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October 10, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265

**In re: I&E Petition to Request the Commission Open a
Section 529 Investigation Into the Acquisition of Rock
Spring Water Company - Docket No. P-2024-3051313**

Dear Secretary Chiavetta:

Enclosed please find the attached Petition to Intervene of Pennsylvania-American Water Company in the above-referenced proceeding.

If you should have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari

Enclosure

cc: All Parties on the Attached Certificate of Service (*in the manner specified*)
David Screven, Esquire – Chief Counsel – Law Bureau (*via electronic mail*)
Office of Special Assistants (*via electronic mail*)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: I&E Petition to Request the Commission Open a Section 529 Investigation Into the Acquisition of Rock Spring Water Company	: : Docket No. P-2024-3051313 : Docket No. I-2024- :
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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the above-referenced Petition upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code §1.54 (relating to service by a party).

SERVED VIA ELECTRONIC MAIL ON OCTOBER 10, 2024

Jacob D. Guthrie, Esquire Emily A. Farren, Esquire Office of Consumer Advocate 555 Walnut Street 5th Floor Forum Place Harrisburg, PA 17101-1923 JGuthrie@paoca.org EFarren@paoca.org	NazAarah Sabree, Director Office of Small Business Advocate Forum Place 555 Walnut Street, 1st Floor Harrisburg, PA 17101 ra-sba@pa.gov
Carrie B. Wright, Deputy Chief Prosecutor Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement Commonwealth Keystone Building 400 North Street Harrisburg, Pennsylvania 17120 carwright@pa.gov	Alexandar R. Stahl, Esquire Aqua Pennsylvania, Inc 762 W. Lancaster Avenue Bryn Mawr, PA 19010 astahl@aquaamerica.com
James C. Cagle Veolia Water 310 Allentown Blvd., Suite 104 Harrisburg, PA 17112 james.cagle@veolia.com	

SERVED VIA FIRST-CLASS MAIL ON OCTOBER 10, 2024

J. Roy Campbell Rock Spring Water Company 1750 Tadpole Rd. Furnace, PA 16865	State College Borough Water Authority 1201 West Branch Road State College, PA 16801
Raymond Myers, Chairman Huntingdon Area Water and Sewer Authority 81555 Deforrest Road Huntingdon, PA 16652	

Respectfully submitted,



Elizabeth Rose Triscari, Esquire (PA ID #306921)
Pennsylvania-American Water Company
852 Wesley Drive
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**Attorney for Pennsylvania-American Water
Company**

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: I&E Petition to Request the Commission Open a : Docket No. P-2024-3051313
Section 529 Investigation Into the Acquisition of Rock : Docket No. I-2024-
Spring Water Company :

**PETITION TO INTERVENE OF PENNSYLVANIA-AMERICAN WATER
COMPANY IN SECTION 529 INVESTGATION**

Pursuant to 52 Pa. Code §§ 5.71-5.75, Pennsylvania-American Water Company ("PAWC" or "Company") hereby files this Petition to Intervene in the above-captioned proceeding ("Petition"). In support of its Petition, PAWC states as follows:

1. The name and address of PAWC are:

Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

2. PAWC's attorneys in this matter are:

Elizabeth Rose Triscari, Esquire (PA ID No. 306921)
Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055
Telephone: (717) 550-1574
E-mail: Elizabeth.Triscari@amwater.com

3. PAWC is a regulated public utility corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania, and is engaged in the business of collecting, treating, storing, supplying, distributing and selling water to the public, and collecting, treating, transporting and disposing of wastewater for the public. Water and wastewater service is furnished by PAWC to the public in a service territory encompassing more than 418 communities in 37 counties across the Commonwealth with a combined population of over 2,400,000.

4. Rock Spring Water Company ("Rock Spring") is a public utility as that term is

defined at 66 Pa. C.S. §102 and is engaged in providing water service (Utility Code 212610) to the public pursuant to its certificate of public convenience on file with and regulated by the Pennsylvania Public Utility Commission ("Commission").

5. Rock Spring is owned by J. Roy Campbell and engaged in providing water service to the public and has a registered mailing address of 1750 Tadpole Road, Furnace, Pennsylvania 16865.

6. Rock Spring currently serves approximately 1,000 customers with 494 connections.

7. On September 20, 2024, the Bureau of Investigation and Enforcement ("I&E") filed a Petition requesting that the Commission open a Section 529 Investigation into the acquisition of the Rock Spring ("Petition").

8. In its Petition, I&E is requesting that the Commission initiate proceedings to determine whether a competent utility should be directed to acquire Rock Spring. The Petition outlines Rock Springs' failure to comply with applicable statutory and regulatory standards, including but not limited to, multiple monitoring and reporting violations and multiple violations to the Safe Drinking Water Act.

9. On June 13, 2013 the Commission adopted a Recommended Decision of Administrative Law Judge Susan Colwell to Approve the Joint Settlement ("Joint Settlement") of All Issues in the Rate Base Case filed by Rock Spring.¹

10. This Joint Settlement included many stipulations including Rock Spring making efforts to sell the systems to a competent buyer and notify the Office of Consumer Advocate and

¹ See, *Pennsylvania Public Utility Commission vs. Rock Spring Water Company*, Docket No. R-2012-2336662 (Order entered June 13, 2013)

I&E the status of any negotiations, offers or discussions². As of this writing Rock Spring has failed to comply.

11. I&E is requesting the Commission issue an Emergency Order and appoint a competent public utility as receiver to take over the day-to-day operations of Rock Spring.

12. The Commission's regulations allow intervention where a person has an interest in the proceeding which may be directly affected, and which is not adequately represented by existing parties, and as to which the person may be bound by the action of the Commission in the proceeding. 52 Pa. Code§ 5.72(a)(2). Intervention is also permitted where participation of the person may be in the public interest. 52 Pa. Code§ 5.72(a)(3). A "person" includes a corporation and an association. 52 Pa. Code§ 1.8.

13. As a proximate water provider to Rock Spring, PAWC may be directly affected by the outcome of this proceeding and no other party can adequately represent the Company in this proceeding, and, therefore, PAWC's Petition should be granted.

WHEREFORE, Pennsylvania-American Water Company respectfully requests that the Commission grant its Petition to Intervene.

Respectfully submitted,



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Date: October 10, 2024

² *Id.* at p. 4, paragraph 7g.