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James Rodgers
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January 17, 2025

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

Re: **Application of Aqua Pennsylvania Wastewater, Inc. Pursuant to Sections 507, 508, 1102 and 1329 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of the City of Beaver Falls**
Docket No. A-2022-3033138

Dear Secretary Chiavetta:

Enclosed please find the Petition to Intervene of City of Beaver Falls, in the above-captioned proceeding.

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

Thank you for your kind attention to the above and attached.

Sincerely yours,
/s/ James J. Rodgers
James Rodgers

JJR:vh
Enclosures

cc: Honorable F. Joseph Brady (*via email, fbrady@pa.gov*)
Ms. Pam McNeal (*via email, pmcneal@pa.gov*)
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, Inc. (hereinafter referred to as “Aqua” or “Applicant”) pursuant to Sections 1102 and 1329 of the Public Utility Code for:

- (1) Approval of the acquisition by Aqua of the wastewater system assets of the City of Beaver Falls (“Beaver Falls” or “City”) situated within the City of Beaver Falls Eastvale Borough, and West Mayfield Borough, Beaver County, Pennsylvania**
- (2) Approval of the right of Aqua to begin to offer, render, furnish and supply wastewater service to the public in the City of Beaver Falls, Beaver County, Pennsylvania; and**
- (3) An order approving the acquisition that includes the ratemaking rate base of the City of Beaver Falls wastewater system assets pursuant to Section 1329(c)(2) of the Public Utility Code.**

Docket No. A-2022-3033138

Request for Approval of Contracts, including Assignment of Contracts, between Aqua and the City of Beaver Falls, Pursuant to Section 507 of the Public Utility Code

Request for Approval to Modify Agreements with Municipal Corporations to be Assigned to Aqua Upon Closing of the Acquisition by Aqua of the Wastewater System Assets of Beaver Falls, to the Extent Such Modifications are Necessary, Pursuant to Section 508 of the Public Utility Code

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO THE ORDER OF HONORABLE F. JOSEPH BRADY ENTERED JANUARY 14, 2025, YOU MAY ANSWER THE ENCLOSED PETITION TO INTERVENE WITHIN THREE (3) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PETITION TO INTERVENE MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL FOR THE CITY OF BEAVER FALLS AND THE HONORABLE F. JOSEPH BRADY, ADMINISTRATIVE LAW JUDGE, PENNSYLVANIA PUBLIC UTILITY COMMISSION, 801 MARKET STREET, FOURTH FLOOR, PHILADELPHIA, PA 19107.

Dated: January 17, 2025

/s/ James J. Rodgers

James J. Rodgers, Esquire
PA Attorney Id. No.: 21635
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*Attorneys for Petitioner,
City of Beaver Falls*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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PETITION TO INTERVENE OF CITY OF BEAVER FALLS

Pursuant to Title 52 of the Pennsylvania Code, Sections 5.71 through 5.74, the City of Beaver Falls (“Beaver Falls” or “Petitioner”), through its undersigned counsel, hereby submits to the Pennsylvania’s Public Utility Commission (“PUC” or “Commission”) this Petition to Intervene in the above-captioned proceeding. In support of its Petition, Beaver Falls avers as follows:

1. Beaver Falls, a Home Rule Municipality organized under the Home Rule charter and Options Law 53 Pa.C.S. § 2901 et seq. (as of January 3, 2022; Beaver Falls was formerly a City of the Third Class), is a political subdivision of the Commonwealth of Pennsylvania and maintains its physical address at 715 Fifteenth Street, Beaver Falls, Beaver County, Pennsylvania 15010.

2. The name and address of Petitioner’s attorneys are:

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3. On February 17, 2023, Aqua Pennsylvania Wastewater, Inc. (“APW” or “Applicant”) filed with the PUC an Application for the acquisition of all of the assets, properties and rights related to the wastewater collection and treatment system owned by Beaver Falls pursuant to 66 Pa.C.S. §§ 507, 508, 1102, 1329.

4. On December 30, 2024, the Commission Secretary Rosemary Chiavetta issued a Secretarial Letter finalizing APW’s Application for the Commission’s consideration.

5. Beaver Falls owns, operates and maintains a sanitary wastewater collection and conveyance system, as well as the Beaver Falls Sewage Treatment Plant.

6. Beaver Falls collection and conveyance system includes approximately 36.3 miles of pipe serving approximately 3,190 customers.

7. As the owner of the collection and conveyance system and Beaver Falls Sewage Treatment Plant servicing approximately, 3,190 customers Beaver Falls has a direct, immediate impact and substantial interest in the lawfulness and reasonableness of the sale of its assets and seeks to protect that interest by intervening in this proceeding.

8. 52 Pa. Code § 5.72 sets forth the eligibility requirements for a party to intervene and provides in part as follows:

(a) A right conferred by statute of the United States or of the Commonwealth.

(b) 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.

(c) Another interest of such nature that participation of the petitioner may be in the public interest.

9. Intervention in this matter is necessary for Beaver Falls to ensure that PAWC's Application for approval to acquire the assets, properties and rights related to the wastewater collection and treatment system owned by Beaver Falls is in the public interest.

10. Beaver Falls owns the assets that APW seeks Commission approval to acquire.

11. Accordingly, Beaver Falls has a substantial interest in the subject matter of this docket and its interests cannot be represented or protected adequately by other existing parties to this docket.

WHEREFORE, the City of Beaver Falls respectfully requests the Commission grant the instant Petition to Intervene in the above-captioned proceeding.

Dated: January 17, 2025

Respectfully submitted,

/s/ James J. Rodgers

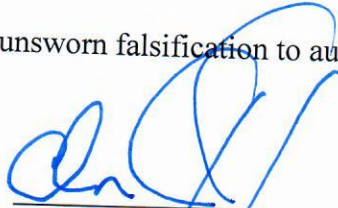
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*Attorneys for Petitioner,
City of Beaver Falls*

VERIFICATION

I, Charles R. Jones, Jr., Manager of the City of Beaver Falls, Beaver County, hereby verify that the statements made in the foregoing petition are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are made subject to the penalties of 18 Pa. Cons. Stat. §4904 relating to unsworn falsification to authorities.

Dated: 1/17, 2025



Charles R. Jones, Jr.
Manager
City of Beaver Falls, Beaver County

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing **Petition to Intervene** upon the parties, listed below, in accordance with the requirements of §1.54 (relating to service by a party).

VIA EMAIL ONLY

The Honorable F. Joseph Brady
Administrative Law Judge
Pennsylvania Public Utility Commission
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Mr. Keith E. Gabage
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West Chester, PA 19382

Date: January 17, 2025

/s/ James J. Rodgers
James J. Rodgers, Esquire