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File #: 211585

June 13, 2025

VIA ELECTRONIC FILING

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: IN THE MATTER OF THE JOINT APPLICATION OF THE YORK WATER COMPANY AND CMV SEWAGE CO. INC.,, Under Sections 1102(a)(1)-(3) of the Public Utility Code, for (1) approval of the right to transfer certain public wastewater facilities and rights from CMV Sewage Co. Inc. to The York Water Company; (2) the abandonment by CMV Sewage Co. Inc. of wastewater service to the public in its service territory in Chanceford Township, York County, Pennsylvania; and (3) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service to the public in a portion of Chanceford Township, York County, Pennsylvania
Docket No. A-2025-3054555
Docket No. A-2025-3054556

Dear Secretary Homsher:

Attached for filing is the Prehearing Conference Memorandum of The York Water Company in the above-referenced proceeding.

Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Megan E. Rulli

MER/dmc
Attachment

Matthew Homsher, Secretary
June 13, 2025
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cc: The Honorable Emily I. Farren (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

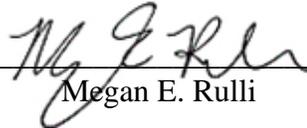
I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA EMAIL

John Baranski, Esquire
MPL Law
96 S. George Street, 5th Floor
York, PA 17401
jbaranski@mpl-law.com

Christy M. Appleby, Esquire
Senior Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
Cappleby@paoca.org

Date: June 13, 2025



Megan E. Rulli

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE JOINT :
APPLICATION OF THE YORK WATER :
COMPANY AND CMV SEWAGE CO. INC., :
Under Sections 1102(a)(1)-(3) of the Public Utility :
Code, for (1) approval of the right to transfer :
certain public wastewater facilities and rights from :
CMV Sewage Co. Inc. to The York Water : Docket Nos. A-2025-3054555
Company; (2) the abandonment by CMV Sewage : A-2025-3054556
Co. Inc. of wastewater service to the public in its :
service territory in Chanceford Township, York :
County, Pennsylvania; and (3) approval for The :
York Water Company to begin to offer, render, :
furnish or supply wastewater service to the public :
in a portion of Chanceford Township, York :
County, Pennsylvania :

**PREHEARING CONFERENCE MEMORANDUM OF
THE YORK WATER COMPANY**

TO ADMINISTRATIVE LAW JUDGE EMILY A. FARREN:

Pursuant to 52 Pa. Code § 5.224(c) and the Prehearing Conference Order dated May 28, 2025, The York Water Company (“York Water” or the “Company”) hereby submit this Prehearing Conference Memorandum in the above-captioned proceeding, and states as follows:

I. BACKGROUND

On April 9, 2025, York Water and CMV Sewage Co. Inc. (“CMV”) (collectively, “Joint Applicants”) filed the above-captioned Joint Application pursuant to Sections 1102(a)(1)-(3) of the Public Utility Code, requesting the Pennsylvania Public Utility Commission’s (“Commission”) approval for: (1) the transfer of CMV’s wastewater facilities to York Water; (2) CMV’s abandonment of wastewater service in Chanceford Township, York County, PA; and (3) approval

for York Water to begin to offer, render, furnish, or supply water service to the public in a portion of Chanceford Township, York County, PA.

Notice of the Joint Application was published in the *Pennsylvania Bulletin* on April 26, 2025, and stated that Protests and Petitions to Intervene must be filed on or before May 12, 2025.

On May 12, 2025, the Office of Consumer Advocate (“OCA”) filed its Protest.

On May 28, 2025, a Telephonic Prehearing Conference Notice was issued by the Commission, scheduling a telephonic prehearing conference for Monday, June 16, 2025, before Administrative Law Judge Emily A. Farren (“ALJ”).

Also on May 28, 2025, the ALJ issued a Prehearing Conference Order, which directed the parties to file Prehearing Memoranda by Noon on June 13, 2025.

York Water hereby files this Prehearing Conference Memorandum pursuant to the Prehearing Conference Order.

II. SERVICE OF DOCUMENTS

York Water requests that Devin T. Ryan, Esquire, Michael W. Hassell, Esquire, and Megan E. Rulli, Esquire, be listed on the service list on behalf of York Water. Their contact information is provided below:

Devin T. Ryan, Esq.
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
Phone: 717-612-6052
Fax: 717-731-1985
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Michael W. Hassell, Esq.
Megan E. Rulli, Esq.
Post & Schell, P.C.
17 North Second Street – 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Email: mhassell@postschell.com
mrulli@postschell.com

The Company agrees to receive service of documents electronically in this proceeding.

Mr. Ryan will speak on behalf of York Water at the prehearing conference and will call in to the prehearing conference from the phone number 717-612-6052.

III. DISCOVERY

York Water does not propose any modifications to the Commission’s discovery rules. York Water is not aware of any discovery disputes and is working with OCA to resolve the concerns raised in its Protest through informal discovery.

IV. PROPOSED SCHEDULE

York Water will work with the other parties to develop a mutually-agreeable litigation schedule, if necessary. York Water is proactively working with OCA to exchange information and resolve the issues raised in OCA’s Protest without the need for litigation.

V. WITNESSES

York Water is working to identify its witnesses in this matter and will provide that information as soon as possible.

VI. ISSUES

York Water believes the presently identified issue is whether the Joint Application is necessary or proper for the service, accommodation, convenience, and safety of the public. *See* 66 Pa. C.S. § 1103(a).

The Company's witnesses and evidence will demonstrate that the proposed Joint Application meets that standard and, therefore, should be approved by the Commission pursuant to its authority under 66 Pa. C.S. § 1102(a)(1)-(3).

VII. EVIDENCE

York Water plans to submit written testimony of its witnesses and will present other evidence as necessary to substantiate its claims and arguments.

VIII. CONSOLIDATION

To the extent that the matters at Docket Nos. A-2025-3054555 and A-2025-3054556 have not already been consolidated, York Water does not oppose the consolidation of those dockets.

IX. SETTLEMENT

As stated in Section IV, *supra*, York Water is proactively working with OCA to resolve the issues raised in OCA's Protest without the need for litigation. York Water is willing to work with the parties to fully resolve the matter through settlement, to reach a partial settlement, or to reduce the facts at issue in this case through stipulation.

Respectfully submitted,



— _____
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Of Counsel:

Post & Schell, P.C.

Date: June 13, 2025

Attorneys for The York Water Company