



COMMONWEALTH OF PENNSYLVANIA

October 10, 2024

E-FILED

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

Re: Petition of Pennsylvania-American Water Company for Approval of a Lead Service Line Replacement Program, Related Tariff Changes, and Modification of Long-Term Infrastructure Improvement Plan / Docket No. P-2024-3050263

Dear Secretary Chiavetta:

Enclosed please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-referenced 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/ Steven C. Gray

Steven C. Gray
Senior Attorney
Assistant Small Business Advocate
Attorney ID No. 77538

Enclosures

cc: Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pennsylvania-American Water Company for Approval of a Lead Service Line Replacement Program, Related Tariff Changes, and Modification of Long-Term Infrastructure Improvement Plan : **Docket No. P-2024-3050263**
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**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 customers of utility services before the Pennsylvania Public Utility Commission (“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 these proceedings. Representing the OSBA in the above-referenced matter is Assistant Small Business Advocate Steven Gray.

Please address all correspondence in this matter as follows:

Steven Gray, Esq.
Senior Attorney
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525 / (717) 783-2831
sgray@pa.gov

II. FILING BACKGROUND

On July 22, 2024, the Pennsylvania-American Water Company (“PAWC” or the “Company”) filed a Petition for Approval of a Lead Service Line Replacement (“LSLR”) Program, related Tariff changes, and the modification of the Company’s Long-Term Infrastructure Improvement Plan (“Petition”) with the Commission.

The OSBA filed a Notice of Intervention on August 7, 2024.

III. TENTATIVE ISSUES

The OSBA will participate in this proceeding to assure that the interests of PAWC’s small business customers are adequately represented and protected.

At the time of this writing, the OSBA is reviewing the materials submitted by the Company. Nevertheless, the OSBA has identified the following list of issues that it will evaluate in this proceeding:

1. Whether the Company’s proposed annual caps on the number of service lines replaced and the annual investment in lead service line replacements are reasonable.
2. Whether the Company’s proposal for prioritizing LSLR projects is reasonable and appropriate.

The OSBA reserves the right to pursue additional issues that may arise throughout this proceeding.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date¹ as satisfying the in-hand requirement.

¹ In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

V. SETTLEMENT

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

VI. HEARING AND BRIEFING SCHEDULE

At the time of this writing, the parties are working to develop a procedural schedule.

Respectfully submitted,

/s/ Steven Gray

Steven Gray
Senior Attorney
Assistant Small Business Advocate
Attorney ID # 77538

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

Dated: October 10, 2024

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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 Arlene Ashton
Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
aashton@pa.gov

Allison Kaster, Esquire
Director
Bureau of Investigation & Enforcement
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erin.fure@amwater.com

DATE: October 10, 2024

/s/ Steven C. Gray

Steven C. Gray
Senior Attorney
Assistant Small Business Advocate
Attorney I.D. No. 77538