



COMMONWEALTH OF PENNSYLVANIA

February 20, 2025

E-FILED

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

Re: Application of Pennsylvania-American Water Company under Sections 1102(a) and 1329 of the Pennsylvania Public Utility Code, 66 Pa C.S. §§ 1102(a) and 1329, for approval of: (1) the transfer, by sale, to Pennsylvania-American Water Company, of substantially all of the assets, properties and rights related to the wastewater treatment plant and collection system owned and operated by the Elizabeth Borough Municipal Authority, and (2) the rights of Pennsylvania- American Water Company to begin to offer or furnish wastewater service to the public in the Borough of Elizabeth, Allegheny County, Pennsylvania / Docket No. A-2025-3052983

Dear Secretary Chiavetta:

Enclosed please find the Notice of Intervention, Public Statement, and Verification, 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/ Steven C. Gray

Steven C. Gray
Senior Attorney
Assistant Small Business Advocate
Attorney ID No. 77538

Enclosures

cc: Kevin Higgins
Parties of Record

2. Representing the OSBA in this proceeding is:

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Respectfully submitted,

/s/ Steven C. Gray

Steven C. Gray
Senior Attorney
Assistant Small Business Advocate
Attorney I.D. No. 77538

For: NazAarah Sabree
Small Business Advocate

Commonwealth of Pennsylvania
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101

Date: February 20, 2025

to the wastewater treatment plant and collection system owned and operated by the Elizabeth Borough Municipal Authority (“EBMA”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on January 28, 2025.

The Application requests that the Commission: (1) approve, in accordance with the provisions of 66 Pa. C.S §§ 1102 and 1103, the acquisition of the wastewater system assets owned by EBMA; (2) approve the right of PAWC to provide wastewater service in the Borough of Elizabeth, and related points of bulk service interconnections in portions of the Borough of Lincoln, and the Townships of Elizabeth and Forward, in Allegheny County, Pennsylvania; (3) include, in its Order approving the acquisition, the ratemaking rate base of the acquired Assets as determined under Section 1329(c)(2) of the Public Utility Code; and (4) authorize PAWC to recover a distribution system improvement charge, accrue Allowance for Funds Used During Construction and defer depreciation related to/for post-acquisition improvements not recovered through the distribution system improvement charge, and include, in its next base rate case, a claim for transaction and closing costs.

PAWC also requests approval of the Asset Purchase Agreement (“APA”) dated January 24, 2023, as well as other municipal agreements pursuant to Section 507 of the Public Utility Code, and requests that the Commission issue an Order and Certificate of Public Convenience approving and addressing the items requested in the Application.

The Small Business Advocate files this NOI to protect the interests of PAWC’s and EBMA’s small business customers that could be adversely affected by the proposed transaction.

The Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the numerous proposals set forth in the

Application. The Small Business Advocate will ask the Commission to deny any aspect of the proposed transaction that is not proven to be lawful, just, reasonable, and non-discriminatory.

Dated: February 20, 2025

VERIFICATION

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: February 20, 2025



(Signature)

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Date: February 20, 2025

/s/ Steven C. Gray
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