



COMMONWEALTH OF PENNSYLVANIA

December 13, 2024

E-FILED

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

**Re: Pennsylvania Public Utility Commission v. Audubon Water Company / Docket No.
R-2024-3051816**

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-referenced proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Rebecca Lyttle

Rebecca Lyttle
Assistant Small Business Advocate
Attorney ID No. 201399

Enclosures

cc: Kevin Higgins
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket No. R-2024-3051816
	:	
v.	:	
	:	
Audubon Water Company	:	

**PREHEARING MEMORANDUM
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 (“the Act”). To discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in the above-captioned matter is Assistant Small Business Advocate Rebecca Lyttle. Please address all correspondence in this matter as follows:

Rebecca Lyttle, Esq.
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
relyttle@pa.gov
(717) 783-2525

II. FILING BACKGROUND

On October 25, 2024, Audubon Water Company (“Company” or “Audubon”) filed Supplement No. 7 to Tariff Water - Pa. P.U.C. No. 4 (“Supplement No. 7”). The proposed tariff supplement, if approved by the Commission, would increase the overall revenues by \$999,975 or 35.31% over current rates.

The Office of Small Business Advocate (“OSBA”) filed its Complaint against this Supplement on November 15, 2024.

III. IDENTIFICATION OF WITNESS AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA’s case in this proceeding is:

Kevin C. Higgins
Energy Strategies
111 East Broadway, Suite 1200
Salt Lake City, Utah 84111
(801) 355-4365
khiggins@energystrat.com

The OSBA will participate in this proceeding to assure that the interests of small business customers are adequately represented and protected.

After an initial review of the materials submitted in this matter, the OSBA has identified the following list of issues that it will evaluate in this proceeding:

1. Whether the Company has furnished and maintained adequate, efficient, and reasonable service and facilities and if such service shall be reasonably continuous and without unreasonable interruptions or delay.
2. Whether the transaction results in the provision of safe, adequate, and reasonable service at just and reasonable rates for the small business customers of Audubon.

3. Whether the transaction result in substantial affirmative benefits to the Audubon consumers.
4. Whether a formal payment assistance program will be enacted for the small business customers of Audubon.
5. Whether Audubon will include information about the OSBA in their notification mailing to their consumers.
6. Whether all hearings are to be held telephonically.

The OSBA reserves the right to pursue additional issues that may arise throughout this proceeding.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date¹ as satisfying the in-hand requirement. The OSBA requests that email delivery of documents also be provided to its witnesses identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

V. SETTLEMENT

The OSBA has not discussed a settlement.

¹ In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

VI. HEARING AND BRIEFING SCHEDULE

At the time of this writing, there has not been a briefing schedule established. The OSBA will agree to have a mediator and/or settlement judge assigned to this matter.

Respectfully submitted,

/s/ Rebecca Lyttle

Rebecca Lyttle
Assistant Small Business Advocate
Attorney ID # 201399

Commonwealth of Pennsylvania
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525

Dated: December 13, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket No. R-2024-3051816
	:	C-2024-3052127
v.	:	
	:	
Audubon Water Company	:	

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Katrina L. Dunderdale
Administrative Law Judge
Pennsylvania Public Utility Commission
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301 Fifth Avenue
Pittsburgh, PA 15222
kdunderdal@pa.gov

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DATE: December 13, 2024

/s/ Rebecca Lyttle
Rebecca Lyttle
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Attorney I.D. No. 201399