



February 18, 2025

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VIA ELECTRONIC FILING

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

**In re: Joint Application of Pennsylvania-American Water Company and Corner Water Supply and Service Corporation Pursuant to Section 1102 of the Public Utility Code, for approval of (1) the transfer to Pennsylvania-American Water Company, by sale, of all property of Corner Water Supply and Service Corporation used and useful in the public service; (2) the right of Pennsylvania-American Water Company to begin to offer, render, furnish and supply water service to the public in portions of Elk and Paint Townships in Clarion County, Pennsylvania, and (3) the abandonment by Corner Water Supply and Service Corporation of all water service
Docket No. A-2025-3052745 & A-2025-3052747**

Dear Secretary Chiavetta:

On behalf of Pennsylvania-American Water Company ("Pennsylvania-American"), please find attached for filing its Prehearing Memorandum in the above-referenced case.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "EK Fure".

Erin K. Fure

cc: The Honorable Administrative Law Judge Emily I. DeVoe (*via electronic mail*)
All Parties on the attached Certificate of Service (*via electronic mail*)

Respectfully Submitted,



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***Attorney for Pennsylvania-American
Water Company***

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Joint Application of Pennsylvania- :
American Water Company and Corner Water :
Supply and Service Corporation Pursuant to :
Section 1102 of the Public Utility Code, for : Docket Nos. A-2025-3052745
approval of (1) the transfer to Pennsylvania- : A-2025-3052747
American Water Company, by sale, of all :
property of Corner Water Supply and Service :
Corporation used and useful in the public :
service; (2) the right of Pennsylvania- :
American Water Company to begin to offer, :
render, furnish and supply water service to the :
public in portions of Elk and Paint Townships :
in Clarion County, Pennsylvania, and (3) the :
abandonment by Corner Water Supply and :
Service Corporation of all water service :

**PREHEARING CONFERENCE MEMORANDUM OF
PENNSYLVANIA-AMERICAN WATER COMPANY**

AND NOW COMES Pennsylvania-American Water Company (“PAWC”), pursuant to 52 Pa. Code § 5.222(d) to file this Prehearing Conference Memorandum in the above-referenced matters. In support thereof, PAWC states as follows:

I. INTRODUCTION AND PROCEDURAL HISTORY

On September 25, 2024, PAWC and Corner Water Supply & Service Corporation (“Corner Water”) entered into an Asset Purchase Agreement (“APA”) by which PAWC agreed to purchase all of the assets, properties, and rights of Corner Water’s water system (“System”), other than the Excluded Assets as defined in Section 1.4 of the APA.

On December 31, 2024, PAWC and Corner Water filed a joint application (“Application”) asking the Pennsylvania Public Utility Commission (“Commission”) to approve

the transfer, by sale, to PAWC, all property and rights of Corner Water used or useful in the public service in accordance with the APA under Section 1102(a) of the Public Utility Code, 66 Pa C.S. § 1102(a). In the Application, PAWC also requested the Commission to grant PAWC the right to offer or furnish water service to the public in portions of Elk and Paint Townships, Clarion County, Pennsylvania that are currently served by Corner Water and for Corner Water to abandon water service to those portions of the public it currently serves.

On January 17, 2025, Rebecca Lyttle, Esquire on behalf of the Office of Small Business Advocate (“OSBA”) filed a Notice of Appearance in this proceeding.

On January 28, 2025, the OSBA, filed a Protest, Notice of Intervention, Public Statement and Verification in this proceeding.

On January 29, 2025, the OSBA filed an Amended Protest, Amended Notice of Intervention, and Amended Public Statement in this proceeding.

On February 4, 2025, the Bureau of Technical Utility Services (“TUS”) issued TUS Data Request Sets 1 and 2.

On February 3, 2025, PAWC filed its Proof of Publication and Certificate of Service show all affected municipalities and entities were served with the Application.

On February 13, 2025, a Call-In Prehearing Conference Notice was issued scheduling a prehearing conference for February 19, 2025 before Administrative Law Judge (“ALJ”) Emily DeVoe at 11:00 a.m.

On February 13, 2025, Steven Gray, Esquire filed a Notice of Appearance as additional counsel on behalf of the OSBA.

On February 13, 2025, PAWC submitted a request for a ten day extension to respond to TUS Data Request Sets 1 and 2.

On February 14, 2025, Melanie El Atieh, Esquire and Ryan Morden, Esquire filed a Notice of Intervention, Protest *Nunc Pro Tunc*, and a Public Statement on behalf of the Office of Consumer Advocate (“OCA”).

II. COUNSEL

Counsel for PAWC is:

Erin K. Fure, Esq. (PA ID # 312245)
Pennsylvania-American Water Company
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Mechanicsburg, PA 17055
Telephone: (717) 550-1556
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III. SERVICE OF DOCUMENTS

PAWC’s attorney is authorized to accept service on behalf of PAWC in this proceeding. PAWC agrees to receive service of documents electronically in this proceeding and requests that all listed counsel for PAWC receive electronic service.

IV. ISSUES

PAWC submits that the transfer of all of Corner Water’s assets, properties, and rights related to the System to PAWC (the “Transaction”) is necessary or proper for the service, accommodation, convenience, or safety of the public. PAWC submits that the Transaction provides affirmative public benefits of a substantial nature and that PAWC, as an existing public utility, is presumed to possess the legal, financial, and technical fitness to own and operate the System. PAWC is the largest investor-owned water and wastewater service provider in the Commonwealth.

V. **WITNESSES**

PAWC has not submitted direct testimony and exhibits in this case as of this writing but expects to have the following witnesses in this case:

Ms. Tracy Baer, P.E.

Ms. Baer is the Senior Manager of Business Development for PAWC. Her business address is 852 Wesley Drive, Mechanicsburg, PA 17055 and her business phone number is (856) 955-4127. Ms. Baer will explain why the Transaction is in the public interest and provide testimony regarding the public benefits for the Transaction. Furthermore, Ms. Baer will describe why the Application should be promptly approved by the Commission and explain why PAWC is legally, financially, and technically fit to acquire and operate the System.

Ms. Stacey Gress

Ms. Gress is the Director of Rates and Regulatory for Pennsylvania-American Water Company. Her business address is One Water Street, Camden, NJ 07102 and her phone number is (856) 955-4479. Ms. Gress will discuss PAWC's financial fitness to acquire and operate the System and discuss the estimated transaction and closing costs of PAWC.

Mr. Jed Fiscus, P.E.

Mr. Fiscus is the Director of Engineering, Project Delivery for PAWC. His business address is 425 Waterworks Road, Clarion, PA 16214 and his phone number is (814) 279-4710. Mr. Fiscus will describe the System and explain how it will integrate into PAWC's existing operations. He will also describe PAWC's technical fitness to run the System and the benefits of the Transaction.

VI. LITIGATION SCHEDULE

PAWC discussed a proposed litigation schedule with the other parties to this case. The parties are engaged in discussions seeking to avoid the need to litigate this matter. PAWC requests that, in lieu of setting a litigation schedule at this time, a status conference be held in approximately 45 days to determine whether a litigation schedule needs to be developed.

VII. DISCOVERY RULES

This case does not have a statutory deadline. Consequently, PAWC does not believe there is a need for any modification of the Commission's discovery rules.

VIII. SETTLEMENT

PAWC is willing to participate in settlement discussions in this matter.

Respectfully submitted,



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Counsel for *Pennsylvania-American Water Company*

Dated: February 18, 2025