



VIA E-FILING

October 16, 2024

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

**Re: The Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement Petition to Request the Commission Open a Section 529 Investigation Into the Acquisition of Rock Springs Water Company
Docket No. P-2024-3051313**

Dear Secretary Chiavetta:

Enclosed please find the Petition to Intervene on behalf of Aqua Pennsylvania, Inc. in the above captioned matter.

If you have any questions regarding this filing, please contact me at 610-645-1130.

Sincerely,



Alexander R. Stahl
Regulatory Counsel

cc: Certificate of Service

Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Administrative Law Judge
John M. Coogan, Presiding**

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

**PETITION TO INTERVENE OF AQUA PENNSYLVANIA, INC. TO THE PETITION
FOR SECTION 529 INVESTIGATION**

Pursuant to 52 Pa. Code § 5.71 et seq., Aqua Pennsylvania, Inc. (“Aqua” or the “Company”), hereby files this Petition to Intervene in the above captioned proceeding regarding the Pennsylvania Public Utility Commission (“PUC” or the “Commission”) Bureau of Investigation and Enforcement’s (“I&E”) Petition to Request the Commission Open a Section 529 Proceeding Investigation into the Acquisition of Rock Springs Water Company (“Petition”).

In support of this Petition, the Company states as follows:

1. The name and address of the Petitioner are:

Aqua Pennsylvania, Inc.
762 W. Lancaster Avenue
Bryn Mawr, PA 19010

2. The name, business address, and contact information for Petitioner’s counsel in this matter is:

Alexander R. Stahl, Esq. (PA ID No. 317012)
Aqua Services, Inc.
Regulatory Counsel
762 W. Lancaster Avenue

Bryn Mawr, PA 19010
Tel: 610-645-1130
Email: astahl@aquaamerica.com

3. Aqua is a Class A water utility, duly organized and existing under the laws of the Commonwealth of Pennsylvania, operating under Commission granted certificates of public convenience. Aqua provides service to approximately 456,000 customers in various counties throughout the Commonwealth. Aqua does not provide water service in Centre County.

4. Rock Spring Water Company (“Rock Spring”) is a Commission regulated public utility serving approximately 464 customers located within Centre County, Pennsylvania based on documents on file with the Commission.¹

5. This proceeding was instituted through I&E’s Petition requesting the Commission open an investigation into whether the Commission should order a capable public utility to acquire Rock Spring pursuant to Section 529 of the Public Utility Code, 66 Pa. C.S. § 529.

6. The Company received a copy of I&E’s Petition on September 20, 2024.

7. On October 15, 2024, Administrative Law Judge (“ALJ”) John M. Coogan issued a Prehearing Conference Order noting that entities that receive notice of this proceeding that are not yet formal parties may file a Petition to Intervene.

8. The Company files this Petition consistent with Commission regulations at 52 Pa. Code §§ 5.73 and 5.74.

9. The Commission’s regulation at 52 Pa. Code § 5.72 governs an entity’s eligibility to intervene in a proceeding, and provides, in part, that:

- (a) Persons. A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

¹ Annual Financial Report of Rock Spring Water Company as of December 31, 2023, <https://www.puc.pa.gov/pdocs/1843376.pdf>

- ...
- (2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.

52 Pa. Code § 5.72(a)(2).

10. The Company has been identified as a proximate public utility, and a final determination by the Commission concerning the ownership of Rock Spring could affect the Company.

11. Aqua has an interest in the subject matter of this proceeding that cannot be adequately represented by other existing parties.

12. The Company submits there are other proximate water utility providers that are in a better position to provide service to the Rock Spring customers.

13. For these reasons, the Company may be directly affected and no other party can adequately represent the Company in this proceeding, and, therefore, the Company's Petition to Intervene should be granted.

WHEREFORE, Aqua Pennsylvania, Inc. respectfully requests that Administrative Law Judge John M. Coogan grant this Petition to Intervene.



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Counsel for Aqua Pennsylvania, Inc.

Dated: October 16, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals and in the manner listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA ELECTRONIC MAIL

The Honorable John M. Coogan
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SERVICE BY U.S. MAIL

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Raymond Myers, Chairman
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Alexander R. Stahl

Dated: October 16, 2024