

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Pennsylvania-American	:	
Water Company under Section 1102(a) of	:	
the Pennsylvania Public Utility Code, 66	:	
Pa. C.S. § 1102(a), for approval of (1) the	:	
transfer, by sale, of substantially all of the	:	
East Dunkard Water Authority’s assets,	:	
properties and rights related to its water	:	A-2024-3049759
system to Pennsylvania-American Water	:	
Company, and (2) the right of	:	
Pennsylvania-American Water Company	:	
to begin to offer or furnish water service	:	
to the public in Dunkard, and portions of	:	
Monongahela, Greene, Cumberland,	:	
Perry, and Whiteley Townships, all in	:	
Greene County, Pennsylvania	:	

**PREHEARING ORDER #1**

On June 22, 2024, Pennsylvania-American Water Company (“PAWC”) filed an Application (“Application”) at Docket No. A-2024-3049759 to issue such Orders, Certificates of Public Convenience and other such relief as necessary to evidence its approval under Section 1102(a) of the Pennsylvania Public Utility Code (“Code”), 66 Pa. C.S. § 1102(a), of (1) the transfer, by sale, of substantially all of the assets, properties and rights of the East Dunkard Water Authority (“EDWA”) owned and used in connection with operating and maintaining the water system, to PAWC, and (2) PAWC’s right to offer, render, furnish and supply water service in the areas served by EDWA including Dunkard Township, and portions of Cumberland, Greene, Monongahela, Perry and Whiteley Townships, all in Greene County, Pennsylvania.

Furthermore, PAWC requested pursuant to Code Section 507, 66 Pa. C.S. § 507, the issuance of Certificates of Filing for approvals for the following agreement, as amended between PAWC and a municipal corporation: Asset Purchase Agreement By and Between the East Dunkard Water Authority as Seller, and PAWC Water Company, as Buyer, Dated as of July

23, 2023, including the First Amendment dated as of November 3, 2023 and Second Amendment dated as of January 25, 2024 and the associated *pro forma* tariff supplement.

On July 2, 2024, PAWC filed an Amended Application at Docket No. A-2024-3049759 amending Appendix A and R of the June 21, 2024, Original Application.

Notice was published in the *Pennsylvania Bulletin* with a deadline of July 22, 2024, for protests and interventions.

On June 28, 2024, Rebecca Lyttle on behalf of the Office of Small Business Advocate (“OSBA”) filed a Notice of Appearance in this proceeding. OSBA then filed a Protest, Notice of Intervention, Public Statement and Verification on July 10, 2024. On July 15, 2024, OSBA filed an Amendment Protest and Verification.

On July 22, 2024, Christine Maloni Hoover, Esq. filed a Notice of Intervention and Public Statement on behalf of the Office of Consumer Advocate (“OSBA”).

On July 22, 2024, PAWC filed its Proof of Publication showing that the Public Notice regarding this acquisition was published in the *Observer-Reporter* in Green County, Pennsylvania and that all the surrounding municipalities, water and wastewater utilities within a mile of the proposed service territory were served the Application and Amended Application.

On July 23, 2024, an Initial Telephone Prehearing Conference Notice was issued scheduling a prehearing conference for August 6, 2024, at 2:00 p.m. and assigning the matter to me. Also on this date, I issued a Prehearing Conference Order directing parties to file and serve a Prehearing Memorandum on or before noon on August 2, 2024.

In accordance with the July 23, 2024, Order, Prehearing Conference Memoranda were filed by the following parties: PAWC, OCA and OSBA.

The prehearing conference was conducted as scheduled on August 6, 2024, with Deputy Chief Administrative Law Judge Christopher Pell (“D.C. ALJ Pell”) presiding in my absence. During the conference, the parties requested, and D.C. ALJ Pell approved a 30 day period during which the parties would forgo establishing a litigation schedule in favor of pursuing informal discovery and settlement negotiations. The parties committed to providing a status report in 30 days’ time.

A timely status report was provided via email on September 6, 2024 in which counsel for the parties informed me that PAWC, OCA and OSBA have been actively engaging in informal discovery and settlement negotiations, and that they do not find it is necessary at this time to establish a litigation schedule. They asked to provide another status update in 30 days.

Their request was granted in an email dated September 9, 2024. This Order memorializes that ruling.

THEREFORE,

IT IS ORDERED:

1. That the parties in this matter shall submit a status report to the undersigned presiding officer every 30 days, beginning on October 7, 2024, until they are ready to propose a litigation schedule in this matter or reach a resolution of the issues raised in the Application.

Date: September 19, 2024

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/s/  
Eranda Vero  
Administrative Law Judge

**A-2024-3049759 - Application of Pennsylvania-American Water Company under Section 1102(a) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1102(a), for approval of (1) the transfer, by sale, of substantially all of the East Dunkard Water Authority's assets, properties and rights related to its water system to Pennsylvania-American Water Company, and (2) the right of Pennsylvania-American Water Company to begin to offer or furnish water service to the public in Dunkard, and portions of Monongahela, Greene, Cumberland, Perry, and Whiteley Townships, all in Greene County, Pennsylvania**

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