

COMMONWEALTH OF PENNSYLVANIA



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December 5, 2024

Via Electronic Filing

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

Re: Pennsylvania Public Utility Commission
v.
Aqua Pennsylvania, Inc. and
Aqua Pennsylvania Wastewater, Inc.
Docket Nos. R-2024-3047822 (Water)
R-2024-3047824 (Wastewater)

Dear Secretary Chiavetta:

Enclosed for e-filing please find the Office of Consumer Advocate's Second Courtesy Pleading for Aqua Settlement in this matter.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectively,

/s/ Katherine M. Kennedy
Katherine M. Kennedy, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 317237
KKennedy@paoca.org

Enclosures

cc: Administrative Law Judge Gail M. Chiodo (gchiodo@pa.gov)
Administrative Law Judge Alphonso Arnold III (alphonarno@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission :
v. : Docket Nos. R-2024-3047822 (Water)
Aqua Pennsylvania, Inc. and : R-2024-3047824 (Wastewater)
Aqua Pennsylvania Wastewater, Inc. :

I hereby certify that I have this day served a true copy of the Office of Consumer Advocate’s Second Courtesy Pleading for Aqua Settlement, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 5th day of December, 2024.

SERVICE BY E-MAIL ONLY

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Dated: December 5, 2024

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

| | | |
|--|---|-----------------------------------|
| Pennsylvania Public Utility Commission | : | |
| v. | : | Docket Nos. R-2024-3047822(Water) |
| Aqua Pennsylvania, Inc. and | : | R-2024-3047824(Wastewater) |
| Aqua Pennsylvania Wastewater, Inc. | : | |

OFFICE OF THE CONSUMER ADVOCATE’S
SECOND COURTESY FORWARDING OF CONSUMER FEEDBACK
TO PROPOSED, NON-UNANIMOUS, PARTIAL SETTLEMENT

AND NOW, comes the Pennsylvania Office of Consumer Advocate and its attorneys of record for the above-referenced case, and respectfully presents as follows:

1. On May 23, 2024, Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc. (collectively Aqua or the Company) filed Original Tariff Water – PA P.U.C. No. 4 and Original Tariff Sewer – PA P.U.C. No. 4, with the Commission pursuant to 52 Pa. Code § 53.71 and the Commission’s directives in the Order entered June 13, 2024, at Docket No. R-2024-3047822, *et al.*, and the Order entered June 13, 2024, at R-2024-3047824, *et al.* at the above-captioned dockets.
2. On May 31, 2024, the OCA filed its Formal Complaint and Public Statement.
3. On June 13, 2024, the Commission issued an Order that initiated an investigation into the lawfulness, justness, and reasonableness of the proposed rate increase in this filing, in addition to the Company’s existing rates, rules, and regulations, assigned this matter to the Office of Administrative Law Judge (OALJ) for further proceedings as appropriate, and suspended the effective date of Original Tariff Water – PA P.U.C. No. 4 and Original Tariff Sewer – PA P.U.C. No. 4 until February 22, 2025. The OALJ assigned the case to

the Honorable ALJs Gail M. Chiodo and Alphonso Arnold, III (also respectfully referred to as “ALJs,” collectively).

4. Approximately 125 consumers have filed formal complaints to date. There were 11 Public Input Hearings at which 173 individuals testified under oath, an overwhelming majority of them in opposition to Aqua’s rate relief request. OCA St. 1 Supp. at 1.
5. On October 25, 2024, Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc. (collectively, “Aqua PA,” “AP” or the “Company”), the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), the Office of Consumer Advocate (“OCA”) , the Office of Small Business Advocate (“OSBA”), and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) (collectively, “Settlement Parties” or “Joint Petitioners”) communicated with ALJs Chiodo and Arnold that that the Parties reached a partial¹, non-unanimous settlement in principle.
6. ALJs Chiodo and Arnold asked that Aqua send the settlement and supporting documents to all formal complainants in this matter (both active and inactive) by November 7, 2024.
7. The ALJs also asked that OCA send a Notification Letter to all formal complainants.
8. The Commission compiled lists of formal and informal complainants, and the OCA sent a Notification Letter to the complainants on or about November 7, 2024, which directed the consumer complainants to submit signature pages and/or comments to the PUC or the OCA by November 19, 2014².

¹ The one unresolved issue between the Settling Parties is the Company’s proposals to increase rates in the Company’s East Whiteland rate district and include the wastewater assets of East Whiteland Township in its ratemaking rate base, which the parties agreed in the Settlement to reserve for briefing.

² The OCA Letter further directed that if a consumer complainant sent signature pages and/or comments to the OCA, the OCA would then submit the same to the PUC.

9. On or about November 20, 2024, Assistant Consumer Advocate Katie Kennedy forwarded the ALJs any and all responses received by the OCA in response to the Proposed Settlement.
10. On or about November 21, 2024, the Honorable Gail Chiodo and Alphonso Arnold III requested that the OCA submit all comments it receives from pro se Complainants (which have not been filed of record by the Complainant) to the Secretary's Bureau, as well as forwarding such comments to the ALJs.
11. On or about November 21, 2024, the OCA sought direction from the Secretary's Bureau³ and were directed to file all comments that the OCA receives from pro se Complainants.
12. On or about November 22, 2024, Attorney Kennedy conveyed the direction received by the Secretary's Bureau to the ALJs, parties and counsel of record.
13. On or about November 22, 2024, the OCA respectfully filed the following pro se Complainant comments in response to the pending, proposed Settlement for the above-docketed cases:
 - a. Roxann Honer - Signature in Support;
 - b. Donald Guth – Signature in Opposition;
 - c. Adam Joseph Shellhorse – Comments in Opposition with Exhibits;
 - d. Robert Fogarty – Comments in Opposition; and
 - e. Douglas J. Weiser - Signature in Support.

All of the above were attached to the OCA's November 22, 2024 filing as appendices.

14. On or about November 26, 2024, another complainant to this case, Richard Centrella,

³ Please be advised that the OCA's First Courtesy Forwarding of Consumer Feedback to Proposed, Non-Unanimous, Partial Settlement, filed and served on or about November 25, 2024, mistakenly references the Office of Special Assistants (OSA). Please consider this footnote an informal request to amend the OSA reference to read the Secretary's Bureau.

called and informed the OCA that he had only just received the Notification of Settlement on or about November 25, 2024. In light of the email from the Honorable ALJs dated 11/21/24, Assistant Consumer Advocate Katie Kennedy encouraged the consumer to mail in his Signature in Support of Settlement and explained that the Honorable ALJs will decide whether or not to consider it.

15. On or about December 5, 2024, the OCA received Mr. Centrella's Signature in Support of Settlement. A true and accurate copy of Mr. Centrella's Signature in Support of Settlement is attached and incorporated hereto as Appendix A.
16. The OCA respectfully files the above-referenced pro se Complainant Signature in Support of Settlement of Mr. Centrella for the above-docketed cases by and through this pleading.
17. The OCA believes and therefore avers that the above-referenced and attached appendices are all of the signatures and/or comments in the OCA's possession as of this filing.
18. Should the OCA receive additional signatures and/or comments from pro se Complainants in these matters, the OCA will file the same upon receipt.
19. The OCA respectfully requests that the Honorable ALJs and this Honorable Commission do not consider the OCA's filing of these comments as adoptions or endorsements of the positions contained therein. Rather, the OCA is simply ensuring that consumer voices are heard and accounted for in this proceeding.

SIGNATURES CONTINUED ON NEXT PAGE

Respectfully submitted,

/s/ Melanie Joy El Atieh
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Dated: December 5, 2024

APPENDIX A

SIGNATURE PAGE FOR SETTLEMENT

Please sign this sheet if you would like to **join** in the Joint Petition for Settlement signed by Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc., the PUC's Bureau of Investigation and Enforcement, the Office of Consumer Advocate and the Office of Small Business Advocate on November 7, 2024, in the case of Pennsylvania Public Utility Commission v. Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc., Docket Nos. R-2024-3047822 and R-2024-3047824.

By adding my signature below, I am indicating that I have read the terms of the proposed Settlement Agreement and wish to **join** in the Settlement. I am willing to allow the terms of the Settlement to resolve my Formal Complaint in this matter if the Public Utility Commission approves the Settlement without modification.

RICHARD J. CENTRELLA

Please Print Your Full Name

Date: 11/24/2024

Please Write Your Address Here:

Richard J. Centrella

Please Sign Your Full Name

7 TOMAHAWK CIRCLE
HAZLETON, PA
18202

Docket Numbers of Your Complaint(s) (begins with C-2024):

R-2024-3047822
R-2024-3047824

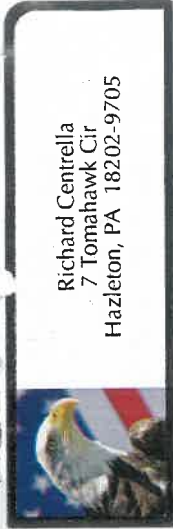
NOTE *

I JUST RECEIVED THIS PACKET OF INFORMATION. TODAY'S DATE ⁴⁹ 11/24/2024 IS BEYOND THE DATE (11/19/2024) REQUIRED TO QUALIFY THIS SIGNATURE PAGE FOR REVIEW.

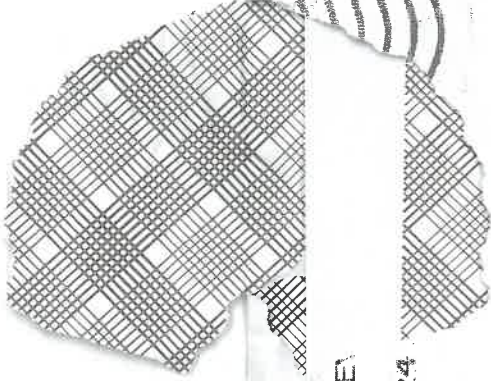
PLEASE RECONSIDER SO THAT SIGNED SIGNATURE PAGE IS TAKEN UNDER CONSIDERATION

SINCERELY,

R. J. Centrella



Richard Centrella
7 Tomahawk Cir
Hazleton, PA 18202-9705



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26 NOV 2024

RECEIVED

DEC 4 2024

OFFICE OF
CONSUMER ADVOCATE

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HARRISBURG, PA 17101

17101-192399

