

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of the York Water Company for	:	P-2024-3050273
Approval of a Lead Service Line Replacement	:	
Program	:	

**PREHEARING ORDER #1**

On July 23, 2024, York Water Company (York Water, YWC or Company) filed the Petition for Approval of its Lead Service Line Replacement (LSLR) Program, in accordance with Section 1311(b) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1311(b), with Chapter 65 of the Pennsylvania Public Utility Commission’s (Commission) regulations, 52 Pa. Code § 65.51, *et seq.*, and with the Commission’s Final Rulemaking Order regarding Act 120 of 2018 (Act 120) entered on March 14, 2022, at Docket No. L-2020-3019521.

On August 6, 2024, the Commission’s Bureau of Technical Utility Services (TUS) served its first set of data requests. Also, on August 6, 2024, the Office of Small Business Advocate (OSBA) filed its Notice of Appearance, Notice of Intervention, Public Statement, and Verification.

On August 9, 2024, York Water filed a letter requesting a 10-business day extension for its answers to TUS’s first set of data requests. That request was granted on August 15, 2024, when the Commission issued a Secretarial Letter granting the Company’s request. On September 4, 2024, YWC responded to the first set of data requests from TUS.

On August 21, 2024, the Office of Consumer Advocate (OCA) filed its Notice of Intervention and Public Statement. On September 4, 2024, York Water filed its answers to

TUS's first set of data requests. On September 25, 2024, OCA filed an Amended Notice of Intervention and Public Statement.

On September 5, 2024, TUS served its second set of data requests on the Company.

On October 3, 2024, the Commission's Office of Administrative Law Judge (OALJ) issued the Telephonic Prehearing Conference Notice, scheduling a telephonic prehearing conference for November 4, 2024. On October 4, 2024, the presiding officer issued a Prehearing Conference Order which, among other things, directed the parties to file prehearing memoranda on or before November 1, 2024.

On November 1, 2024, prehearing memoranda were filed by the Company, OSBA and OCA.

The presiding officer conducted the telephonic prehearing conference as scheduled on November 4, 2024, at which the following participants appeared: Devin T. Ryan, Esquire, for York Water Company; Steven C. Gray, Esquire, for the Office of Small Business Advocate; and Harrison W. Breitman, Esquire, for the Office of Consumer Advocate.

In prehearing conference memos and at the conference, the parties indicated settlement discussions were ongoing, and York Water was responding to a list of questions provided by the Commission's Technical Utility Services. The parties requested 30 to 60 days to discuss settlement prior to proceeding with the formal litigation of this matter. The parties indicated York Water, on behalf of the active parties, would send status reports for the duration of the settlement and discovery period. The presiding officer granted the request, and this Order sets forth the initial procedural matters addressed at the prehearing conference.

To date, the only entities and/or parties to this proceeding are York Water Company, OSBA and OCA.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the active parties of record, as of the date of this Prehearing Order, are York Water Company, the Office of Small Business Advocate and the Office of Consumer Advocate.

2. That prior to formal litigation, the parties have until **Friday, January 10, 2025** to engage in discovery, as appropriate, and discuss the potential settlement of this matter. On or before **January 10, 2025**, York Water Company shall file with the Commission, and serve on the presiding officer, a status report on behalf of the active parties, that notifies the Commission and the presiding officer about the status of discussions and discovery.

3. That the Parties shall e-mail a status report to the presiding officer every sixty (60) days thereafter.

4. That if the case does not resolve, a second prehearing conference will be scheduled, at which time a formal litigation schedule will be set and remaining procedural matters will be addressed, including, but not limited to, potential modifications to the discovery rules; service of documents; written testimony; and briefs.

5. That it is the Commission's policy to encourage settlements. 52 Pa. Code §5.231(a). The parties are commended for their willingness to attempt to resolve this matter in lieu of costly litigation. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of

settlement by all signatory parties, must be filed with the Secretary for the Commission and served on the presiding officer.

6. That any provision of this prehearing order may be modified upon motion and good cause shown by any party in interest in accordance with 52 Pa. Code § 5.223(a).

Date: November 5, 2024

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Katrina L. Dunderdale  
Administrative Law Judge

**P-2024-3050273 - PETITION OF THE YORK WATER COMPANY FOR APPROVAL OF ITS LEAD SERVICE LINE REPLACEMENT PROGRAM**

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