

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3053442
Office of Consumer Advocate	:	C-2025-3055746
Office of Small Business Advocate	:	C-2025-3055824
Amy Nichols	:	C-2025-3056183
Kris Robertson	:	C-2025-3056377
Michael & Debra D'Angelo	:	C-2025-3056282
Katelyn Mooneyhan	:	C-2025-3056403

v.

The York Water Company - Water

Pennsylvania Public Utility Commission	:	R-2025-3053573
Office of Consumer Advocate	:	C-2025-3055747
Office of Small Business Advocate	:	C-2025-3055827
Cheryl Hoffman	:	C-2025-3055800
Brad S. Bock	:	C-2025-3056196
Russell Hudson	:	C-2025-3056217
Sarah Flemming	:	C-2025-3056115
Daniel O'Connor	:	C-2025-3056049
Eric Conrad	:	C-2025-3056050
Edward Madalis	:	C-2025-3056157
Sheri Stein	:	C-2025-3056225
Elizabeth Tetter	:	C-2025-3056284
Michael & Debra D'Angelo	:	C-2025-3056281
George McClellan Bentzel	:	C-2025-3056272

v.

The York Water Company - Wastewater

PREHEARING ORDER #1

On May 30, 2025, the York Water Company and the York Water Company – Wastewater Division (collectively, York or the Company) filed Supplement No. 165 to Tariff Water-Pa. P.U.C. No. 14 and Supplement No. 26 to Tariff Wastewater-Pa. P.U.C. No. 1,

respectively, to become effective August 1, 2025. The Company proposes to increase water service rates to produce additional annual revenues of approximately \$20.3 million. The Company additionally proposes to increase wastewater rates to produce additional annual revenues of approximately \$3.8 million.

York serves approximately 73,100 water customers and 6,700 wastewater customers. The Company provides water service and wastewater service in parts of York, Adams, Franklin, and Lancaster Counties, Pennsylvania.

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

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

On June 12, 2025, the Office of Small Business Advocate (OSBA) filed a Notice of Appearance. On June 18, 2025, OSBA filed a Formal Complaint and Public Statement.

Also on June 18, 2025, York Water was served with a Complaint filed by Cheryl Hoffman regarding the proposed wastewater rate increase.

On July 2, 2025, York Water was served with Complaints filed by Daniel O'Connor and Eric Conrad, respectively, regarding the proposed wastewater rate increase.

On July 7, 2025, York Water was served with a Complaint filed by Sarah Flemming regarding the proposed wastewater rate increase.

On July 9, 2025, York Water was served with a Complaint filed by Edward Madalis regarding the proposed wastewater rate increase, a Complaint filed by Amy Nichols regarding the proposed water rate increase, and a Complaint filed by Brad Bock regarding the proposed wastewater rate increase.

On July 10, 2025, the Commission issued Orders that initiated an investigation into the lawfulness, justness, and reasonableness of the proposed rate increases in the Company's water and wastewater filings in addition to the Company's existing rates, rules, and regulations, assigned this matter to the OALJ for further proceedings as appropriate, and suspended the effective date of the tariff until March 1, 2026.

Also on July 10, 2025, York Water was served with Complaints by Sheri Stein and Russell Hudson, respectively, regarding the proposed wastewater rate increase.

On July 14, 2025, a Telephonic Prehearing Conference Notice was issued, scheduling a prehearing conference for July 22, 2025, at 10:00 AM. A Prehearing Conference Order was also issued, directing parties to file Prehearing Memoranda by July 18, 2025.

Also on July 14, 2025, York Water was served with a Complaint filed by George Bentzel, IV regarding the proposed wastewater rate increase.

On July 15, 2025, York Water was served with two Complaints filed by Michael and Debra D'Angelo regarding the proposed water and wastewater rate increases. Also, York Water was served with a Complaint by Elizabeth Tetter regarding the proposed wastewater rate increase.

On July 21, 2025, York Water was served with a Complaint filed by Kris Robertson regarding the proposed water rate increase.

On July 22, 2025, the Presiding Officers convened the telephonic prehearing conference as scheduled, at which the following parties participated: on behalf of York Water Company, Devin T. Ryan, Esquire and Alice Wade, Esquire; on behalf of the Office of Consumer Advocate, Jacob Guthrie, Esquire and Katherine Kennedy, Esquire; on behalf of the Bureau of Investigation and Enforcement, Carrie Wright, Esquire; on behalf of the Office of Small Business Advocate, Rebecca Lyttle, Esquire.

The following Formal Complainants participated, and each indicated the desire to be considered an inactive party: Amy Nichols, Cheryl Hoffman, Brad Bock, Russel Hudson, Daniel O'Connor, Edward Madalis, and Sheri Stein.

On July 23, 2025, York Water was served with a Complaint filed by Katelyn Mooneyhan regarding the proposed water rate increase.

This Order memorializes the matters decided and agreed upon by the parties attending the conference.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Supplement No. 165 to Tariff Water-PA. P.U.C. No. 14 filed by York Water Company with the Pennsylvania Public Utility Commission to become effective August 1, 2025, docket number R-2025-3053442, and Supplement No. 26 to Tariff Wastewater PA P.U.C. No. 1 filed by York Water Company – Wastewater Division with the Commission to become effective August 1, 2025, docket number R-2025-3053573, are consolidated for purposes of Commission investigation and disposition. Additionally, all Formal Complaints filed against the pending general rate increases are consolidated with docket numbers R-2025-3053442 and R-2025-3053573 for purposes of Commission investigation and disposition.

2. That the active parties of record as of the date of this Prehearing Order are York Water Company and York Water Company – Wastewater Division; the Office of Consumer Advocate; the Bureau of Investigation and Enforcement; and, the Office of Small Business Advocate.

3. That any party that did not appear at the July 22, 2025, Prehearing Conference will be treated as an inactive party to this proceeding. Inactive parties will receive our written orders, notices of hearings and copies of any Commission decisions and orders. Inactive parties will not participate in discovery, testify at the evidentiary hearing, cross-examine witnesses, or file briefs. Inactive parties may testify at public input hearings. Inactive parties will not receive copies of the hearing exhibits or briefs filed by the active parties. Any party entering their appearance after the July 22, 2025, Prehearing Conference must designate whether they want to be treated as an active party in writing to us and the current parties of record; otherwise, said party will be treated as an inactive party.

4. That the active parties shall receive all documents and shall copy all other active parties on documents they file with the Commission or serve on us. The active parties are expected to conduct discovery, attend hearings, or present or cross-examine witnesses, as appropriate. The active parties shall serve the documents so that the documents are received in-hand by the active parties and us no later than 4:30 p.m. on the dates listed. Active parties may serve the documents via e-mail to meet this requirement. Active parties shall not file testimony with the Commission but shall file a certificate of service.

5. That our informal e-mail distribution list for the active parties in this proceeding is as follows. Any changes or corrections should be communicated to us, via e-mail, as soon as possible.¹

Party	Counsel	E-mail
YWC	Alice Wade	alice.wade@postschell.com
YWC	Devin Ryan	dryan@postschell.com
YWC	Michael Hassel	mhassell@postschell.com
I&E	Carrie B. Wright	carwright@pa.gov
OSBA	Steven C. Gray	sgray@pa.gov
OSBA	Rebecca Lyttle	relyttle@pa.gov

¹ Contrary to instructions provided during the July 22, 2025, Prehearing Conference, parties need not include our legal assistant at this time.

OCA	Katherine Kennedy	OCAYork2025@paoca.org
OCA	Ryan Morden	OCAYork2025@paoca.org
OCA	Jacob Gutherie	OCAYork2025@paoca.org
OALJ	ALJ Coogan	jcoogan@pa.gov
OALJ	ALJ Farren	efarren@pa.gov

6. That the following schedule is adopted for this proceeding:

Other Parties' Direct Testimony	Friday, August 22, 2025
Public Input Hearings	Tuesday, August 26, 2025 (in-person) and Wednesday, August 27, 2025 (telephonic)
Other Parties' Supplemental Direct Testimony Regarding Public Input Hearings	Tuesday, September 9, 2025
Rebuttal Testimony (all parties and all issues)	Friday, September 19, 2025
Surrebuttal Testimony (all parties and all issues)	Monday, October 6, 2025
Written Rejoinder Testimony or Outline	Friday, October 10, 2025 (by 4:00 p.m.)
Evidentiary Hearings (in-person)	Tuesday, October 14, 2025 through Wednesday, October 15, 2025
Main Briefs	Wednesday, October 29, 2025
Reply Briefs	Monday, November 10, 2025

7. That the October 14, 2025 and October 15, 2025 evidentiary hearings will be held in-person in Harrisburg. The initial day will commence at 10:00 AM; the subsequent day will commence at 9:00 AM. An evidentiary hearing notice will be issued and published on the Commission's website. Parties will complete the daily witness listing and cross-examination grid as directed.

8. That two in-person public input hearings are tentatively scheduled for August 26, 2025, and two telephonic public input hearings are tentatively scheduled for August 27, 2025, at 1 p.m. and 6 p.m. each day. Detailed notice of the public input hearings will be issued once the times, dates, and locations for the public input hearings are confirmed.

9. That any evidentiary hearing in this matter constitutes a formal legal proceeding and will be conducted in accordance with the Commission's Rules of Administrative Practice and Procedure, as well as the rules of evidence as applied to administrative hearings.

10. That parties may file supplemental direct testimony regarding the testimony offered at the public input hearings. The due date for supplemental direct testimony is tentatively set as September 9, 2025. This supplemental direct testimony shall be confined to addressing only the testimony offered at the public input hearings.

11. That written testimony shall comply with the requirements of 52 Pa. Code § 5.412 and shall be marked with numerical, sequential statement numbers.

12. That any motions with respect to, or objections to, written testimony must be presented in writing no later than five days prior to the day that the witness sponsoring that testimony is scheduled to testify. Answers to such motions or objections may be filed within five days or sooner if circumstances warrant. Oral motions, other than for good cause, shall not be accepted.

13. That all parties shall comply with the provisions of 52 Pa. Code § 5.243(e) which prohibits the introduction of evidence during rebuttal which should have been included in the party's case-in-chief or which substantially varies from the party's case-in-chief, unless the party is introducing evidence in support of a proposed settlement.

14. That discovery shall be conducted according to the Commission's rules and regulations at 52 Pa. Code § 5.321 *et seq*, subject to the following modifications:

As of July 22, 2025:

A. Answers to written interrogatories and requests for document production, entry for inspection, or other purposes shall be served in-hand within ten (10) calendar days of service.

B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within three (3) calendar days of service of the interrogatories; unresolved objections shall be served in writing to the propounding party within five (5) calendar days of service of the interrogatories and/or requests for production.

C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within five (5) business days of service of written objections.

D. Answers to motions to dismiss objections and/or answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of such motions.

E. Requests for admissions will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.

F. Answers to on-the-record data requests shall be served in-hand within five (5) calendar days of the requests.

G. Any discovery or discovery-related pleadings (such as objections, motions, and answers to same) served after served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day before a holiday will be deemed to have been served on the next business day for purposes of calculating the due date for any responsive filing.

After rebuttal is served, the deadlines are as follows:

A. Answers to interrogatories and responses to requests for document production, entry for inspection, or other purposes shall be served within five (5) calendar days of service of the interrogatories or requests for production.

B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within two (2) calendar days of service; unresolved objections shall be served on the propounding party in writing within three (3) calendar days of service of the interrogatories and/or requests for production.

C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of written objections.

D. Answers to motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of such motions.

E. Requests for admission shall be deemed admitted unless answered or objected to within three (3) calendar days of service.

F. Discovery requests and discovery related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

15. That the parties shall conduct discovery pursuant to 52 Pa. Code §§ 5.321-5.373, as modified above. The parties are encouraged to cooperate and exchange information on an informal basis. The parties shall cooperate rather than engage in numerous or protracted discovery disagreements that require formal resolution. All motions to compel shall contain a certification by counsel setting forth the informal discovery undertaken and their efforts to resolve their discovery disputes informally. If a motion to compel does not contain this certification, the parties will be directed to pursue informal discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§ 5.361, 5.371-5.372.

16. That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve administrative hearing resources. 52 Pa. Code §§ 5.232 and 5.234.

17. That the parties should do their best to avoid the use of **Confidential Security Information (CSI)**, as defined by 35 P.S. § 2141 *et seq.*, in this proceeding. Where possible, the parties should develop alternative means of introducing information into the record, such as joint stipulations or redaction when proposing testimony or exhibits. If the parties cannot avoid the use of CSI, the parties are to contact the presiding ALJs in advance of any submission, and prior to the evidentiary hearing.

18. That the parties are to confer amongst themselves in an attempt to resolve all or some of the issues associated with this proceeding. The parties are reminded it is the Commission's policy to encourage settlements. 52 Pa. Code § 5.231(a). The parties are strongly urged to seriously explore this possibility. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served on us.

19. That if a settlement is not reached, we will issue a briefing order with further instructions for briefs following the evidentiary hearings in this case.

20. That the parties shall comply with the procedural rules and regulations discussed herein.

21. That any provision of this order may be modified upon motion and good cause shown by any party in interest in accordance with 52 Pa. Code § 5.223(a).

Date: July 23, 2024

/s/
John M. Coogan
Administrative Law Judge

/s/
Emily A. Farren
Administrative Law Judge

R-2025-3053442 - PA PUBLIC UTILITY COMMISSION v. THE YORK WATER COMPANY - WATER

Revised 7/23/2025

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