

COMMONWEALTH OF PENNSYLVANIA



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October 9, 2024

Via Electronic Filing

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

Re: I&E Petition to Request the Commission
Open a Section 529 Investigation into the
Acquisition of Rock Spring Water Company
Docket Nos. P-2024-3051313
I-2024-

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 as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Jacob D. Guthrie
Jacob D. Guthrie, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 334367
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Enclosures:

cc: David Screven, Esq., Chief Counsel PUC Law Bureau (Via Email: dscreven@pa.gov)
Office of Special Assistants (Via Email: ra-osa@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

I&E Petition to Request the Commission : Docket Nos. P-2024-3051313
Open a Section 529 Investigation into the : I-2024-
Acquisition of Rock Spring Water Company :

I hereby certify that I have this day 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 9th day of October, 2024.

SERVICE BY E-MAIL ONLY

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SERVICE BY FIRST-CLASS MAIL

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Furnace, PA 16865

State College Borough Water Authority
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State College, PA 16801

Raymond Myers, Chairman
Huntingdon Area Water and Sewer Authority
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Phone: (717) 783-5048

Dated: October 9, 2024

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

I&E Petition to Request the Commission : Docket Nos. P-2024-3051313
Open a Section 529 Investigation into the : I-2024-
Acquisition of Rock Spring Water Company :

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 proceedings. The OCA deems it necessary to participate in this proceeding to protect the interests of the named utility's consumers. A copy of all correspondence and notices, documents, orders or other communications with respect to the captioned proceeding should be addressed to the undersigned counsel on behalf of the OCA.

Respectfully submitted,

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048

Counsel for:
Patrick M. Cicero
Consumer Advocate

Dated: October 9, 2024

/s/ Emily A. Farren
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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. Section 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 a Notice of Intervention and participate in this proceeding before the Commission involving an investigation into whether the Commission should order a capable public utility to acquire Rock Spring Water Company (Rock Spring or Company), a jurisdictional water utility.

On September 20, 2024, the Bureau of Investigation and Enforcement (I&E) filed a Petition, captioned “Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Rock Spring Water Company” (Petition). Rock Spring serves approximately 1,000 people with 494 connections. The purpose of the Petition is to determine whether the Commission should open an investigation to order a capable public utility to acquire Rock Spring and whether a receiver should be appointed for Rock Spring.

In the Petition, I&E supported its request for the Commission to initiate a Section 529 investigation for Rock Spring because the Company had not satisfied certain components of the Joint Settlement of its 2012 base rate case, including: (1) a 50% reduction of Unaccounted For Water (UFW) phased-in over 66 months, with the first 10% reduction achieved within 18 months from the effective date of new rates and additional 10% reductions for each 12 month period over the next four years; and (2) installation of two isolation valves, not to exceed a maximum of ten new isolation valves over the 66-month period, if it fails to achieve the agreed upon 10% reduction. Additionally, I&E stated that Rock Spring has violated, and continues to violate, numerous

Pennsylvania Department of Environmental Protection (DEP) environmental requirements, administrative orders, and enforcement orders issued by the Commonwealth Court.

The Consumer Advocate has determined that it is necessary to participate in this proceeding to protect the interests of Rock Spring's customers. The Office of Consumer Advocate will seek to ensure that adequate service is provided to all customers at just and reasonable rates and in accordance with applicable statutes.