potential modifications to the discovery rules; service of documents; written testimony; and briefs.



**P-2023-3044459 -PETITION OF AQUA PENNSYLVANIA, INC FOR APPROVAL OF A LEAD SERVICE LINE REPLACEMENT PROGRAM**

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