



COMMONWEALTH OF PENNSYLVANIA

August 14, 2025

**E-FILED**

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

**Re: Application of Pennsylvania-American Water Company under Section 1102(a) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1102(a), for approval of (1) the transfer, by sale, of substantially all of the Sutersville-Sewickley Municipal Sewage Authority's assets, properties and rights related to its sanitary sewage collection and conveyance system to Pennsylvania-American Water Company; and (2) the right of Pennsylvania-American Water Company to begin to offer and furnish wastewater service to the public in the Borough of Sutersville and in portions of Sewickley Township, Westmoreland County, Pennsylvania / Docket No. A-2025-3056563**

Dear Secretary Homsher:

Enclosed please find the Protest, Notice of Intervention, Public Statement, and Verification, on behalf of the Office of Small Business Advocate ("OSBA"), in the above-referenced proceeding.

Copies will be served on all known parties in this proceeding, 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**

<b>Application of Pennsylvania-American</b>	:	
<b>Water Company under Section 1102(a) of</b>	:	
<b>the Pennsylvania Public Utility Code, 66 Pa.</b>	:	<b>Docket No. A-2025-3056563</b>
<b>C.S. § 1102(a), for approval of (1) the</b>	:	
<b>transfer, by sale, of substantially all of the</b>	:	
<b>Sutersville-Sewickley Municipal Sewage</b>	:	
<b>Authority’s assets, properties and rights</b>	:	
<b>related to its sanitary sewage collection and</b>	:	
<b>conveyance system to Pennsylvania-</b>	:	
<b>American Water Company; and (2) the</b>	:	
<b>right of Pennsylvania-American</b>	:	
<b>Water Company to begin to offer and</b>	:	
<b>furnish wastewater service to the public in</b>	:	
<b>the Borough of Sutersville and in portions of</b>	:	
<b>Sewickley Township, Westmoreland</b>	:	
<b>County, Pennsylvania</b>	:	

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**PROTEST OF THE  
OFFICE OF SMALL BUSINESS ADVOCATE**

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The Office of Small Business Advocate (“OSBA”) files this Protest with respect to the above-captioned Application of the Pennsylvania -American Water Company (“PAWC”) pursuant to Sections 5.51(a) and 5.71(a)(1) of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“Commission”), 52 Pa. Code §§ 5.51(a) and 5.71(a)(1). In support of this Protest, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interests of small business consumers as a party in proceedings before the Commission.

2. Representing the OSBA in this proceeding is:

Rebecca Lyttle, Esq.  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1st Floor  
Harrisburg, Pennsylvania 17101  
[relyttle@pa.gov](mailto:relyttle@pa.gov)

3. Pennsylvania-American Water Company (“PAWC”) filed an Application with the Pennsylvania Public Utility Commission (“Commission”) on July 29, 2025, under Section 1102(a) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1102(a), for approval of (1) the transfer, by sale, of substantially all of the Sutersville-Sewickley Municipal Sewage Authority’s assets, properties and rights related to its sanitary sewage collection and conveyance system to Pennsylvania-American Water Company; and (2) the right of Pennsylvania-American Water Company to begin to offer and furnish wastewater service to the public in the Borough of Sutersville and in portions of Sewickley Township, Westmoreland County, Pennsylvania.

4. The Sutersville-Sewickley Municipal Sewage Authority (“SSMSA”) is a municipal authority organized and existing under and by virtue of the Municipality Authorities Act, 53 Pa. C.S.A. § 5601, *et. seq.* A 6-member board, appointed by the Borough of Sutersville Council and the Township of Sewickley Supervisors, administers the SSMSA (the “SSMSA Board”). The SSMSA owns and operates a public sanitary sewage collection and conveyance system located in Sutersville Borough and portions of Sewickley Township, Westmoreland County, that serves 12 commercial, two (2) municipal, and 476 residential customers (the “System”).

5. When a certificate of public convenience is required under Section 1102, Section 1103(a) of the Public Utility Code, 66 Pa. C.S. §1103(a), allows the Commission to issue the

certificate only upon a finding or determination that the granting of such certificate is “necessary or proper for the service, accommodation, convenience, or safety of the public.” According to the Pennsylvania Supreme Court, satisfying this standard requires the Commission to find that a proposed acquisition would “affirmatively promote the ‘service, accommodation, convenience, or safety of the public’ in some substantial way.” *City of York v. Pennsylvania Public Utility Commission*, 449 Pa. 136, 141, 295 A.2d 825, 828 (Pa. 1972). In addition, Section 1103(a) allows the Commission to impose upon its issuance of a certificate of public convenience “such conditions as it may deem to be just and reasonable.”

6. The Application raises issues of concern that may require the Commission to reject the proposed transaction or to approve it only after imposing conditions. For example, whether the proposed acquisition will be beneficial for the customers of SSMA and PAWC.

7. Furthermore, whether the proposed acquisition will result in any adverse rate impacts on SSMA and PAWC customers.

8. Finally, whether the acquisition price of \$3,250,000 is reasonable, after considering any potential rate impacts on customers.

9. The OSBA reserves the right to raise additional issues as they arise throughout this proceeding.

**WHEREFORE**, the OSBA respectfully requests that the Commission reject the Application as filed.

In the alternative, the OSBA respectfully requests that the Commission conduct a full investigation, including evidentiary hearings, into the Application.

Respectfully submitted,

*/s/ Rebecca Lyttle*

Rebecca Lyttle  
Assistant Small Business Advocate  
Attorney ID No. 201399

For:  
NazAarah Sabree  
Small Business Advocate

Commonwealth of Pennsylvania  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, PA 17101

Dated: August 14, 2025

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Application of Pennsylvania-American</b>	:	
<b>Water Company under Section 1102(a) of</b>	:	
<b>the Pennsylvania Public Utility Code, 66 Pa.</b>	:	<b>Docket No. A-2025-3056563</b>
<b>C.S. § 1102(a), for approval of (1) the</b>	:	
<b>transfer, by sale, of substantially all of the</b>	:	
<b>Sutersville-Sewickley Municipal Sewage</b>	:	
<b>Authority’s assets, properties and rights</b>	:	
<b>related to its sanitary sewage collection and</b>	:	
<b>conveyance system to Pennsylvania-</b>	:	
<b>American Water Company; and (2) the</b>	:	
<b>right of Pennsylvania-American</b>	:	
<b>Water Company to begin to offer and</b>	:	
<b>furnish wastewater service to the public in</b>	:	
<b>the Borough of Sutersville and in portions of</b>	:	
<b>Sewickley Township, Westmoreland</b>	:	
<b>County, Pennsylvania</b>	:	

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**NOTICE OF INTERVENTION  
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

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The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the above-captioned Application that was filed with the Pennsylvania Public Utility Commission (“Commission”) on July 29, 2025. In support of this Notice of Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

2. Representing the OSBA in this proceeding is:

Rebecca Lyttle, Esq.  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1st Floor  
Harrisburg, Pennsylvania 17101  
[relyttle@pa.gov](mailto:relyttle@pa.gov)

Respectfully submitted,

*/s/ Rebecca Lyttle*

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Rebecca Lyttle  
Assistant Small Business Advocate  
Attorney ID No. 201399

For:  
NazAarah Sabree  
Small Business Advocate

Commonwealth of Pennsylvania  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, PA 17101

Dated: August 14, 2025

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Application of Pennsylvania-American</b>	:	
<b>Water Company under Section 1102(a) of</b>	:	
<b>the Pennsylvania Public Utility Code, 66 Pa.</b>	:	<b>Docket No. A-2025-3056563</b>
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<b>transfer, by sale, of substantially all of the</b>	:	
<b>Sutersville-Sewickley Municipal Sewage</b>	:	
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<b>American Water Company; and (2) the</b>	:	
<b>right of Pennsylvania-American</b>	:	
<b>Water Company to begin to offer and</b>	:	
<b>furnish wastewater service to the public in</b>	:	
<b>the Borough of Sutersville and in portions of</b>	:	
<b>Sewickley Township, Westmoreland</b>	:	
<b>County, Pennsylvania</b>	:	

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**PUBLIC STATEMENT OF  
THE OFFICE OF SMALL BUSINESS ADVOCATE**

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The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by her initiation of or intervention in any proceeding involving those interests before the Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a Protest and Notice of Intervention in the above-captioned Commission proceeding.

Pennsylvania-American Water Company (“PAWC”) filed an Application with the Commission on July 29, 2025, under Section 1102(a) of the Pennsylvania Public Utility Code,

66 Pa. C.S. § 1102(a), for approval of (1) the transfer, by sale, of substantially all of the Sutersville-Sewickley Municipal Sewage Authority's assets, properties and rights related to its sanitary sewage collection and conveyance system to Pennsylvania-American Water Company; and (2) the right of Pennsylvania-American Water Company to begin to offer and furnish wastewater service to the public in the Borough of Sutersville and in portions of Sewickley Township, Westmoreland County, Pennsylvania.

The Sutersville-Sewickley Municipal Sewage Authority ("SSMSA") is a municipal authority organized and existing under and by virtue of the Municipality Authorities Act.

The Small Business Advocate is intervening in this proceeding to protect the interests of PAWC's and SSMSA's small business customers. A thorough inquiry by the Commission into all the elements of the Application is necessary to ascertain whether it conforms to the Public Utility Code and to the Commission's regulations.

In view of the foregoing, the Small Business Advocate is requesting that the Application be either denied or subject to investigation and evidentiary hearings before the Commission. The Small Business Advocate will ask the Commission to deny or modify any aspect of the Application that is not proven to be just, reasonable, non-discriminatory, and fully in accordance with the Public Utility Code and the Commission's regulations.

Dated: August 14, 2025

**VERIFICATION**

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: August 14, 2025

  
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(Signature)

