
Devin Ryan

dryan@postschell.com
717-612-6052 Direct
717-731-1985 Direct Fax
File #: 210634

July 18, 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: PA Public Utility Commission *et al.* v. The York Water Company
Docket Nos. R-2025-3043442, *et al.***

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,



Devin Ryan

DR/dmc
Attachment

cc: The Honorable Emily A. Farren (*via email; w/attachment*)
The Honorable John M. Coogan (*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 E-MAIL

Carrie Wright, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265
carwright@pa.gov

Jacob D. Guthrie, Esquire
Ryan Morden, Esquire
Katherine M. Kennedy, Esquire
Office of Consumer Advocate
555 Walnut Street, Forum Place, 5th Floor
Harrisburg, PA 17101-1923
JGuthrie@paoca.org
rmorden@paoca.org
KKennedy@paoca.org
OCAYorkWW2025@paoca.org

Steven C. Gray, Esquire
Rebecca Lyttle, Esquire
Office of Small Business Advocate
555 Walnut Street
Forum Building, 1st Floor
Harrisburg, PA 17101
sgray@pa.gov
relyttle@pa.gov

Cheryl L. Hoffman
22 Summer Drive
Dillsburg, PA 17019
Cheri_hoffman@outlook.com

Eric Conrad
29 Summer Drive
Dillsburg, PA 17019
jenericdrew@comcast.net

Daniel O'Connor
7 Iris Lane
Gettysburg, PA 17325
dan11916@yahoo.com

Sara Flemming
548 W Siddonsburg Rd
Dillsburg, PA 17019
prplfae@yahoo.com

Edward M. Madalis
44 Tulip Tree Way
Gettysburg, PA 17325
madalised@gmail.com

Brad S. Bock
536 W Siddonsburg Rd
Dillsburg, PA 17019
bbtvr@yahoo.com

Sheri Stein
161 Rustic Wood Dr
Gettysburg, PA 17325
Sheri.stein@comcast.net

George McClellan Bentzel IV
37 3rd Street
York Haven, PA 17370
Tjameson79@yahoo.com

Elizabeth Tetter
255 Winifred Drive
Hanover, PA 17331
liztetter@gmail.com

FIRST-CLASS MAIL

Amy Nichols
3175 Hackberry Lane
York, PA 17404

Russell M. Hudson
124 New Vista Way
Gettysburg, PA 17325

Michael and Debra D' Angelo
343 Quiet Creek Drive
Gettysburg, PA 17325

Date: July 18, 2025



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket Nos. R-2025-3053442
Office of Consumer Advocate	:	C-2025-3055746
Office of Small Business Advocate	:	C-2025-3055824

v.

The York Water Company – Water Division

Pennsylvania Public Utility Commission	:	Docket Nos. R-2025-3053573
Office of Consumer Advocate	:	C-2025-3055747
Office of Small Business Advocate	:	C-2025-3055827

v.

The York Water Company – Wastewater
Division

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

TO ADMINISTRATIVE LAW JUDGES JOHN M. COOGAN AND EMILY A. FARREN:

The York Water Company (“York Water” or the “Company”) hereby files this Prehearing Conference Memorandum in the above-captioned proceedings in accordance with the Prehearing Conference Order issued by Administrative Law Judges John M. Coogan and Emily A. Farren (“ALJs”) on July 14, 2025, and states as follows:

I. INTRODUCTION

On May 30, 2025, York Water filed with the Pennsylvania Public Utility Commission (“Commission”) Supplement No. 165 to its Tariff Water – Pa. P.U.C. No. 14 (“Supplement No. 165”) and Supplement No. 26 to Tariff Wastewater – Pa. P.U.C. No. 1 (“Supplement No. 26”), along with supporting information required by 52 Pa. Code §§ 53.52 and 53.53, to become

effective August 1, 2025. In Supplement No. 165, York Water proposes a general increase in water rates of \$20,311,978 per year, and in Supplement No. 26, York Water proposes a general increase in wastewater rates of \$3,857,507 per year. By Order entered February 10, 2017, at Docket No. P-2017-2582839, York Water was granted permission to file a single case that combined water and wastewater revenue requirements. York Water is not proposing to allocate a portion of the wastewater revenue requirement to water customers pursuant to 66 Pa. C.S. § 1311(c).

The rate increases are due, in part, to the return and depreciation requirements resulting from new or replacement facilities that have been or will be placed in service by the end of the fully projected future test year. Specifically, for the Company to continue providing its high-quality water service and exceptional customer service, it is necessary to invest in replacements, improvements, and additions to the Company's facilities. As explained in Exhibit Nos. FV-12-1, FV-12-2, FV-12-4 and FV-12-5, York Water has projected to place in service \$41,708,860 in new or replacement facilities during 2025 and \$44,606,360 in 2026 and the first two months of 2027. The Company's projection of new facilities includes: (1) standpipe, booster station, and pumping equipment upgrades; (2) improvements to the Company's water treatment facilities that will make them more efficient; (3) the replacement or relining of aging mains; and (4) the replacement of other infrastructure. Projected additions also include the cost of new services, hydrants, and mains resulting from organic growth within York Water's service territory as well as upgraded equipment and electronics to make the Company's operations more efficient.

In addition, for the Company to continue providing its high-quality wastewater service, it is necessary to invest in replacements, improvements, and additions to the Company's facilities. As explained in Exhibit Nos. FV-12-1W, FV-12-2W, FV-12-4W and FV-12-5W, York Water has

projected to place in service \$6,581,359 in new or replacement facilities during 2025 and \$6,418,667 in 2026 and the first two months of 2027. The Company's projection of new facilities includes improvements to the Company's wastewater treatment facilities that will make them more efficient as well as the replacement and rehabilitation of aging mains, manholes, and other infrastructure. Projected additions also include the cost of upgraded equipment and electronics to make the Company's operations more efficient.

Furthermore, the Company also must recover costs for increasing expenses, such as wages, benefits, chemicals, materials, and supplies.

On June 5, 2025, the Commission's Bureau of Investigation and Enforcement ("I&E") filed a Notice of Appearance.

On June 12, 2025, the Office of Small Business Advocate ("OSBA") filed a Notice of Appearance.

On June 11, 2025, the Office of Consumer Advocate ("OCA") filed a Notice of Appearance, Complaint, and Public Statement.

On June 18, 2025, OSBA filed a Complaint, Public Statement, and Verification.

Also on June 18, 2025, York Water was served with a Complaint filed by Cheryl Hoffman at Docket No. C-2025-3055800 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573.

On July 2, 2025, York Water was served with a Complaint filed by Daniel O'Connor at Docket No. C-2025-3056049 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573, as well as a Complaint filed by Eric Conrad at Docket No. C-2025-3056050 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573.

On July 7, 2025, York Water was served with a Complaint filed by Sarah Flemming at Docket No. C-2025-3056115 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573.

On July 9, 2025, York Water was served with a Complaint filed by Edward Madalis at Docket No. C-2025-3056157 regarding the Company's proposed water rate increase at Docket No. R-2025-3053442, a Complaint filed by Amy Nichols at Docket No. C-2025-3056183 regarding the Company's proposed water rate increase at Docket No. R-2025-3053442, and a Complaint filed by Brad Bock at Docket No. C-2025-3056196 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573.

On July 10, 2025, the Commission entered separate Orders suspending Supplement No. 165 and Supplement No. 26 by operation of law until March 1, 2026, unless otherwise directed by Order of the Commission. Also, York Water was served with a Complaint filed by Russell Hudson at Docket No. C-2025-3056217 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573, as well as a Complaint filed by Sheri Stein at Docket No. C-2025-3056217 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573.

On July 14, 2025, a Telephonic Prehearing Conference Notice was issued, which scheduled a prehearing conference in the above-captioned matters for July 22, 2025, at 10:00 AM before the ALJs. Also, the ALJs issued a Prehearing Conference Order, which, among other things, directed the parties to file Prehearing Memoranda by 4:00 PM on July 18, 2025. Further, York Water was served with a Complaint filed by George Bentzel, IV at Docket No. C-2025-3056272 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573.

On July 15, 2025, York Water was served with two Complaints filed by Michael and Debra D'Angelo: one at Docket No. C-2025-3056281 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573, and a second at Docket No. C-2025-3056282 regarding the Company's proposed water rate increase at Docket No. R-2025-3053442. Also, York Water was served with a Complaints filed by Elizabeth Tetter at Docket No. C-2025-3056284 regarding the Company's proposed wastewater rate increase at Docket No. R-2025-3053573.

II. SERVICE OF DOCUMENTS

Please list Devin T. Ryan on the service list on behalf of York Water. Mr. Ryan's contact information is as follows:

Devin T. Ryan, Esquire
Post & Schell, P.C.
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
Phone: 717-612-6052
Fax: 717-731-1985
E-mail: dryan@postschell.com

York Water also requests that Michael W. Hassell, Esquire, and Alice A. Wade, Esquire be included on all electronic mail sent in this proceeding. Mr. Hassell's e-mail address is mhassell@postschell.com, and Ms. Wade's e-mail address is alice.wade@postschell.com.

York Water's attorneys are authorized to accept service on behalf of York Water in this proceeding. York Water requests that the Commission and all parties of record serve copies of all discovery requests and answers, correspondence, Commission Orders, and any other documents issued in this proceeding on its attorneys in Harrisburg, Pennsylvania.

III. WITNESSES AND ISSUES

Below is a list of the witnesses and the areas of their testimony comprising York Water's initial direct case in this proceeding. The subject matters listed below as further detailed in the

Company's testimony represent as complete a statement of issues that York Water can provide at this stage of the proceeding. Further definition of the issues will be developed during the course of the proceeding.

	Witness	Stmt Nos.	Summary of Issues Addressed
1.	Joseph T. Hand President and Chief Executive Officer The York Water Company 130 East Market Street York, PA 17401-7089 Tel: 717.845.3601	1	History of the Company; Unaccounted For Water General Financing of Capital Requirements; Quality of Service; Low-Income Customer Assistance; Incentive Program; Plant Additions; Plant Retirements; and Acquisition Activity
2.	Matthew J. Scarpato Vice President – Operations The York Water Company 130 East Market Street York, PA 17401-7089 Tel: 717.845.3601	2	Operations; and Quality of Service;
3.	Matthew E. Poff Chief Financial Officer and Treasurer The York Water Company 130 East Market Street P.O. Box 15089 York, PA 17401-7089 Tel: 717.845.3601	3 103 3W 103W	Statement of Operations; Operating Revenues; Operating Expenses; Measures of Value (excluding accrued depreciation); Rate of Return; Balance Sheet; Operating Income Taxes; and Taxes Other than Income Taxes
4.	Daniel E. Coppersmith, Jr. Finance Manager The York Water Company 130 East Market Street York, PA 17401-7089 Tel: 717.845.3601	4 104 4W 104W	Utility Plant; Statement of Operations; and Measures of Value
5.	Dylan W. D'Ascendis Partner	105	Cost of Capital; and Fair Rate of Return

ScottMadden, Inc.
1820 Chapel Avenue W, Suite
300
Cherry Hill, NJ 08003
Tel: 609.680.8695

- | | | | |
|----|---|-----|---|
| 6. | John J. Spanos
President
Gannett Fleming Valuation and
Rate Consultants, LLC
300 Sterling Parkway
Mechanicsburg, PA 17050
Tel: 717.763.7211 | 106 | Depreciation Studies |
| 7. | Gregory R. Herbert
Assistant Project Manager,
Rate Studies
Gannett Fleming
300 Sterling Parkway
Mechanicsburg, PA 17050
Tel: 717.763.7211 | 107 | Cost of Service Allocation
Studies; and
Rate Design |

The testimony and exhibits fully support York Water’s proposed rate increases as well as the design of rates to recover those increases from customers. York Water reserves the right to present testimony on additional issues and subject matters that may arise during the course of the proceeding.

IV. DISCOVERY

To date, the Company has received multiple sets of interrogatories from the parties and has been responding to them. York Water also encourages the use of informal discovery processes as the proceeding progresses. The Company is not aware of any discovery issues and does not propose any special orders regarding discovery.

V. PROTECTION OF CONFIDENTIAL INFORMATION

York Water will submit a Motion for Protective Order for consideration by the ALJ. The Company will seek the concurrence of the other parties as to the form of the Protective Order before submitting the Motion.

VI. LITIGATION SCHEDULE

York Water has consulted with counsel for I&E, OCA, and OSBA about a proposed procedural schedule. Based on those discussions, the Company proposes the following schedule:

Prehearing Conference	July 22, 2025
Other Parties' Direct Testimony	August 22, 2025
Rebuttal Testimony	September 19, 2025
Surrebuttal Testimony	October 6, 2025
Rejoinder Testimony	October 10, 2025
Hearings	October 14-15, 2025
Main Briefs	October 29, 2025
Reply Briefs	November 10, 2025

With regard to the schedule, the Company is not aware of any substantial public interest being expressed that would warrant the scheduling of a public input hearing. Nonetheless, York Water is not opposed to a public input hearing being held, provided it is scheduled sufficiently in advance of the due date for rebuttal testimony to allow York Water to respond, if necessary, to matters presented at a public input hearing.

VII. SETTLEMENT DISCUSSIONS

York Water is available for settlement discussions with the other parties. The Company expects to undertake settlement negotiations at the earliest time available.

York Water has been very successful in the past in working with other parties to achieve settlements, and York Water is confident that these past working relationships will continue. As a result, York Water does not perceive any need to include specific dates for settlement conferences in the procedural schedule.

VIII. CONSOLIDATION

York Water respectfully requests that its Water Division's base rate case at Docket No. R-2025-3053442 be consolidated with its Wastewater Division's base rate case at Docket No. R-2025-3053573. The Company submitted testimony and exhibits in support of both of its proposed water and wastewater increases on behalf of its witnesses. Although York Water has not proposed allocating a portion of the Wastewater Division's revenue requirement to the Water Division, it is in the interest of judicial economy and efficiency that these proceedings be formally consolidated for litigation and adjudication.

Respectfully submitted,



Michael W. Hassell (ID # 34851)
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: mhassell@postschell.com

Devin T. Ryan (ID # 316602)
Alice A. Wade (ID # 335228)
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
Phone: 717-612-6052
Fax: 717-731-1985
E-mail: dryan@postschell.com
E-mail: alice.wade@postschell.com

Date: July 18, 2025

Counsel for The York Water Company