



COMMONWEALTH OF PENNSYLVANIA

July 25, 2025

E-FILED

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

Re: Joint Application of American Water Works Company, Inc., Pennsylvania-American Water Company, Nexus Regulated Utilities, LLC and Community Utilities of Pennsylvania Inc., Pursuant to Sections 1102 and 1103 of the Public Utility Code, for all of the necessary authority, approvals, and certificates of public convenience to approve: (1) the transfer of control of Community Utilities of Pennsylvania Inc. from Nexus Regulated Utilities, LLC to American Water Works Company, Inc.; (2) the transfer to Pennsylvania-American Water Company, by merger, of all assets of Community Utilities of Pennsylvania Inc. used or useful in the public service; (3) the right of Pennsylvania-American Water Company to begin to offer, render, furnish and supply water service to the public in portions of Stroud and Pocono Townships, Monroe County, Pennsylvania; (4) the right of Pennsylvania American Water Company to begin to offer, render, furnish, and supply water service to the public in portions of Hanover Township, Northampton County, Pennsylvania; (5) the right of Pennsylvania-American Water Company to begin to offer, render, furnish, and supply water service to the public in portions of Lehman Township, Pike County, Pennsylvania; (6) the right of Pennsylvania-American Water Company to begin to offer, render, furnish, and supply wastewater service in portions of Stroud and Pocono Townships, Monroe County, Pennsylvania; (7) the right of Pennsylvania-American Water Company to begin to offer, render, furnish, and supply wastewater service in portions of West Bradford Township, Chester County, Pennsylvania; (8) the right of Pennsylvania American Water Company to offer, render, furnish, and supply wastewater service in portions of Lehman Township, Pike County, Pennsylvania; and (9) the abandonment by Community Utilities of Pennsylvania Inc. of all water and wastewater service to the public./ Docket Nos. A-2025-3055551, A-2025-3055552, A-2025-3055553, A-2025-3055554

Dear Secretary Homsher:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-referenced proceedings.

Copies will be served on all known parties in these proceedings, as indicated on the attached Certificate of Service.

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

Sincerely,

/s/ Rebecca Lyttle

Rebecca Lyttle
Assistant Small Business Advocate
Attorney ID No. 201399

Enclosures

cc: Kevin Higgins
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of American Water Works	:	Docket Nos. A-2025-3055551
Company, Inc., Pennsylvania-American	:	A-2025-3055552
Water Company, Nexus Regulated Utilities,	:	A-2025-3055553
LLC and Community Utilities of	:	A-2025-3055554
Pennsylvania Inc., Pursuant to Sections 1102	:	
and 1103 of the Public Utility Code, for all of	:	
the necessary authority, approvals, and	:	
certificates of public convenience to approve:	:	
(1) the transfer of control of Community	:	
Utilities of Pennsylvania Inc. from Nexus	:	
Regulated Utilities, LLC to American Water	:	
Works Company, Inc.; (2) the transfer to	:	
Pennsylvania-American Water Company, by	:	
merger, of all assets of Community Utilities	:	
of Pennsylvania Inc. used or useful in the	:	
public service; (3) the right of Pennsylvania-	:	
American Water Company to begin to offer,	:	
render, furnish and supply water service	:	
to the public in portions of Stroud and	:	
Pocono Townships, Monroe County,	:	
Pennsylvania; (4) the right of Pennsylvania	:	
American Water Company to begin to offer,	:	
render, furnish, and supply water service to	:	
the public in portions of Hanover Township,	:	
Northampton County, Pennsylvania; (5) the	:	
right of Pennsylvania-American Water	:	
Company to begin to offer, render, furnish,	:	
and supply water service to the public in	:	
portions of Lehman Township, Pike County,	:	
Pennsylvania; (6) the right of Pennsylvania-	:	
American Water Company to begin to offer,	:	
render, furnish, and supply wastewater	:	
service in portions of Stroud and Pocono	:	
Townships, Monroe County, Pennsylvania;	:	
(7) the right of Pennsylvania-American	:	
Water Company to begin to offer, render,	:	
furnish, and supply wastewater service in	:	
portions of West Bradford Township,	:	
Chester County, Pennsylvania; (8) the right	:	
of Pennsylvania American Water Company	:	
to offer, render, furnish, and supply	:	

wastewater service in portions of Lehman :
Township, Pike County, Pennsylvania; and :
(9) the abandonment by Community Utilities :
of Pennsylvania Inc. of all water and :
wastewater service to the public. :

**PREHEARING MEMORANDUM
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 (“the Act”). To discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to these proceedings. Representing the OSBA in the above-captioned matters are Assistant Small Business Advocates Rebecca Lyttle and Steven C. Gray. Please address all correspondence in that matter as follows:

Rebecca Lyttle, Esq.
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
relyttle@pa.gov

II. FILING BACKGROUND

On May 30, 2025, the Joint Applicants, American Water Works Company, Inc., Pennsylvania-American Water Company (“PAWC”), Nexus Regulated Utilities, LLC, and Community Utilities of Pennsylvania Inc., filed, Pursuant to Sections 1102 and 1103 of the Public Utility Code, for all of the necessary authority, approvals, and certificates of public convenience to approve the following:

- (1) The transfer of control of Community Utilities of Pennsylvania Inc. from Nexus Regulated Utilities, LLC to American Water Works Company, Inc.;
- (2) The transfer to PAWC, by merger, of all assets of Community Utilities of Pennsylvania Inc. used or useful in the public service;
- (3) The right of PAWC to begin to offer, render, furnish and supply water service to the public in portions of Stroud and Pocono Townships, Monroe County, Pennsylvania;
- (4) The right of PAWC to begin to offer, render, furnish, and supply water service to the public in portions of Hanover Township, Northampton County, Pennsylvania;
- (5) The right of PAWC to begin to offer, render, furnish, and supply water service to the public in portions of Lehman Township, Pike County, Pennsylvania;
- (6) The right of Pennsylvania-American Water Company to begin to offer, render, furnish, and supply wastewater service in portions of Stroud and Pocono Townships, Monroe County, Pennsylvania;
- (7) The right of PAWC to begin to offer, render, furnish, and supply wastewater service in portions of West Bradford Township, Chester County, Pennsylvania;

- (8) The right of PAWC to offer, render, furnish, and supply wastewater service in portions of Lehman Township, Pike County, Pennsylvania; and
- (9) The abandonment by Community Utilities of Pennsylvania Inc. of all water and wastewater service to the public

III. IDENTIFICATION OF WITNESS AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA's case in this proceeding is:

Kevin C. Higgins
Energy Strategies
111 East Broadway, Suite 1200
Salt Lake City, Utah 84111
khiggins@energystrat.com

The OSBA will participate in this proceeding to assure that the interests of small business customers are adequately represented and protected.

After an initial review of the materials submitted by the Joint Applicants, the OSBA has identified the following list of issues that it will evaluate in this proceeding:

- (1) Whether the proposed transaction will result in the provision of safe, adequate, and reasonable service at just and reasonable rates for the small business customers of Nexus Regulated Utilities, LLC, and Community Utilities of Pennsylvania Inc.
- (2) Whether the water service rates will increase for the Nexus Regulated Utilities, LLC, and Community Utilities of Pennsylvania Inc small business customers.
- (3) Whether Nexus Regulated Utilities, LLC, and Community Utilities of Pennsylvania Inc small business customers will receive information about the OSBA on PAWC's website and on any late payment notices that they may receive.
- (4) Whether the proposed transaction will result in substantial affirmative benefits for the

customers of Nexus Regulated Utilities, LLC, and Community Utilities of Pennsylvania Inc.

- (5) Whether PAWC's formal payment assistance program for small businesses will be extended to the small business customers currently served by Nexus Regulated Utilities, LLC, and Community Utilities of Pennsylvania Inc.

The OSBA reserves the right to pursue additional issues that may arise throughout this proceeding.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date¹ as satisfying the in-hand requirement.

The OSBA requests that email delivery of documents also be provided to its witness identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

V. SETTLEMENT

The OSBA notes its willingness to enter settlement discussions at the appropriate phase of this proceeding.

¹ In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

VI. HEARING AND BRIEFING SCHEDULE

At the time of this writing, the OSBA is working with the parties to develop a procedural schedule.

Respectfully submitted,

/s/ Rebecca Lyttle

Rebecca Lyttle
Assistant Small Business Advocate
Attorney ID No. 201399

Commonwealth of Pennsylvania
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA. 17101

Dated July 25, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of American Water Works	:	Docket Nos. A-2025-3055551
Company, Inc., Pennsylvania-American	:	A-2025-3055552
Water Company, Nexus Regulated Utilities,	:	A-2025-3055553
LLC and Community Utilities of	:	A-2025-3055554
Pennsylvania Inc., Pursuant to Sections 1102	:	
and 1103 of the Public Utility Code, for all of	:	
the necessary authority, approvals, and	:	
certificates of public convenience to approve:	:	
(1) the transfer of control of Community	:	
Utilities of Pennsylvania Inc. from Nexus	:	
Regulated Utilities, LLC to American Water	:	
Works Company, Inc.; (2) the transfer to	:	
Pennsylvania-American Water Company, by	:	
merger, of all assets of Community Utilities	:	
of Pennsylvania Inc. used or useful in the	:	
public service; (3) the right of Pennsylvania-	:	
American Water Company to begin to offer,	:	
render, furnish and supply water service	:	
to the public in portions of Stroud and	:	
Pocono Townships, Monroe County,	:	
Pennsylvania; (4) the right of Pennsylvania	:	
American Water Company to begin to offer,	:	
render, furnish, and supply water service to	:	
the public in portions of Hanover Township,	:	
Northampton County, Pennsylvania; (5) the	:	
right of Pennsylvania-American Water	:	
Company to begin to offer, render, furnish,	:	
and supply water service to the public in	:	
portions of Lehman Township, Pike County,	:	
Pennsylvania; (6) the right of Pennsylvania-	:	
American Water Company to begin to offer,	:	
render, furnish, and supply wastewater	:	
service in portions of Stroud and Pocono	:	
Townships, Monroe County, Pennsylvania;	:	
(7) the right of Pennsylvania-American	:	
Water Company to begin to offer, render,	:	
furnish, and supply wastewater service in	:	
portions of West Bradford Township,	:	
Chester County, Pennsylvania; (8) the right	:	
of Pennsylvania American Water Company	:	
to offer, render, furnish, and supply	:	

wastewater service in portions of Lehman Township, Pike County, Pennsylvania; and (9) the abandonment by Community Utilities of Pennsylvania Inc. of all water and wastewater service to the public. :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Erin L. Gannon
Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
egannon@pa.gov

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Erin K. Fure, Esquire
Pennsylvania-American Water Company
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Date: July 25, 2025

/s/ Rebecca Lyttle
Rebecca Lyttle
Assistant Small Business Advocate
Attorney ID No. 201399