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February 20, 2025

**Via Electronic Filing**

Rosemary Chiavetta, Esquire  
Secretary  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Docket Nos. C-2022-3036893 and C-2022-3037118  
SCH USA, LLC v. Aqua Pennsylvania Wastewater, Inc.  
Answer to SCH USA's Motion to Strike**

Dear Secretary Chiavetta:

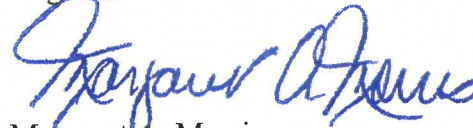
Attached for filing is the Answer of Aqua Pennsylvania Wastewater, Inc. to SCH USA, LLC's Motion to Strike.

A copy of the attached Answer to Complainant's Motion has been provided to the relevant parties in the manner indicated on the attached Certificate of Service.

If there are any questions, please do not hesitate to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co  
Enclosures

cc: The Hon. John Coogan, PA Public Utility Commission [w/encl.]  
Heather S. D. Harrison, Aqua Pennsylvania, Inc. [w/encl.]  
Service List [w/encl.]

**Re: Docket Nos. C-2022-3036893 and C-2022-3037118  
SCH USA, LLC v. Aqua Pennsylvania Wastewater, Inc.  
Answer to SCH USA's Motion to Strike**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s), in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

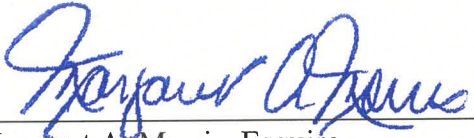
**Via Electronic Mail**

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Dated: February 20, 2025

  
\_\_\_\_\_  
Margaret A. Morris, Esquire

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SCH USA, LLC	:	
	:	Docket Nos.: C-2022-3036893
v.	:	C-2022-3037118
	:	
AQUA PENNSYLVANIA	:	
WASTEWATER, INC.	:	

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**ANSWER OF AQUA PENNSYLVANIA WASTEWATER, INC.  
TO MOTION TO STRIKE**

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**TO ADMINISTRATIVE LAW JUDGE JOHN COOGAN:**

Aqua Pennsylvania Wastewater, Inc. (“Aqua” or the “Company”) by and through its attorneys, Reger Rizzo & Darnall LLP, and pursuant to Sections 5.103(c) of the Commission’s regulations, 52 Pa. Code §§ 5.103(c), and answers the Motion to Strike (Motion) of SCH USA, LLC (Complainant). In support thereof, Aqua avers as follows:

1. SCH seeks to strike the 2-page block quote excerpting the Recommended Decision (RD) issued in Aqua’s 2024 Rate Case at Docket Nos. R-2024-3047822, *et al.* arguing, *inter alia*, that Aqua incorrectly characterizes SCH’s argument as being “identical” in the present proceeding and that the tariff to be adopted in the 2024 Rate Case would be effective prospectively and has no application to the past billings at issue in the present proceeding.

2. On February 7, 2025, the Commission entered its Opinion and Order in the 2024 Rate Case which, *inter alia*, denied the Exceptions of SCH regarding the same issues raised in the present matter. (*2024 Rate Order*).

3. The *2024 Rate Order* summarized the following issues raised by SCH, which are the same issues in the present Complaint proceeding:

a. Aqua’s **current** wastewater tariff results in unjust and unreasonable rates being charged to SCH because the Kidder Settlement, which stipulates the

number of EDUs associated with the Resort Accounts, does not provide an accurate basis for billing. *2024 Rate Order* at p. 159;

- b. The number of EDUs that the Company is **currently** billing to the Resort Accounts do not have any relationship to the flows that are coming from the properties. *2024 Rate Order* at p. 159;
- c. The **existing** EDU-based billing by Aqua is unreasonable as applied to SCH's own situation. Order at p. 159.
- d. Aqua should bill based on actual metered usage, as opposed to flat rate billing. *2024 Rate Order* at p. 154.

5. In its Motion for Official Notice of the 2024 Rate Case docket, being served contemporaneously with this Answer, Aqua has requested that official notice be taken of the 2024 Rate Case docket and specifically the *2024 Rate Order*.

6. It should be noted that the issues/arguments raised in pleadings (briefs and exceptions) in the 2024 Rate Case are nearly identical to the briefs in the present proceeding.

7. The conclusion of SCH that claims raised and relief sought in the 2024 Rate Case proceeding differ from the claims raised and relief requested in the present proceeding are belied by the specific language contained in the *2024 Rate Order*.

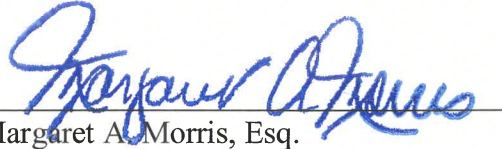
8. The due process rights of SCH have not been violated since SCH did file Exceptions to the RD.

9. The Motion to Strike of SCH should be denied.

**WHEREFORE**, Aqua Pennsylvania Wastewater, Inc. respectfully requests that the Honorable John Coogan deny the Motion to Strike filed by SCH USA, LLC.

Respectfully submitted,

Date: February 20, 2025



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