

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
Bureau of Investigation & Enforcement :
Petition to Request the Commission Open : P-2024-3051313
a Section 529 Investigation into the :
Acquisition of Rock Spring Water Company :

BRIEFING ORDER
ON PETITION FOR INTERIM EMERGENCY ORDER

On September 20, 2024, the Pennsylvania Public Utility Commission's (Commission) Bureau of Investigation and Enforcement (I&E) filed a Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Rock Spring Water Company (529 Petition).

On October 9, 2024, the Office of Consumer Advocate (OCA) filed a Notice of Intervention. On October 10, 2024, Pennsylvania-American Water Company (PAWC) filed a Petition to Intervene.

On October 11, 2024, a hearing notice was issued establishing a telephonic prehearing conference for Wednesday, October 30, 2024 at 10:00 a.m. and assigning me as the Presiding Officer. A Prehearing Conference Order was issued on October 15, 2024 setting forth rules that would govern the prehearing conference.

On October 16, 2024, Aqua Pennsylvania, Inc. (Aqua) filed a Petition to Intervene. On October 21, 2024, State College Borough Water Authority (SCBWA) filed a Petition to Intervene. On October 23, 2024, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention. On October 28, 2024, the Commonwealth of Pennsylvania, Department of Environmental Protection (DEP) filed a Petition to Intervene.

No party filed an answer to I&E's 529 Petition.

On October 28, 2023, prehearing memoranda were filed by the following parties: I&E, OCA, OSBA, PAWC, Aqua, SCBWA, and DEP. On October 29, 2024, Veolia Water Pennsylvania, Inc. (Veolia) filed a prehearing conference memorandum.

The prehearing conference convened on October 30, 2024, as scheduled. The following parties were present and represented by the following counsel: Carrie Wright, Esquire, for I&E; Emily Farren, Esquire, and Jacob Guthrie, Esquire, for the OCA; Rebecca Lyttle, Esquire, for the OSBA; Jonathan Nase, Esquire, Elizabeth Triscari, Esquire, and Teresa Harrold, Esquire, for PAWC; Alexander Stahl, Esquire, for Aqua; Robert Mix, Esquire for SCBWA; Amanda Chaplin, Esquire, for DEP; and Karen Moury, Esquire, for Veolia. J. Campbell Roy, President of Rock Spring Water Company, appeared, but was not represented by counsel.

On November 5, 2024, I issued a Prehearing Order, setting forth the procedural matters addressed during the Prehearing Conference.

On November 11, 2024, Ferguson Township filed a Petition to Intervene. On December 2, 2024, I granted Ferguson Township's Petition to Intervene.

On January 15, 2025, the Commission issued an initial telephonic hearing notice setting a formal call-in telephonic hearing for the 529 Petition for April 29 and 30, 2025 at 10:00 a.m.

On February 6, 2025, the OCA filed a Petition for Interim Emergency Order (Emergency Petition).

On February 7, 2025, the Commission issued a telephonic hearing notice setting a formal call-in telephonic hearing for the Emergency Petition for February 14, 2025 at 10:00 a.m. In anticipation of that hearing, I issued a prehearing order on February 7, 2025 setting forth various rules that would govern that proceeding.

On February 11, 2025, PAWC and DEP filed answers to the Emergency Petition. On February 13, 2025, SCBWA filed an answer and new matter to the Emergency Petition.

The evidentiary hearing on the Emergency Petition was held as scheduled on February 14, 2025. During the hearing, the following occurred: Testimony and exhibits were admitted into the record; witnesses were cross-examined; counsel provided legal argument; and various housekeeping matters were discussed. Included in those housekeeping matters, the parties were advised that briefs on the Emergency Petition may be filed by 4:30 p.m. on Tuesday, February 18, 2025.

THEREFORE,

IT IS ORDERED:

1. Briefs of the parties regarding the Emergency Petition are due on or before Tuesday, February 18, 2025;
2. That the briefs must substantially comply with the Commission's regulations at 52 Pa.Code §§ 5.501, 5.502;
3. That the parties shall file the original copy of the brief with the Commission by no later than 4:30 p.m. on the date due;
4. That any brief not filed and served on or before the date set forth above will not be accepted except by special permission;
5. That if a brief contains a citation to an unreported decision which is not available on Westlaw or the Commission's website, a copy of that unreported decision must be appended to the brief; and

P-2024-3051313 - PENNSYLVANIA PUBLIC UTILITY COMMISSION BUREAU OF INVESTIGATION & ENFORCEMENT PETITION TO REQUEST THE COMMISSION OPEN A SECTION 529 INVESTIGATION INTO THE ACQUISITION OF ROCK SPRING WATER COMPANY

Revised: February 14, 2025

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