

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of American Water Works	:	
Company, Inc., Pennsylvania-American Water	:	
Company, Nexus Regulated Utilities, LLC and	:	
Community Utilities of Pennsylvania Inc.,	:	A-2025-3055551,
Pursuant to Sections 1102 and 1103 of the	:	A-2025-3055552,
Public Utility Code, for all of the necessary	:	A-2025-3055553,
authority, approvals, and certificates of public	:	A-2025-3055554
convenience to approve the transfer of control of	:	
Community Utilities of Pennsylvania Inc.	:	
from Nexus Regulated Utilities, LLC to American	:	
Water Works Company, Inc.	:	

PREHEARING CONFERENCE ORDER

A telephonic prehearing conference in this case is scheduled for **Tuesday, July 29, 2025, at 1:30 p.m.** The undersigned administrative law judge will preside. To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name, press the # key, and then the telephone system will connect you to the hearing.

Toll-Free Telephone Number: **866.759.6860**
PIN Number: **71568747**

The parties are hereby directed to comply with the following requirements:

1. Please review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222. Be prepared to discuss possibilities for settlement, discovery issues, service among parties and all other procedural issues relevant to this proceeding. In addition, note subsection (d), which provides, in part:

(d) Parties and counsel will be expected to attend the conference, fully prepared for a useful discussion of all

problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. 52 Pa. Code § 5.222.

2. A request for a change of the scheduled Prehearing Conference date must state the agreement or opposition of other parties and must be submitted by email no later than five (5) days prior to the Prehearing Conference. 52 Pa. Code § 1.15(b). Requests for changes of initial prehearing conferences must be sent by email, with copies to all parties of record. Only the undersigned Administrative Law Judge may grant a request for a change of a prehearing conference. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent prehearing conferences or hearings, if any, should also be served directly on the presiding Administrative Law Judge.

3. Failure of a party to attend the Prehearing Conference, without good cause shown, shall constitute a waiver of all objections to the agreements reached and any order or ruling with respect thereto, including but not limited to any special discovery rules and the litigation schedule established for this case. 52 Pa. Code §§ 5.222(e), 5.224.

4. Pursuant to 52 Pa. Code §§ 1.21 & 1.22, you may represent yourself in this proceeding, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted pro hac vice, represent you. However, if you are a partnership, corporation, limited liability company, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted pro hac vice, represent you. Unless you are an attorney, you may not represent someone else. Attorneys shall ensure that their appearance is entered in accordance with the provisions of 52 Pa. Code § 1.24(b).

5. Petitions to intervene that are filed prior to the Prehearing Conference on July 29, 2025 will be addressed during the conference. Petitions to intervene that are filed after the Prehearing Conference on July 29, 2025, if not untimely or otherwise defective on their face, shall be deemed granted if not objected to within fifteen business days after filing. If objected to, such pleadings will be addressed by order.

6. Unless otherwise established by the presiding officer, all filing and service deadlines in this proceeding are by 4:30 p.m. on the due date.

7. All parties must serve the presiding officer electronically (egannon@pa.gov) with any document you file in this proceeding. If you send me any documents or correspondence, you must also send copies to all other parties in the case. For your convenience, a copy of the Commission's current service list of the parties is enclosed with this Order.

a. All filings and pre-served testimony, and any accompanying schedules and exhibits, should be emailed to the presiding officer in PDF and native formats (Word and Excel). No hard copies should be served to the presiding officer unless materials are not available electronically.

b. No later than July 29, 2025, the Joint Applicants should email the presiding officer a Word version of the Application and a Word or Excel version of Appendices to the Application that are available in those formats.

8. The parties are directed to confer prior to the Prehearing Conference to discuss and attempt to agree upon a litigation schedule and any proposals for a public input hearing(s) or discovery modifications.

9. Each party must e-file and serve by email, no later than **Friday, July 25, 2025**, a Prehearing Conference Memorandum which sets forth the history of the proceeding; the issues you intend to present; a proposed plan and schedule of discovery, including any proposed revisions to the Commission's discovery rules; a listing of your proposed witnesses and the subject of their testimony; and a proposed litigation schedule that is agreed to by all parties. 52 Pa. Code § 5.222(d). If the parties are unable to agree on a litigation schedule, deadlines may be imposed by the Administrative Law Judge.

10. Regarding public input hearings:

a. If a party takes a position on the scheduling of public input hearings in this matter, its position should be stated in its prehearing memoranda.

b. Any requests for the scheduling of public input hearings should include proposals for number, date, time, and location.

c. At the prehearing conference, all parties should be prepared to discuss (1) support for their positions on public input hearings and (2) the timing and methods by which the public will be notified about scheduled public input hearings to ensure that all customers, including those who do not receive information electronically, receive adequate and reasonable notice.

11. Parties should review the regulations relating to discovery, specifically 52 Pa. Code § 5.331(b), which provides, *inter alia*, that “a party shall endeavor to initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code § 5.322, which encourages parties to exchange information on an informal basis. The parties are expected to pursue resolution of discovery issues among themselves; motions to compel should be filed only after such efforts have failed. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§ 5.361, 5.371-5.372.

12. Commission policy promotes settlements. 52 Pa. Code § 5.231(a). The parties are encouraged to commence settlement discussions as early as possible. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks.

Date: July 17, 2025

/s/
Erin L. Gannon
Administrative Law Judge

A-2025-3055551, A-2025-3055552, A-2025-3055553, A-2025-3055554 - JOINT APPLICATION OF AMERICAN WATER WORKS COMPANY INC., PENNSYLVANIA-AMERICAN WATER COMPANY, NEXUS REGULATED UTILITIES LLC, AND COMMUNITY UTILITIES OF PENNSYLVANIA INC.

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