



**Phoebe Youhanna**  
Corporate Counsel

**Veolia Water Pennsylvania, Inc.**  
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October 28, 2024

**VIA ELECTRONIC MAIL**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
Harrisburg, PA 17120

**Re: Veolia Water Pennsylvania, Inc.'s Prehearing Conference Memorandum in the Matter of The Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement's Petition Requesting that the Commission Open a Section 529 Investigation of Rock Spring Water Company. Docket No. P-2024-3051313**

Dear Secretary Chiavetta,

Enclosed, please find Veolia Water Pennsylvania, Inc.'s Prehearing Conference Memorandum in the above referenced matter.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions regarding this filing.

Sincerely,

/s/Phoebe Youhanna /s/

Phoebe Youhanna, Esq.

Enclosure:

Cc: Counsel on Certificate of Service  
Larry Finnicum, VWPA Regional President

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	P-2024-3051313
v.	:	
	:	
Rock Spring Water Company	:	

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**PREHEARING CONFERENCE MEMORANDUM OF  
VEOLIA WATER PENNSYLVANIA, INC.**

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AND NOW COMES Veolia Water Pennsylvania, Inc. (“VWPA” or “Veolia”), pursuant to 52 Pa. Code § 5.222(d) and in compliance with the Prehearing Conference Order issued by the Honorable Administrative Law Judge John M. Coogan (the “ALJ”) on October 15, 2024, to file this Prehearing Conference Memorandum in the above-referenced matter. In support thereof, VWPA states as follows:

**I. INTRODUCTION AND PROCEDURAL HISTORY**

1. On September 20, 2024, the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“PUC”) filed a Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Rock Spring Water Company.

2. On October 9, 2024, the Office of Consumer Advocate (“OCA”) filed a Notice of Intervention and Public Statement.

3. On October 10, 2024, PAWC filed a Petition to Intervene. PAWC is represented by Elizabeth Rose Triscari, Esq.

4. Also on October 10, 2024, Alexander R. Stahl, Esq. filed a Notice of Appearance on behalf of Aqua Pennsylvania, Inc. (“Aqua”). Aqua filed a Petition to Intervene on October 16, 2024.

5. On October 11, 2024, the Commission issued an Initial Telephonic Prehearing Conference Notice notifying the parties of a prehearing conference to be held at 10:00 a.m. on October 30, 2024. On October 15, 2024, the ALJ issued his Prehearing Conference Order.

6. On October 21, 2024, the State College Borough Water Authority filed a Petition to Intervene.

7. On October 23, 2024, the Office of Small Business Advocate (“OSBA”) filed a Notice of Intervention, Public Statement and Verification. Also on October 23, 2024, Rebecca Lyttle, Esq. filed her Notice of Appearance on behalf of the OSBA.

8. On October 24, 2024, Teresa Harrold, Esq. filed a Notice of Appearance on behalf of PAWC. Also on October 24, 2024, David P. Zambito, Esq. and Jonathan P. Nase, Esq. filed a Notice of Appearance on behalf of PAWC.

## **II. COUNSEL**

9. Counsel for VWPA are:

Phoebe Youhanna, Esq. (NJ ID: 164232016/ NY ID: B10128128)  
In-house Counsel  
Veolia Water Pennsylvania, Inc.  
461 From Road  
Suite 400  
Paramus, NJ 07652  
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*Should this matter become adversarial in the future, Veolia intends to retain and be represented by Pennsylvania counsel.*

### **III. SERVICE OF DOCUMENTS**

10. VWPA's attorney is authorized to accept service on behalf of VWPA in this proceeding. VWPA agrees to receive service of documents electronically in this proceeding and requests that all listed counsel for VWPA receive electronic service.

### **IV. ISSUES**

11. The ultimate issue in this proceeding is whether the Commission should order a capable public utility to acquire the Rock Spring Water Company ("Rock Spring"). If the Commission decides that Rock Spring is to be acquired, the Commission must identify the capable public utility that is to acquire Rock Spring. VWPA does not own any water systems in relatively close proximity to Rock Spring, and it is VWPA's understanding that such an acquisition could result in more than approximately \$16 million in capital expenditures. The lack of geographical proximity and the expenditures that Veolia would be required to make in order to adequately provide service to Rock Spring renders the transaction prohibitive for VWPA and its existing customers. As such, VWPA respectfully requests to be dismissed from participating in this proceeding.

### **V. WITNESSES**

VWPA has not identified any witnesses and does not expect to proffer any witnesses or testimony in this matter.

**VI. LITIGATION SCHEDULE**

For the foregoing reasons, VWPA respectfully requests to be dismissed from participating in any future proceedings on this matter.

**VII. DISCOVERY RULES**

This case does not have a statutory deadline. Therefore, VWPA does not believe a need exists for any modification of the Commission's discovery rules.

Respectfully submitted,

/s/ Phoebe Youhanna /s/

Phoebe Youhanna, Esq. (Licensed in NJ and NY)

In-house Counsel, VWPA

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Suite 400

Paramus, NJ 07652

Email: phoebe.youhanna@veolia.com

Counsel for *Veolia Water Pennsylvania, Inc.*

Dated: October 28, 2024

**CERTIFICATE OF SERVICE**

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement	:	
	:	
	:	P-2024-3051313
v.	:	
	:	
Rock Spring Water Company	:	

I hereby certify that I have this day served a true copy of Veolia Water Pennsylvania, Inc.’s Prehearing Conference Memorandum upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant) upon the persons listed below. This document was filed electronically on the Commission’s electronic filing system. Dated this 28th day of October, 2024.

**VIA E-MAIL**

Alexander R. Stahl, Esq.  
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Counsel for *Bureau of Investigation and  
Enforcement*

**VIA REGULAR MAIL**

J. Roy Campbell  
Rock Spring Water Company  
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Furnace, PA 16865

Raymond Myers, Chairman  
Huntingdon Area Water & Sewer Authority  
81555 Deforrest Road  
Huntingdon, PA 16652

Respectfully,

/s/Phoebe Youhanna  
Phoebe Youhanna, Esq.  
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Date: October 28, 2024