



May 2, 2025

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VIA E-FILE

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission Section 529 Investigation into the Acquisition of Wonderview Water Company, Inc. and Wonderview Sanitary Facilities, Inc.; Docket No. M-2025-3053936

PREHEARING CONFERENCE MEMORANDUM OF VEOLIA WATER PENNSYLVANIA, INC.

Dear Secretary Homsher:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Prehearing Conference Memorandum of Veolia Water Pennsylvania, Inc. A copy of this document has been served in accordance with the attached Certificate of Service.

If you have any questions regarding this filing, please direct them to me. Thank you for your attention to this matter.

Sincerely,

COZEN O'CONNOR

By: David P. Zambito
Counsel for *Veolia Water Pennsylvania, Inc.*

DPZ

Enclosures

cc: Administrative Law Judge John M. Coogan
Per Certificate of Service
Phoebe Youhanna, Esq., Veolia North America
Larry Finnicum, Regional President, VWPA

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission Section : Docket No. M-2025-3053936
529 Investigation into the Acquisition of :
Wonderview Water Company, Inc. and :
Wonderview Sanitary Facilities, Inc. :

CERTIFICATE OF SERVICE

I certify that I have this 2nd day of May, 2025 served a true copy of the foregoing **Prehearing Conference Memorandum of Veolia Water Pennsylvania, Inc.** upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA E-MAIL AND FIRST CLASS MAIL

Darryl A. Lawrence, Esq. Acting Consumer Advocate Office of Consumer Advocate 555 Walnut Street Forum Place, 5 th Floor Harrisburg, PA 17101-1923 ra-OCA@paoca.org	Rebecca Lyttle, Esq. Steven C. Gray, Esq. Office of Small Business Advocate 555 Walnut Street Forum Place, 1 st Floor Harrisburg, PA 17101-1923 relyttle@pa.gov sgray@pa.gov
Carrie B. Wright, Esq. Deputy Chief Prosecutor Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement Commonwealth Keystone Building 400 North Street – 2 West Harrisburg, PA 17120 carwright@pa.gov	John Yohey, President Wonderview Sanitary Facilities, Inc. 255 Riverview Avenue Bloomsburg, PA 17815 john_yohey@yahoo.com
Alexander R. Stahl, Esq. Aqua Pennsylvania Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010 astahl@aquaamerica.com	John Yohey, President Wonderview Water Co., Inc. P.O. Box 488 Bloomsburg, PA 17815-0488 john_yohey@yahoo.com

<p>Amanda K. Chaplin, Esq. Geoffrey J. Ayers, Esq. Pennsylvania Department of Environmental Protection 208 West Third St., Suite 101 Williamsport, PA 17701 achaplin@pa.gov geayers@pa.gov</p>	<p>Nate Spriggs Community Utilities of Pennsylvania Inc. 500 West Monroe St. Suite 3600 Chicago, IL 60661 nate.spriggs@nexuswg.com</p>
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VIA FIRST CLASS MAIL

<p>Catawissa Township 153 Old Reading Road Catawissa, PA 17820-7937</p>	<p>Catawissa Water Authority 19 School House Road Catawissa, PA 17820</p>
<p>Catawissa Borough 307 Main Street Catawissa, PA 17820</p>	<p>Main Township 345 Church Road Bloomsburg, PA 17815</p>

Respectfully submitted,



David P. Zambito, Esq.
 Counsel for *Veolia Water Pennsylvania, Inc.*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
Section 529 Investigation into the Acquisition : Docket No. M-2025-3053936
of Wonderview Water Company, Inc. and :
Wonderview Sanitary Facilities, Inc. :

**PREHEARING CONFERENCE MEMORANDUM OF
VEOLIA WATER PENNSYLVANIA, INC.**

AND NOW COMES Veolia Water Pennsylvania, Inc. (“VWPA”), pursuant to 52 Pa. Code § 5.222(d) and the Prehearing Conference Order issued by Administrative Law Judge John M. Coogan (the “ALJ”) on April 16, 2025, to file this Prehearing Conference Memorandum.

In support thereof, VWPA states as follows:

I. INTRODUCTION AND PROCEDURAL HISTORY

1. By *Ex Parte* Emergency Order entered on March 14, 2025, the Commission directed the initiation of a proceeding pursuant to 66 Pa. C.S. § 529 to investigate whether the Commission should order a capable public utility to acquire Wonderview Water Company, Inc. and Wonderview Sanitary Facilities, Inc. (together, “Wonderview”). In addition, pursuant to 66 Pa. C.S. § 529(g), the *Ex Parte* Emergency Order appointed VWPA as receiver of Wonderview effective March 21, 2025, to manage and operate Wonderview during the pendency of the instant Section 529 Investigation.

2. VWPA in fact assumed the duties of receiver of Wonderview on March 21, 2025.

3. On March 27, 2025, the full Commission entered a Ratification Order ratifying the March 14, 2025 *Ex Parte* Emergency Order.

4. On April 16, 2025, the Commission issued a notice of a Prehearing Conference scheduled for 10:00 a.m. on May 7, 2025.

5. On April 17, 2025, the undersigned counsel filed a Notice of Appearance on behalf of VWPA in this matter.

6. Also on April 17, 2025, Carrie B. Wright, Esq. filed her Notice of Appearance on behalf of the Bureau of Investigation and Enforcement (“I&E”).

7. On April 22, 2025, Amanda K. Chaplin, Esq. and Geoffrey J. Ayers, Esq. filed their Notices of Appearance on behalf of the Pennsylvania Department of Environmental Protection (“DEP”).

8. On April 24, 2025, Rebecca Lyttle, Esq. filed her Notice of Appearance on behalf of the Office of Small Business Advocate (“OSBA”). On April 30, 2025, Stephen Gray, Esq. filed a Notice of Appearance as additional counsel on behalf of the OSBA. Also on April 30, 2025, the OSBA filed its Notice of Intervention and Public Statement.

9. On April 24, 2025, VWPA filed a Motion to Stay the Proceeding (“Motion for Stay”). The Motion for Stay requested that the instant Section 529 Investigation be stayed for a period of 120 days to give VWPA and Wonderview an opportunity to consider and negotiate a voluntary transfer of Wonderview’s water and wastewater systems (the “Systems”) and to prepare a joint application seeking all Commission approvals necessary for that transaction. At the end of the 120 day stay period, VWPA and Wonderview will provide the ALJ with a status report indicating whether the stay should be extended to give them additional time to consider and negotiate a transfer and prepare the joint application. If an extension is necessary, VWPA and Wonderview should indicate how long the stay should be extended. In the alternative, VWPA and Wonderview could advise the ALJ of the need to proceed with the Section 529 Investigation.

II. COUNSEL

10. Counsel for VWPA are:

David P. Zambito, Esq. (PA ID #80017)
Jonathan P. Nase, Esq. (PA ID #44003)
Cozen O'Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101
Phone: (717) 703-5892
E-mail: dzambito@cozen.com
E-mail: jnase@cozen.com

III. SERVICE OF DOCUMENTS

11. VWPA's attorneys are authorized to accept service on behalf of VWPA. VWPA agrees to receive service of documents electronically and requests that all listed counsel for VWPA receive electronic service.

IV. ISSUES

A. Preliminary Issues

12. VWPA's Motion for Stay remains pending. VWPA respectfully submits that the ALJ should grant the Motion for Stay at this time, for all the reasons set forth in the Motion for Stay.

B. Issues in a Section 529 Investigation

13. If this Section 529 Investigation proceeds, the initial issue is whether the Commission should order a capable public utility to acquire the Wonderview Systems. VWPA takes no position on this issue at this time.

14. If the Commission decides that the Systems are to be acquired, the Commission must then identify the capable public utility that is to acquire the Systems. VWPA takes no position on this issue at this time. Nevertheless, VWPA admits that it is a capable public utility as that term is defined in 66 Pa. C.S. § 529(m). VWPA also admits that it owns water systems in relatively close proximity to Wonderview and that VWPA currently serves as the Commission-appointed receiver for Wonderview.

V. WITNESSES

15. At this time, VWPA has not identified any witnesses to address the issues in a Section 529 Investigation.

VI. LITIGATION SCHEDULE

16. VWPA recommends that the ALJ not establish a litigation schedule at this time. Instead, the ALJ should grant VWPA's Motion for Stay. If VWPA and Wonderview are able to reach an agreement for a voluntary transfer of the Systems, the voluntary transfer would proceed as a straightforward Section 1102 application and the instant Section 529 Investigation could be closed. As a result, there would never be a need to establish a litigation schedule for this Section 529 Investigation. If, however, VWPA and Wonderview are unable to reach an agreement for the voluntary transfer of the Systems, VWPA and Wonderview will advise the ALJ that the Section 529 Investigation should proceed. A second Prehearing Conference then could be held, at which a litigation schedule could be established.

VII. DISCOVERY RULES

17. VWPA recommends that the ALJ not modify the Commission's discovery rules at this time. Instead, the ALJ should grant VWPA's Motion for Stay. If VWPA and Wonderview are able to reach an agreement for a voluntary transfer of the Systems, the voluntary transfer would proceed as a straightforward Section 1102 application and the instant Section 529 Investigation could be closed. As a result, there would never be a need to reach the issue of whether to modify the Commission's discovery rules for this Section 529 Investigation. If, however, VWPA and Wonderview are unable to reach an agreement for the voluntary transfer of the Systems, VWPA and Wonderview will advise the ALJ that the Section 529 Investigation should proceed. A second Prehearing Conference then could be held, at which the ALJ can determine whether to modify any of the Commission's discovery rules.

VIII. SETTLEMENT

18. VWPA is willing to participate in settlement discussions to resolve this Section 529 Investigation.

Respectfully submitted,



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