



VIA E-FILING

November 5, 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 Conneaut Lake Park Corporation, Inc. Docket Nos. P-2024-3051855 and I-2024-3051857

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 or astahl@aquaamerica.com.

Sincerely,



Alexander R. Stahl
Regulatory Counsel

cc: Certificate of Service

Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Administrative Law Judges
Eranda Vero and Arlene Ashton, Presiding**

The Pennsylvania Public Utility	:	
Commission’s Bureau of Investigation	:	P-2024-3051855
and Enforcement Petition to Request the	:	
Commission Open a Section 529	:	I-2024-3051857
Investigation Into the Acquisition of	:	
Conneaut Lake Park Corporation, Inc.	:	

**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 Conneaut Lake Park Corporation, Inc. (“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, including Crawford County, Pennsylvania.

4. Conneaut Lake Park Corporation, Inc. (“Conneaut”) is a Commission regulated public utility serving approximately 165 customers located within Crawford County, Pennsylvania based on documents on file with the Commission.¹

5. This proceeding stems from a Joint Petition For Approval of Settlement of Rate Proceeding that was filed in the 2023 Conneaut Rate Case, which, among other things stated:

G. Settlement - Section 529 Proceeding

51. The Bureau of Investigation and Enforcement shall initiate a Section 529 proceeding of the Public Utility Code no later than three (3) months after entry of a Commission Order. I&E agrees that it will not seek any fines or penalties against [Conneaut] for any alleged violations of the Public Utility Code, or PUC rules and regulations, by [Conneaut] that occurred prior to the date of the Commission’s approval of the Settlement Agreement. [Conneaut] reserves the right to challenge the acquisition and present evidence proving its ability to render adequate, efficient, safe, and reasonable service at just and reasonable rates.

¹ See *Pa. Pub. Util. Comm’n et al. v. Conneaut Lake Park Water Corporation, Inc.*, Docket No. R-2023-3041575 *et al.*, Recommended Decision at 8 (Jul. 1, 2024); Recommended Decision adopted by Commission Order August 1, 2024 (hereinafter “2023 Conneaut Rate Case”)

I&E then filed the Petition on October 28, 2024, requesting the Commission open an investigation into whether the Commission should order a capable public utility to acquire Conneaut 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 October 28, 2024.

7. On November 1, 2024, the Commission's Secretary's Bureau issued an Initial Telephonic Prehearing Conference Notice for Wednesday, November 13, 2024 at 2 p.m. with Administrative Law Judges Eranda Vero and Arlene Ashton presiding.

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:

...

(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 Conneaut 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. 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 Judges Eranda Vero and Arlene Ashton grant this Petition to Intervene.



Alexander R. Stahl
Attorney ID No. 317012
Aqua Services, Inc.
Regulatory Counsel
762 W. Lancaster Avenue
Bryn Mawr, PA 19010
Phone: 610-645-1130
Email: astahl@aquaamerica.com

Counsel for Aqua Pennsylvania, Inc.

Dated: November 5, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 Conneaut Lake Park Corporation, Inc. :
: **P-2024-3051855**
:
: **I-2024-3051857**
:
:

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 Eranda Vero
Administrative Law Judge
The Honorable Arlene Ashton
Administrative Law Judge
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120
evero@pa.gov
aashton@pa.gov

Patrick Cicero, Consumer Advocate
Harrison W. Breitman, Esq.
Jacob D. Guthrie, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101
ra-oca@paoca.org
hbreitman@paoca.org
jguthrie@paoca.org

Michael A. Podskoch, Jr., Esq.
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120
mpodskoch@pa.gov

Todd Joseph
P.O. Box 242
Harmonsborg, PA 16422
tjosephproperties@hotmail.com

NazAarah Sabree, Small Business Advocate
Sharon E. Webb, Esq.
Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17101
ra-sba@pa.gov
swebb@pa.gov

Mark J. Shaw, Esq.
MacDonald Illeg Jones & Britton LLP
100 State Street, Suite 700
Erie, PA 16507-1459
mshaw@mijb.com
(Counsel for Conneaut Lake Park Corporation, Inc.)

Joshua D. Brown, Esq.
Lund Metcalfe, LLC
1900 Main Street, Suite 257
Canonsburg, PA 15317
jbrown@lundmetcalfe.com

Jamestown Municipal Water and Sewer
Authority
406 Jackson Street
P.O. Box 188
Jamestown, PA 16134
Jamestown@zoominternet.net

James Tolbert
21986 Russet Drive
Meadville, PA 16355
jtolbert@zoominternet.net

Douglas Smith
12554 Reed Avenue
Conneaut Lake, PA 16316
ds42@windstream.net

George Malloy
213 Cobblestone Drive
Pittsburgh, PA 15237
shellyhuf@hotmail.com

Sharon Arneson
1218 Forest Avenue
New Kensington, PA 15068
arnesonsharon@ymail.com

Tera Powell
719 10th Street
New Brighton, PA 15066
Tera.malekovic@gmail.com

Conneaut Lake Joint Municipal Authority
9888 State Highway 285
P.O. Box 277
Conneaut Lake, PA 16316
office@cljma.com

Reynolds Water Company
301 Arlington Drive
Greenville, PA 16125
grdc@greenvillereynolds.com

SERVICE BY U.S. MAIL

Municipal Authority of Conneaut Lake
395 High Street
P.O. Box 345
Conneaut Lake, PA 16316

Linesville Municipal Water Authority
103 W. Erie Street
Linesville, PA 16424

Vernon Township Water Authority
16678 McMath Avenue
Meadville, PA 16335

Saegertown Water Department
603 Erie Street
P.O. Box 558
Saegertown, PA 16433

Greenville Water Authority
44 Clinton Street
Greenville, PA 16125



Alexander R. Stahl

Dated: November 5, 2024