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May 30, 2025

Permitted E-file Document

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

Re: Pennsylvania Public Utility Commission, Office of Consumer Advocate,
Office of Small Business Advocate, Methacton School District, Kyle Mathews,
Sylvester and Sherre Carter v. Audubon Water Company

Docket Nos. R-2024-3051816, C-2024-3051996, C-2024-3052127,
C-2024-3052711, C-2024-3052713 and C-2025-3053168

Dear Secretary Homsher:

Enclosed please find the Petition for Leave to Withdraw on behalf of Audubon Water Company which is now known as Pennsylvania-American Water Company ("PAWC") in the above-captioned proceedings.

On May 29, 2025, Notice was provided to the Commission that the transaction docketed at numbers A-2023-3043194 and A-2023-3043196, (the Joint Application to transfer to American Water Works Company, Inc., and subsequently to PAWC, by merger, all of Audubon Water Company's property used and useful in the public service), closed on May 28, 2025 and the merger of Audubon Water Company with and into PAWC has an effective date of May 29, 2025.

Copies have been served in accordance with the enclosed Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Erin K. Fure

cc: Administrative Law Judge Katrina L. Dunderdale w/Encs. (VIA E-Mail)
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ADMINISTRATIVE LAW JUDGE KATRINA L. DUNDERDALE

Pennsylvania Public Utility Commission	:	
Office of Consumer Advocate	:	Docket Nos.:
Office of Small Business Advocate	:	
Methacton School District	:	R-2024-3051816
Kyle Mathews	:	C-2024-3051996
Sylvester and Sherre Carter	:	C-2024-3052127
	:	C-2024-3052711
v.	:	C-2024-3052713
	:	C-2025-3053168
Audubon Water Company	:	

PETITION FOR LEAVE TO WITHDRAW

Audubon Water Company now known as (n/k/a) Pennsylvania-American Water Company (“Petitioner”) files this petition pursuant to 52 Pa. Code § 5.94 for leave to withdraw Supplement No. 7 to Tariff Water—Pa. PUC No. 4 (Supplement No. 7) and discontinue the proceedings at the above-captioned docket. In support, the Petitioner states as follows:

I. Procedural History

1. On October 25, 2024, Petitioner filed Supplement No. 7 to Tariff Water—Pa. PUC No. 4 (“Supplement No. 7”) with the Pennsylvania Public Utility Commission (“Commission”) to become effective December 26, 2024.

2. On November 6, 2024, the Office of Consumer Advocate (“OCA”) filed a public statement and a formal complaint at Docket No. C-2024-3051996.

3. On November 15, 2024, the Office of Small Business Advocate (“OSBA”) filed a formal complaint at Docket No. C-2024-3052127.

4. On December 18, 2024, Methacton School District filed a formal complaint at Docket No. C-2024-3052711 on behalf of the Arrowhead and Woodland Elementary Schools.

5. On December 27, 2024, Kyle Mathews filed a formal complaint at Docket No. C-2024-3052713.

6. A formal complaint was also filed by Sylvester and Sherre Carter at Docket No. C-2025-3053168.

7. By Order dated December 5, 2024, the Commission suspended the implementation of Supplement No. 7 to Tariff Water- Pa. PUC No. 4 by operation of law, pursuant to 66 Pa. C.S. § 1308(d), until July 26, 2025, and instituted an investigation into the lawfulness, justness, and reasonableness of the rates, rules and regulations proposed in Supplement No. 7.

8. On December 4, 2024, the Office of Administrative Law Judge (“OALJ”) scheduled a prehearing conference to be conducted telephonically on December 16, 2024.

9. On December 5, 2025, Petitioner filed Supplement No. 8 to Tariff Water- Pa. PUC No. 4.

10. On December 16, 2024, Administrative Law Judge (“ALJ”) Katrina L. Dunderdale conducted a call-in telephonic prehearing conference.

11. On December 19, 2024, ALJ Dunderdale issued a Prehearing Order establishing a litigation schedule for the proceedings.

12. On January 7, 2025, Petitioner filed the Unopposed Voluntary Motion to Extend Suspension Period and Procedural Schedule (“Motion to Suspend”) in which it was requested that the suspension period be extended from July 26, 2025 to October 24, 2025.

13. On January 9, 2025, ALJ Dunderdale issued the First Interim Order which granted the Motion to Suspend.

14. On January 21, 2025, Petitioner filed the Supplement No. 9 to Tariff Water—Pa. PUC No. 4 suspending the application of rates to October 24, 2025.

15. On April 1, 2025, Petitioner filed the Unopposed Motion for Further Extension of Suspension Period and Procedural Schedule (“Further Motion to Suspend”) in which it was requested that the litigation schedule be extended.

16. On April 2, 2025, ALJ Dunderdale issued a Second Interim Order providing that an extended litigation schedule outlined in the Second Interim Order would be established if Petitioner did not file a Petition to Withdraw or an appropriate motion on or before June 1, 2025.

17. On April 2, 2025, Petitioner filed Supplement 10 to Tariff Water—Pa. PUC No. 4 further suspending the application of rates to December 23, 2025.

II. Background

18. By Order entered on January 23, 2025, at Docket No. A-2023-3043194 (“January Order”), the Commission granted the Joint Application filed by Pennsylvania-American Water Company and Audubon Water Company, as modified by the Joint Petition for Approval of Settlement of All Issues, and directed, *inter alia*, that a Certificate of Public Convenience be issued pursuant to 66 Pa. C.S. § 1102(a), evidencing Commission approval of the transfer to American Water Works Company, Inc., by merger, of all property and rights of Audubon Water Company used or useful in the public service and then a Certificate of Public Convenience be issued pursuant to 66 Pa. C.S. § 1102(a) evidencing Commission approval of the transfer to Pennsylvania-American Water Company, by merger, of all property and rights of Audubon Water Company used or useful in the public service.

19. On May 29, 2025, Pennsylvania-American Water Company filed a notice of the closing of the transaction (“Notice”) with the Commission. A true and correct copy of the filed notice is attached hereto as **Exhibit A**.

20. As indicated in the Notice, the merger of Audubon Water Company with and into Pennsylvania-American Water Company is effective as of May 29, 2025.

III. Legal Standards

21. The withdrawal of pleadings in a contested proceeding is governed by 52 Pa. Code § 5.94 which provides:

(a) Except as provided in subsection (b), a party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it on the other parties. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days of service. After considering the petition, an objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted.

IV. The ALJ Should Issue the Requested Order

22. Petitioner requests leave to withdraw Supplement No. 7 to Tariff Water—Pa. PUC No. 4 (Supplement No. 7) and discontinue the proceedings at the above-captioned docket because it no longer wishes to pursue the action.

23. It is not in the public interest to require a litigant to pursue an action if it no longer wishes to do so.

24. Furthermore, on May 29, 2025, Petitioner filed with the Commission a compliance tariff supplement (“Compliance Tariff”) as directed by the Commission pursuant to paragraph 7 of its January Order. A true and correct copy of the compliance tariff supplement filing is attached hereto as **Exhibit B**.

25. It is in the public interest to grant Petitioner's request for leave to withdraw Supplement No. 7 to Tariff Water—Pa. PUC No. 4 (Supplement No. 7) because the Compliance Tariff governs the distribution and sale of water, and the provision of water service, by Petitioner.

26. Counsel for the Petitioner contacted Counsel for the Office of Consumer Advocate, the Office of Small Business Advocate and the Bureau of Investigation and Enforcement and they advise that they do not object to the entry of the proposed order. Counsel for the Petitioner was unable to reach the other active parties to this proceeding.

WHEREFORE the Petitioner respectfully requests that the Honorable Administrative Law Judge Katrina L. Dunderdale enter the Order included with this Petition.

Respectfully submitted,



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Counsel for *Pennsylvania-American Water Company*

Date: May 30, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ADMINISTRATIVE LAW JUDGE KATRINA L. DUNDERDALE

Pennsylvania Public Utility Commission	:	
Office of Consumer Advocate	:	Docket Nos.:
Office of Small Business Advocate	:	
Methacton School District	:	R-2024-3051816
Kyle Mathews	:	C-2024-3051996
Sylvester and Sherre Carter	:	C-2024-3052127
	:	C-2024-3052711
v.	:	C-2024-3052713
	:	C-2025-3053168
Audubon Water Company	:	

ORDER

THEREFORE, upon consideration of the Petition for Leave to Withdraw filed by Audubon Water Company now known as (n/k/a) Pennsylvania-American Water Company in the above matters, any response thereto, and the public interest,

IT IS ORDERED:

1. That the Petition for Leave to Withdraw is granted.
2. That Supplement No. 7 to Tariff Water—Pa. PUC No. 4 (Supplement No. 7) filed at Docket No. R-2024-3051816 on October 25, 2024 is withdrawn.
3. That the above-captioned matters are marked as closed.

Dated: _____

Administrative Law Judge

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket Nos.:
Office of Consumer Advocate	:	R-2024-3051816
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Sylvester and Sherre Carter	:	C-2024-3052713
v.	:	C-2025-3053168
Audubon Water Company	:	

CERTIFICATE OF SERVICE

I hereby certify that I have on this day served a true copy of the foregoing Petition for Leave to Withdraw upon the parties listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

VIA ELECTRONIC MAIL

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Dated: May 30, 2025



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