



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

August 15, 2025

**Via Electronic Filing**

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

Re: Venango Water Company – Ex Parte Emergency Order Naming Aqua  
Pennsylvania, Inc. as Receiver  
Docket No. M-2023-3042180

Section 529 Investigation of Venango Water Company  
Docket No. I-2023-3042312

Section 529 Investigation of Sugarcreek Water Company, West Hickory Water  
Company, Plumer Water Company, Fryburg Water Company, Cooperstown  
Water Company and Blaine E. Rhodes Sewer Company  
Docket No. P-2024-3045205

**I&E Pre-Served Testimony, Exhibits, and Verifications**

Dear Secretary Homsher:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Pre-Served Testimony, Exhibits, and Verifications in the above-captioned proceeding. The following documents were admitted into the record via Deputy Chief Administrative Law Judge Mark A. Hoyer's Interim Order Granting Stipulation for Admission of Evidence into the Record that was issued on August 13, 2025:

<b>Ethan Cline:</b>	<b>I&amp;E Statement No. 1</b>	<b>I&amp;E Exhibit No. 1</b>
<b>Christopher Keller:</b>	<b>I&amp;E Statement No. 2</b>	<b>I&amp;E Exhibit No. 2</b>

**Verifications for Ethan Cline and Christopher Keller**

Copies of this letter are being served on parties per the attached Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Michael A. Podskoch, Jr.  
Prosecutor  
Bureau of Investigation and Enforcement  
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Enclosures

cc: Deputy Chief ALJ Mark A. Hoyer (*Cover Letter and Certificate of Service only – via email*)  
Per Certificate of Service (*Cover Letter and Certificate of Service only – via email*)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company – Ex Parte :  
Emergency Order Naming Aqua : Docket No. M-2023-3042180  
Pennsylvania, Inc. as Receiver :

Section 529 Investigation of North :  
Venango Water Company :

Section 529 Investigation of Sugarcreek :  
Water Company, West Hickory Water :  
Company, Plumer Water Company, : Docket No. P-2024-3045205  
Fryburg Water Company, Cooperstown :  
Water Company and Blaine E. Rhodes :  
Sewer Company :

**CERTIFICATE OF SERVICE**

I hereby certify that I am serving the foregoing **Letter Regarding Pre-Served  
Testimony, Exhibits, and Verifications** dated August 15, 2025, in the manner and upon the  
persons listed below:

**Served via Electronic Mail Only**

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**I&E Statement No. 1  
Witness: Ethan H. Cline**

**VENANGO WATER COMPANY – EX PARTE EMERGENCY ORDER NAMING  
AQUA PENNSYLVANIA, INC. AS RECEIVER**

**SECTION 529 INVESTIGATION OF VENANGO WATER COMPANY**

**SECTION 529 INVESTIGATION OF SUGARCREEK WATER COMPANY,  
WEST HICKORY WATER COMPANY, PLUMER WATER COMPANY,  
FRYBURG WATER COMPANY, COOPERSTOWN WATER COMPANY AND  
BLAINE E. RHODES SEWER COMPANY**

**Docket Nos. M-2023-3042180, I-2023-3042312, & P-2024-3045205**

**Direct Testimony**

**of**

**Ethan H. Cline**

**Bureau of Investigation & Enforcement**

**Concerning:**

**PUBLIC UTILITY CODE SECTION 529 INVESTIGATION  
SECTION 529(a)(1)-(3)**

1 **Q. WOULD YOU PLEASE STATE YOUR NAME AND BUSINESS**  
2 **ADDRESS?**

3 A. My name is Ethan H. Cline. My business address is 400 North Street, Harrisburg,  
4 PA 17120.

5  
6 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

7 A. I am employed by the Pennsylvania Public Utility Commission (“Commission”) in  
8 the Bureau of Investigation and Enforcement (“I&E”) as a Fixed Utility Valuation  
9 Engineer.

10  
11 **Q. WHAT IS YOUR EDUCATIONAL AND PROFESSIONAL**  
12 **BACKGROUND?**

13 A. My education and professional background are set forth in Appendix A, which is  
14 attached.

15  
16 **Q. PLEASE DESCRIBE THE ROLE OF I&E IN RATE PROCEEDINGS.**

17 A. I&E is responsible for protecting the public interest in proceedings before the  
18 Commission. The I&E analysis in the proceeding is based on its responsibility to  
19 represent the public interest. This responsibility requires the balancing of the  
20 interests of ratepayers, the regulated utility, and the regulated community as a  
21 whole.

1 **Q. WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY?**

2 A. The purpose of my direct testimony is to provide support for I&E’s position that  
3 the Commission should open a Section 529 investigation into whether the  
4 Commission should order a capable public utility pursuant to Pa. C.S. Section 529  
5 (“Rhodes Utilities 529 Petition” or “529 Petition”) and the Section 529<sup>1</sup>  
6 investigation associated with the collection of utilities owned by the Estate of  
7 Blaine Edwin Rhodes consisting of seven small water and wastewater utilities  
8 (collectively, the “Rhodes Utilities”); Sugarcreek Water Company (“Sugarcreek”),  
9 West Hickory Water Company (“West Hickory”), Plumer Water Company  
10 (“Plumer”), Fryburg Water Company (“Fryburg”), Cooperstown Water Company  
11 (“Cooperstown”), Blaine E. Rhodes Sewer Company (“BE Rhodes”), and  
12 Venango Water Company (“Venango”).

13  
14 **Q. DOES YOUR TESTIMONY INCLUDE AN EXHIBIT?**

15 A. Yes. I&E Exhibit No. 1 contains schedules that support my direct testimony.  
16

17 **Q. WHAT IS SECTION 529?**

18 A. Section 529 of the Public Utility Code authorizes the Commission to conduct an  
19 investigation into whether the Commission should order the acquisition of a small  
20 water or sewer utility by a capable public utility. Section 529(a) sets forth six

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<sup>1</sup> 66 Pa. C.S. § 529.

1 elements or criteria that must be met before the Commission will consider  
2 ordering the acquisition.<sup>2</sup> Section 529(c) also sets forth certain others factors<sup>3</sup> to  
3 be considered by the Commission in making its determination as to whether the  
4 elements in Section 529(a) are met.

5  
6 **Q. WHAT ELEMENTS OF SECTION 529 WILL YOUR TESTIMONY**  
7 **ADDRESS?**

8 A. My testimony will specifically address elements (1) through (3) of Section 529(a),  
9 which relate to safety, adequacy, and efficiency associated with the provision of  
10 services offered by the Rhodes Utilities to its customers. I&E witness Christopher  
11 Keller will address Section 529(a) elements (4) through (6) in I&E Statement No.  
12 2.

13  
14 **Q. DESCRIBE PUBLIC UTILITY CODE SECTION 529(a) ELEMENTS (1)**  
15 **THROUGH (3).**

16 A. Generally, Section 529 states that the Commission may order a capable public  
17 utility to acquire a small water or sewer utility if the Commission determines that  
18 six factors are met. The first three factors are as follows:

19 (1) that the small water or sewer utility is in violation of statutory or regulatory  
20 standards, including but not limited to, the Clean Streams Law, the

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<sup>2</sup> 66 Pa. C.S. § 529(a)(1)-(6).

<sup>3</sup> 66 Pa. C.S. § 529(c)(1)-(6). These factors are inherently considered during the discussion regarding the elements in Section 529(a) and are not overtly individually discussed.

1 Pennsylvania Sewage Facilities Act, the Pennsylvania Safe Drinking Water  
2 Act, and regulations adopted thereunder, which affect the safety, adequacy,  
3 efficiency or reasonableness of the service provided by the small water or  
4 sewer utility;

5 (2) that the small water or sewer utility has failed to comply, within a  
6 reasonable period of time, with any order of the Department of  
7 Environmental Protection or the Commission concerning the safety,  
8 adequacy, efficiency or reasonableness of service ...; and,

9 (3) that the small water or sewer utility cannot reasonably be expected to  
10 furnish and maintain adequate, efficient, safe, and reasonable service and  
11 facilities in the future.

12  
13 **Q. BRIEFLY DESCRIBE THE COLLECTION OF SMALL WATER AND**  
14 **WASTEWATER UTILITIES OWNED BY THE ESTATE OF BLAINE**  
15 **EDWIN RHODES.**

16 A. The following data was based on reporting as of December 31, 2022. Sugarcreek  
17 serves 67 residential, 1 commercial, and 3 public customers in a portion of  
18 Sugarcreek Borough, including the Village of Sugarcreek, Venango County<sup>4</sup>.

19 West Hickory serves 172 residential, 3 commercial, and 2 public customers in a

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<sup>4</sup> Pennsylvania Department of Environmental Protection Primary Facility Report for Sugarcreek Water Company Report for Calendar Year January 1 to December 31, 2022 included in the 2022 Annual Report, attached as I&E Exhibit No. 1, Schedule 1.

1 portion of Harmony Township, Forest County.<sup>5</sup> Plumer serves 53 residential, 1  
2 commercial, and 4 public customers in a portion of Cornplanter Township,  
3 Venango County.<sup>6</sup> Fryburg serves 165 residential, 15 commercial, and 6 public  
4 customers in a portion of Washington Township, Clarion County.<sup>7</sup> Cooperstown  
5 serves 127 residential customers in portions of Cooperstown Borough and Jackson  
6 Township, Venango County.<sup>8</sup> Venango serves 179 residential, 26 commercial, 4  
7 industrial, and 5 public customers in a portion of Sugarcreek Borough, Venango  
8 County.<sup>9</sup> BE Rhodes provides sewer service to 180 residential, 25 commercial, 4  
9 industrial, and 5 public customers in the Venango Development Industrial Park  
10 and the Village of Reno, Venango County.<sup>10</sup>

11  
12 **Q. PROVIDE A BRIEF OVERVIEW OF YOUR SECTION 529**  
13 **INVESTIGATION.**

14 A. My Section 529 investigation of the Rhodes Utilities includes past Commission

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<sup>5</sup> Pennsylvania Department of Environmental Protection Primary Facility Report for West Hickory Water Company Report for Calendar Year January 1 to December 31, 2022 included in the 2022 Annual Report, attached as I&E Exhibit No. 1, Schedule 2.

<sup>6</sup> Pennsylvania Department of Environmental Protection Primary Facility Report for Plumer Water Company Report for Calendar Year January 1 to December 31, 2022 included in the 2022 Annual Report, attached as I&E Exhibit No. 1, Schedule 3.

<sup>7</sup> Pennsylvania Department of Environmental Protection Primary Facility Report for Fryburg Water Company Report for Calendar Year January 1 to December 31, 2022 included in the 2022 Annual Report, attached as I&E Exhibit No. 1, Schedule 4.

<sup>8</sup> Pennsylvania Department of Environmental Protection Primary Facility Report for Cooperstown Water Company Report for Calendar Year January 1 to December 31, 2022 included in the 2022 Annual Report, attached as I&E Exhibit No. 1, Schedule 5.

<sup>9</sup> Pennsylvania Department of Environmental Protection Primary Facility Report for Venango Water Company Report for Calendar Year January 1 to December 31, 2022 included in the 2022 Annual Report, attached as I&E Exhibit No. 1, Schedule 6.

<sup>10</sup> Pennsylvania Department of Environmental Protection 2022 Annual Report for B. E. Rhodes Sewer Company 2022 Annual Report, Section 402., attached as I&E Exhibit No. 1, Schedule 7.

1 filings by the Rhodes Estate, interrogatory responses to certain Technical Utility  
2 Services discovery, PA Department of Environmental Protection (“DEP”) water  
3 quality reports attached as exhibits to the I&E Petition to Request the Commission  
4 Open a Section 529 Investigation into the Acquisition of Several Small Water and  
5 Sewer Utilities Owned by the Blaine Edwin Rhodes Estate at Docket No. R-2024-  
6 3045205 (“I&E Petition”), and annual reports submitted by the Rhodes Utilities to  
7 the Commission.

8  
9 **Q. DISCUSS YOUR INVESTIGATION AND FINDINGS AS THEY RELATE**  
10 **TO WHETHER THE RHODES UTILITIES ARE IN VIOLATION OF**  
11 **STATUTORY OR REGULATORY STANDARDS AS REFERENCED IN**  
12 **SECTION 529(a)(1).**

13 A. As a result of my investigation, I found that the Rhodes Utilities’ facilities were  
14 not always operating as designed and could not reasonably be expected to furnish  
15 and maintain adequate, efficient, safe, and reasonable service and facilities as  
16 required by Section 1501 of the Public Utility Code.<sup>11</sup> Specifically, a review of  
17 the DEP reports included as attachments to the Rhodes Petition show the  
18 following:

- 19 1) The Blaine E. Rhodes Sewer Company had four instances of non-  
20 compliance but no violations.<sup>12</sup>

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<sup>11</sup> 66 Pa. C.S. § 1501.

<sup>12</sup> I&E Petition Exhibit C.

- 1           2)     The West Hickory water supply inspection report indicates 17 minor  
2                    deficiencies affecting the groundwater and Groundwater Under Direct  
3                    Influence (“GUDI”) sources, treatment plant and general chemical addition,  
4                    distribution system, water storage, pumps and controls, monitoring and  
5                    reporting, and system management.<sup>13</sup>
- 6           3)     The Fryburg water supply inspection report indicates a violation of 25 Pa.  
7                    Code § 109.703(a) for failing to monitor and record water levels and flow  
8                    rates of Well #1 in addition to nineteen minor deficiencies affecting the  
9                    groundwater and GUDI sources, treatment plant and general chemical  
10                   addition, chemical addition, corrosion control, iron and manganese  
11                   treatment and fluoride, ion exchange, ae ration and activated carbon,  
12                   distribution system, water storage, and system management.<sup>14</sup>
- 13          4)     The Cooperstown water supply inspection report indicates two violations of  
14                    25 Pa. Code § 109.304(a) regarding monitoring and reporting, two  
15                    violations of 25 Pa. Code § 109.703(a) regarding chlorine disinfection, and  
16                    nineteen minor deficiencies affecting the groundwater and GUDI sources,  
17                    treatment plant and general chemical addition, distribution system, water  
18                    storage, pumps and controls, monitoring and reporting, and system  
19                    management.<sup>15</sup> A June 14, 2023 DEP inspection of the Cooperstown

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<sup>13</sup> I&E Petition Exhibit D.

<sup>14</sup> I&E Petition Exhibit E.

<sup>15</sup> I&E Petition Exhibit F.

1 system also resulted in the observation of multiple violations of the Safe  
2 Drinking Water Act and its Regulations.<sup>16</sup>

3 5) Sugarcreek was in violation of 25 Pa. Code § 109.3304(a) regarding  
4 monitoring and reporting and 25 Pa. Code § 109.703(a) regarding chlorine  
5 disinfection as well as twenty minor deficiencies affecting groundwater and  
6 GUDI sources.<sup>17</sup> A June 27, 2023 DEP inspection of the Sugarcreek  
7 system resulted in the observation of multiple violations of the Safe  
8 Drinking Water Act and its Regulations.<sup>18</sup>

9 6) Venango was recently the subject of an August 11, 2023 Ex-Parte  
10 Emergency Order issued by the Commission where it listed among its  
11 concerns that it had received notice that the DEP required Venango to issue  
12 a “Do Not Consume” advisory for the Venango system due to possible  
13 contamination of a Venango water source.<sup>19</sup> Venango is currently under  
14 the receivership of Aqua Pennsylvania, Inc. at Docket No. M-2023-  
15 3042312. Venango was the subject of a Commission ordered section 529  
16 investigation at Docket No. I-2023-3042312, which, to my understanding,  
17 has since been merged with the present proceeding.<sup>20</sup>

18 As a result, my investigation indicates that the Rhodes Utilities are in violation of  
19 statutory and regulatory standards thus showing that the first factor the

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<sup>16</sup> I&E Petition Exhibit H.

<sup>17</sup> I&E Petition Exhibit G.

<sup>18</sup> I&E Petition Exhibit I.

<sup>19</sup> I&E Petition, p. 5.

<sup>20</sup> I&E Petition, p. 3, footnote 4.

1 Commission must consider in determining whether a sale under Section 529 is  
2 warranted has been met.

3  
4 **Q. HAVE YOU MADE A DETERMINATION AS TO WHETHER THE**  
5 **RHODES UTILITIES ARE IN VIOLATION OF STATUTORY OR**  
6 **REGULATORY STANDARDS AS REFERENCED IN SECTION 529(a)(1)?**

7 A. Yes. Based on my findings illustrated above, the Rhodes Utilities are currently in  
8 violation of statutory and/or regulatory standards that affect safety, adequacy,  
9 efficiency, and/or reasonableness of the service provided.

10  
11 **Q. CONCERNING ELEMENT TWO OF SECTION 529(a), DISCUSS YOUR**  
12 **INVESTIGATION AND FINDINGS AS THEY RELATE TO WHETHER**  
13 **THE RHODES UTILITIES HAVE FAILED TO COMPLY, WITHIN A**  
14 **REASONABLE PERIOD OF TIME, WITH ANY ORDER OF THE**  
15 **DEPARTMENT OF ENVIRONMENTAL PROTECTION OR THE**  
16 **COMMISSION.**

17 A. My investigation consisted of looking into the history of each of the Rhodes  
18 Utilities to determine whether the systems failed to comply, within a reasonable  
19 period of time, with any order of the DEP or Commission. While none of the  
20 Rhodes Utilities, bar Venango, which is already under the receivership of Aqua as  
21 discussed above, specifically violated any orders from the DEP or Commission,  
22 other filings indicate that they may not comply in the future. On May 3, 2023,

1 representatives of the Rhodes Utilities submitted a letter requesting a “120-day  
2 extension of the 120-day filing rule for a rate change to August 28<sup>th</sup>, 2023”  
3 regarding Venango, Sugarcreek, Plumer, Fryburg, and Cooperstown. The reason  
4 stated in the letter was that “[a]pproval of this extension will enable the Company  
5 to file for additional revenues required to meet current and new regulations  
6 imposed by the Department of Environmental Protection and to continue to  
7 provide adequate safe and reliable service to its customers.”<sup>21</sup> This extension  
8 request was approved by the Commission in a letter on May 15, 2023.<sup>22</sup> However,  
9 on September 15, 2023, representatives from the Rhodes Utilities submitted a  
10 letter to the Commission requesting that the rate increase Docket for the Venango,  
11 Sugarcreek, Plumer, Fryburg, and Cooperstown utilities be finalized and closed  
12 “due to the circumstances related to the operation of the business.”<sup>23</sup> Finally, an  
13 email submitted to serve as advance notice to the DEP that the existing operators  
14 for the Rhodes Utilities, Randall Rhodes, Kevin Rhodes, and Cinda Walentoski,  
15 notified the Estate of Blaine E. Rhodes of their intention to cease employment and  
16 operator duties effective December 31, 2023.<sup>24</sup> However, it is my understanding  
17 that the operators agreed to continue their duties on a temporary basis until the  
18 resolution of this 529 proceeding.

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<sup>21</sup> May 3, 2023 letter included in Docket No. R-2023-3040513 attached as I&E Exhibit No. 1, Schedule 8.

<sup>22</sup> May 15, 2023 letter included in Docket No. R-2023-3040513 attached as I&E Exhibit No. 1, Schedule 9.

<sup>23</sup> September 15, 2023 letter included in Docket No. R-2023-3040513 attached as I&E Exhibit No. 1, Schedule 10.

<sup>24</sup> December 20, 2023 email included as I&E Petition Exhibit J.

1 **Q. HAVE YOU MADE A DETERMINATION AS TO WHETHER THE**  
2 **RHODES UTILITIES HAVE FAILED TO COMPLY, WITHIN A**  
3 **REASONABLE PERIOD OF TIME, WITH ANY ORDER OF THE**  
4 **DEPARTMENT OF ENVIRONMENTAL PROTECTION OR THE**  
5 **COMMISSION AS DESCRIBED IN SECTION 529(a)(2)?**

6 A. Yes. Based on my findings, under the current operations status, the Rhodes  
7 Utilities do not have the resources or capabilities to bring the DEP violations and  
8 deficiencies for each system described above into compliance within a reasonable  
9 period of time.

10

11 **Q. DISCUSS YOUR INVESTIGATION AND FINDINGS AS THEY RELATE**  
12 **TO WHETHER THE RHODES UTILITIES CANNOT REASONABLY BE**  
13 **EXPECTED TO FURNISH AND MAINTAIN ADEQUATE, EFFICIENT,**  
14 **SAFE AND REASONABLE SERVICE AND FACILITIES IN THE**  
15 **FUTURE AS REFERENCED IN SECTION 529(a)(3).**

16 A. My investigation revealed that the Rhodes Utilities cannot reasonably be expected  
17 to furnish and maintain adequate, efficient, safe and reasonable service and  
18 facilities in the future. Due to the Rhodes Utilities not currently having permanent  
19 operators and, per the response to PUC Bureau of Technical Utilities Services

1 discovery on September 5, 2023,<sup>25</sup> a succession plan to obtain permanent  
2 operators has yet to be established.

3  
4 **Q. HAVE YOU MADE A DETERMINATION AS TO WHETHER THE**  
5 **RHODES UTILITIES CANNOT REASONABLY BE EXPECTED TO**  
6 **FURNISH AND MAINTAIN ADEQUATE, EFFICIENT, SAFE AND**  
7 **REASONABLE SERVICE AND FACILITIES IN THE FUTURE AS**  
8 **REFERENCED IN SECTION 529(a)(3)?**

9 A. Yes. Based on the results of my investigation, it is my opinion that the Rhodes  
10 Utilities cannot reasonably be expected to furnish and maintain adequate, efficient,  
11 safe and reasonable service and facilities in the future. An aging utility that has  
12 certified operators working only on a temporary basis with no set succession plan  
13 cannot be said to be providing adequate, efficient, safe, and reasonable service.  
14 Therefore, the third factor in the Section 529 investigation has been met.

15  
16 **Q. HAVE YOU MADE A FINAL DETERMINATION REGARDING**  
17 **ELEMENTS (1) THROUGH (3) OF SECTION 529(a)?**

18 A. Yes. The evidence uncovered during the course of my investigation and set forth  
19 in this testimony supports a final determination that elements (1) through (3) of  
20 Section 529(a) are met.

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25 I&E Petition Exhibit B.

1 Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

2 A. Yes.

ETHAN H. CLINE

PROFESSIONAL EXPERIENCE AND EDUCATION

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**EXPERIENCE:**

03/2009 - Present

**Bureau of Investigation and Enforcement, Pennsylvania Public Utility Commission - Harrisburg, Pennsylvania**

Fixed Utility Valuation Engineer – Assists in the performance of studies and analyses of the engineering-related areas including valuation, depreciation, cost of service, quality and reliability of service as they apply to fixed utilities. Assists in reviewing, comparing and performing analyses in specific areas of valuation engineering and rate structure including valuation concepts, original cost, rate base, fixed capital costs, inventory processing, excess capacity, cost of service, and rate design.

06/2008 – 09/2008

**Akens Engineering, Inc. - Shiremanstown, Pennsylvania**

Civil Engineer – Responsible, primarily, for assisting engineers and surveyors in the planning and design of residential development projects.

10/2007 – 05/2008

**J. Michael Brill and Associates - Mechanicsburg, Pennsylvania**

Design Technician – Responsible, primarily, for assisting engineers in the permit application process for commercial development projects.

01/2006 – 10/2007

**CABE Associates, Inc. - Dover, Delaware**

Civil Engineer – Responsible, primarily, for assisting engineers in performing technical reviews of the sewer and sanitary sewer systems of Sussex County, Delaware residential development projects.

**EDUCATION:**

Pennsylvania State University, State College, Pennsylvania

Bachelor of Science; Major in Civil Engineering, 2005

- Attended NARUC Rate School, Clearwater, FL
- Attended Society of Depreciation Professionals Annual Conference and Training

**TESTIMONY SUBMITTED:**

I have testified and/or submitted testimony in the following proceedings:

1. Clean Treatment Sewage Company, Docket No. R-2009-2121928
2. Pennsylvania Utility Company – Water Division, Docket No. R-2009-2103937
3. Pennsylvania Utility Company – Sewer Division, Docket No. R-2009-2103980
4. UGI Central Penn Gas, Inc., 1307(f) proceeding, Docket No. R-2010-2172922
5. PAWC Clarion Wastewater Operations, Docket No. R-2010-2166208
6. PAWC Claysville Wastewater Operations, Docket No. R-2010-2166210
7. Citizens' Electric Company of Lewisburg, Pa, Docket No. R-2010-2172665
8. City of Lancaster – Bureau of Water, Docket No. R-2010-2179103
9. Peoples Natural Gas Company LLC, Docket No. R-2010-2201702
10. UGI Central Penn Gas, Inc., Docket No. R-2010-2214415
11. Pennsylvania-American Water Company, Docket No. R-2011-2232243
12. Pentex Pipeline Company, Docket No. A-2011-2230314
13. Peregrine Keystone Gas Pipeline, LLC, Docket No. A-2010-2200201
14. Philadelphia Gas Works 1307(f), Docket No. R-2012-2286447
15. Peoples Natural Gas Company LLC, Docket No. R-2012-2285985
16. Equitable Gas Company, Docket Nos. R-2012-2312577, G-2012-2312597
17. City of Lancaster – Sewer Fund, Docket No. R-2012-2310366
18. Peoples TWP, LLC 1307(f), Docket No. R-2013-2341604
19. UGI Penn Natural Gas, Inc. 1307(f), Docket No. R-2013-2361763
20. UGI Central Penn Gas, Inc. 1307(f), Docket No. R-2013-2361764
21. Joint Application, Docket Nos. A-2013-2353647, A-2013-2353649, A-2013-2353651
22. City of Dubois – Bureau of Water, Docket No. R-2013-2350509
23. The Columbia Water Company, Docket No. R-2013-2360798
24. Pennsylvania American Water Company, Docket No. R-2013-2355276
25. Generic Investigation Regarding Gas-on-Gas Competition, Docket Nos. P-2011-227868, I-2012-2320323
26. Philadelphia Gas Works 1307(f), Docket No. R-2014-2404355
27. Pike County Light and Power Company (Gas), Docket No. R-2013-2397353
28. Pike County Light and Power Company (Electric), Docket No. R-2013-2397237
29. Peoples Natural Gas Company LLC 1307(f), Docket No. R-2014-2403939
30. UGI Penn Natural Gas, Inc. 1307(f), Docket No. R-2014-2420273
31. UGI Utilities, Inc. – Gas Division 1307(f), Docket No. R-2014-2420276
32. UGI Central Penn Gas, Inc. 1307(f), Docket No. R-2014-2420279
33. Emporium Water Company, Docket No. R-2014-2402324

34. Borough of Hanover – Hanover Municipal Water, Docket No. R-2014-2428304
35. Philadelphia Gas Works 1307(f), Docket No. R-2015-2465656
36. Peoples Natural Gas Company LLC 1307(f), Docket No. R-2015-2465172
37. Peoples Natural Gas Company – Equitable Division 1307(f), Docket No. R-2015-2465181
38. PPL Electric Utilities Corporation, Docket No. R-2015-2469275
39. UGI Penn Natural Gas, Inc. 1307(f), Docket No. R-2015-2480934
40. UGI Central Penn Gas, Inc. 1307(f), Docket No. R-2015-2480937
41. UGI Utilities, Inc. – Gas Division 1307(f), Docket No. R-2015-2480950
42. UGI Utilities, Inc. – Gas Division, Docket No. R-2015-2518438
43. Joint Application of Pennsylvania American Water, et al., Docket No. A-2016-2537209
44. UGI Utilities, Inc. – Gas Division 1307(f), Docket No. R-2016-2543309
45. UGI Central Penn Gas, Inc. 1307(f), Docket No. R-2016-2543311
46. City of Dubois – Company, Docket No. R-2016-2554150
47. UGI Penn Natural Gas, Inc., Docket No. R-2016-2580030
48. UGI Central Penn Gas, Inc. 1307(f), Docket No. R-2017-2602627
49. UGI Penn Natural Gas, Inc. 1307(f), Docket No. R-2017-2602633
50. UGI Utilities, Inc. – Gas Division 1307(f), Docket No. R-2017-2602638
51. Application of Pennsylvania American Water Company Acquisition of the Municipal Authority of the City of McKeesport, Docket No. A-2017-2606103
52. Pennsylvania American Water Company, Docket No. R-2017-2595853
53. Pennsylvania American Water Company Lead Line Petition, Docket No. P-2017-2606100
54. UGI Utilities, Inc. – Electric Division, Docket No. R-2017-2640058
55. Peoples Natural Gas Company, LLC – Peoples and Equitable Division 1307(f), Docket Nos. R-2018-2645278 & R-2018-3000236
56. Peoples Gas Company, LLC 1307(f), Docket No. R-2018-2645296
57. Columbia Gas of Pennsylvania, Inc., Docket No. R-2018-2647577
58. Duquesne Light Company, Docket No. R-2018-3000124
59. Suez Water Pennsylvania, Inc., Docket No. R-2018-3000834
60. Application of Pennsylvania American Water Company Acquisition of the Municipal Authority of the Township of Sadsbury, Docket No. A-2018-3002437
61. The York Water Company, Docket No. R-2018-3000006
62. Application of SUEZ Water Pennsylvania, Inc. Acquisition of the Water and Wastewater Assets of Mahoning Township, Docket Nos. A-2018-3003517 and A-2018-3003519
63. Pittsburgh Water and Sewer Authority, Docket Nos. R-2018-3002645 and R-2018-3002647
64. Joint Application of Aqua America, Inc. et al., Acquisition of Peoples Natural Gas Company LLC, et al., Docket Nos. A-2018-3006061, A-2018-3006062, and A-2018-3006063
65. Implementation of Chapter 32 of the Public Utility Code Regarding Pittsburgh Water and Sewer Authority, Docket Nos. M-2018-2640802 and M-2018-2640803
66. Philadelphia Gas Works 1307(f), Docket No. R-2019-3007636
67. People Natural Gas Company, LLC, Docket No. R-2018-3006818
68. Application of Pennsylvania American Water Company Acquisition of the Steelton Borough Authority, Docket No. A-2019-3006880

69. Application of Aqua America, Inc. et al., Acquisition of the Wastewater System Assets of the Township of Cheltenham, Docket No. A-2019-3006880
70. Philadelphia Gas Works, Docket No. R-2019-3009016
71. Wellsboro Electric Company, Docket No. R-2019-3008208
72. Valley Energy, Inc., Docket No. R-2019-3008209
73. Citizens' Electric Company of Lewisburg, Pa, Docket Non. R-2019-3008212
74. Application of Aqua America, Inc. et al., Acquisition of the Wastewater System Assets of the East Norriton Township, Docket No. A-2019-3009052
75. Peoples Natural Gas Company, LLC 1307(f), Docket No. R-2020-3017850
76. Peoples Gas Company, LLC 1307(f), Docket No. R-2020-3017846
77. Philadelphia Gas Works, Docket No. R-2020-3017206
78. Pittsburgh Water and Sewer Authority, Docket Nos. R-2020-3017951 et al.
79. Columbia Gas of Pennsylvania, Docket No. R-2020-3018835
80. Pennsylvania America Water Company, Docket Nos. R-2020-3019369 and R-2020-3019371
81. PECO Energy Company – Gas Division, Docket No. R-2020-3019829
82. PGW 1307(f), Docket No. R-2021-3023970
83. Peoples Natural Gas Company, LLC 1307(f), Docket No. R-2021-3023965
84. Peoples Gas Company, LLC 1307(f), Docket No. R-2021-3023967
85. UGI Utilities, Inc. – Electric Division, Docket No. R-2021-3023618
86. Columbia Gas of Pennsylvania, Inc., Docket No. R-2021-3024926
87. Duquesne Light Company, Docket No. R-2021-3024750
88. UGI Utilities, Inc. – Gas Division 1307(f), Docket No. R-2021-3025652
89. Pittsburgh Water and Sewer Authority, Docket Nos. R-2021-3024773 et al.
90. Application of Aqua America Wastewater, Inc. et al., Acquisition of the Wastewater System Assets of Lower Makefield Township, Docket No. A-2021-3024267
91. Aqua Pennsylvania Water, Inc. and Aqua Pennsylvania Wastewater, Inc., Docket Nos. R-2021-3027385 and R-2021-3027386
92. Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Collection and Treatment System Assets of the York City Sewer Authority, Docket No. A-2021-3024681
93. City of Lancaster – Bureau of Water, Docket No. R-2021-3026682
94. Application of Aqua America Wastewater, Inc. et al., Acquisition of the Wastewater System Assets of East Whiteland Township, Docket No. A-2021-30246132
95. UGI Utilities, Inc. – Gas Division, Docket No. R-2021-3030218
96. Peoples Natural Gas Company, LLC 1307(f), Docket No. R-2022-3030661
97. Columbia Gas of Pennsylvania, Inc., Docket No. R-2022-3031211
98. UGI Utilities, Inc. – Gas Division 1307(f), Docket No. R-2022-3032242
99. Pennsylvania American Water Company, Docket Nos. R-2022-3031672 and R-2022-3031673
100. The York Water Company, Docket Nos. R-2022-3031340 and R-2022-3032806
101. Columbia Gas of Pennsylvania, Inc., Docket No. R-2022-3032167
102. National Fuel Gas Distribution Corporation, Docket No. R-2022-3035730
103. UGI Utilities, Inc. – Electric Division, Docket No. R-2022-3037368
104. Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Collection and Treatment System Assets of the Butler Area Sewer Authority, Docket No. A-2022-3037047

105. Philadelphia Gas Works, Docket No. R-2023-3037933
106. Pittsburgh Water and Sewer Authority, Docket Nos. R-2023-3039920 et al.
107. Pennsylvania-American Water Company, Docket Nos. R-2023-3043189 and R-2023-3043190
108. Peoples Natural Gas Company, LLC, Docket No. R-2023-3044549
109. Duquesne Light Company, Docket No. R-2024-3046523
110. PECO Energy Company – Gas Division, Docket No. R-2024-3046932

**I&E Exhibit No. 1  
Witness: Ethan H. Cline**

**VENANGO WATER COMPANY – EX PARTE EMERGENCY ORDER NAMING  
AQUA PENNSYLVANIA, INC. AS RECEIVER**

**SECTION 529 INVESTIGATION OF VENANGO WATER COMPANY**

**SECTION 529 INVESTIGATION OF SUGARCREEK WATER COMPANY,  
WEST HICKORY WATER COMPANY, PLUMER WATER COMPANY,  
FRYBURG WATER COMPANY, COOPERSTOWN WATER COMPANY AND  
BLAINE E. RHODES SEWER COMPANY**

**Docket Nos. M-2023-3042180, I-2023-3042312, & P-2024-3045205**

**Exhibit to Accompany**

**the**

**Direct Testimony**

**of**

**Ethan H. Cline**

**Bureau of Investigation & Enforcement**

**Concerning:**

**PUBLIC UTILITY CODE SECTION 529 INVESTIGATION  
SECTION 529(a)(1)-(3)**

2022

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Page 1

**Primary Facility Report for SUGARCREEK WATER CO (19592)  
REPORT FOR CALENDAR YEAR JAN 1 TO DEC 31, 2022**

Client: SUGARCREEK WATER CO

**PRIMARY FACILITY NAME AND MAILING ADDRESS**

Name and Address: SUGARCREEK WATER COMPANY  
PO BOX 397  
RENO, PA 16343-0397

Contact Information: RANDALL RHODES  
SECRETARY

Phone: 814-676-2730

Fax: 814-676-2730

Facility e-mail: VWC-RLR@PA.RR.COM

**PEAK DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)

Gallons Per Day:

**MINIMUM DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)

Gallons Per Day:

**POPULATION SERVED**

Population Served: 205

**AVERAGE DAILY WATER USE**

Type	Metered Connections		Unmetered Connections	
	Number	Water Use (GPD)	Number	Water Use (GPD)
Domestic	67	7,772	0	0
Commercial	1	1,904	0	0
Industrial	0	0	0	0
Institutional	0	0	0	0
Bulk Sales to other PWS	0	0	0	0
Oil and Gas	0	0	0	0
Other	3	1,718	0	0
Water Losses				1,867
Total	71	11,394	0	1,867
Explain 'Other' Connections:	PUBLIC			

**BREAKDOWN OF WATER LOSSES FOR THE SYSTEM**

Type	Water Use (GPD)
Apparent Losses	No Information reported.
Real Losses	No Information reported.

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
SUGARCREEK BORO (VENANGO)	67	1	0	0	0	3	4.27	1	16

2022

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
TOTAL	67	1	0	0	0	3		1	16

**METERING, WATER CONSERVATION AND DISTRIBUTION SYSTEM**

What is the average age of existing meters? 14 Years

Are you currently installing meters at new connections? YES

Are you currently installing meters at unmetered connections? NO

Is there an active meter replacement program for your water system? YES

How many meters did you replace during the report year? 0

Did you provide water conservation information to your customers during the report year? NO

What is the type, size (inches), and length of new pipe installed as an extension to your present system during the report year?

What is the frequency of flushing the distribution system during the past year? 2

Did you work your hydrants during the report year? NO

Did you work the valves in the system during the report year? YES

Does your system have an active leak detection program? YES

What type of equipment or methods do you use for leak detection?  
COMPUTER ANALYSIS, MASTER METERS, AQUA SCOPE & GEOPHONES

Does your system have a cross-connection control program? YES

Has the water pressure been inadequate in any part of the system? NO

If yes, explain

Service Area Boundary Map: The box contains the date of the latest submitted service area boundary map for your system. If this date is older than 5 years, blank, or there has been a change in the area since then, please use the online service area boundary mapping tool to review and submit a current map. (See Instructions) 05/05/2014

Describe major system changes such as purchases and transfers:

**REPORT CONTACT INFORMATION**

**Report Preparer:** RANDALL RHODES  
SECRETARY  
SUGARCREEK WATER CO  
PO BOX 397  
RENO, PA 16343  
Phone: 814-676-2730  
Fax: 814-676-2730  
Email Address: VWC-RLR@PA.RR.COM

**REPORT SUBMISSION INFORMATION**

**Submitted By:** Randall Rhodes  
**Submitted On:** 03/23/2023  
**Submitted By Email:** vwc-rlr@pa.rr.com





Primary Facility Report for WEST HICKORY WATER CO (19159)  
REPORT FOR CALENDAR YEAR JAN 1 TO DEC 31, 2022

Client: WEST HICKORY WATER CO

**PRIMARY FACILITY NAME AND MAILING ADDRESS**

Name and Address: WEST HICKORY WATER COMPANY  
PO BOX 397  
RENO, PA 16343-0397  
Contact Information: RANDALL RHODES  
SECRETARY  
Phone: 814-676-2730  
Facility e-mail: VWC-RLR@PA.RR.COM

**PEAK DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
Gallons Per Day:

**MINIMUM DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
Gallons Per Day:

**POPULATION SERVED**

Population Served: 425

**AVERAGE DAILY WATER USE**

Type	Metered Connections		Unmetered Connections	
	Number	Water Use (GPD)	Number	Water Use (GPD)
Domestic	172	8,481	0	0
Commercial	3	578	0	0
Industrial	0	0	0	0
Institutional	0	0	0	0
Bulk Sales to other PWS	0	0	0	0
Oil and Gas	0	0	0	0
Other	2	14	0	0
Water Losses				5,880
<b>Total</b>	<b>177</b>	<b>9,073</b>	<b>0</b>	<b>5,880</b>

Explain 'Other' Connections: PUBLIC

**BREAKDOWN OF WATER LOSSES FOR THE SYSTEM**

Type	Water Use (GPD)
Apparent Losses	No Information reported.
Real Losses	No Information reported.

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
HARMONY TWP (FOREST)	172	3	0	0	0	2	6.31	0	0
<b>TOTAL</b>	<b>172</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>		<b>0</b>	<b>0</b>

2022

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

**METERING, WATER CONSERVATION AND DISTRIBUTION SYSTEM**

What is the average age of existing meters? 9 Years  
Are you currently installing meters at new connections? YES  
Are you currently installing meters at unmetered connections? NO  
Is there an active meter replacement program for your water system? YES  
How many meters did you replace during the report year? 1  
Did you provide water conservation information to your customers during the report year? NO  
What is the type, size (inches), and length of new pipe installed as an extension to your present system during the report year?  
What is the frequency of flushing the distribution system during the past year? 2  
Did you work your hydrants during the report year? NO  
Did you work the valves in the system during the report year? YES  
Does your system have an active leak detection program? YES  
What type of equipment or methods do you use for leak detection?  
COMPUTER ANALYSIS, MASTER METERS, AQUA SCOPE & GEOPHONES  
Does your system have a cross-connection control program? YES  
Has the water pressure been inadequate in any part of the system? NO  
If yes, explain

Service Area Boundary Map: The box contains the date of the latest submitted service area boundary map for your system. If this date is older than 5 years, blank, or there has been a change in the area since then, please use the online service area boundary mapping tool to review and submit a current map. (See Instructions) 05/05/2014

Describe major system changes such as purchases and transfers:

**REPORT CONTACT INFORMATION**

Report Preparer: RANDALL RHODES  
SECRETARY  
WEST HICKORY WATER CO  
PO BOX 397  
RENO, PA 16343  
Phone: 814-676-2730  
Fax: 814-676-2730  
Email Address: VWC-RLR@PA.RR.COM

**REPORT SUBMISSION INFORMATION**

Submitted By: Randall Rhodes  
Submitted On: 03/23/2023  
Submitted By Email: vwc-rlr@pa.rr.com





COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Primary Facility Report for PLUMER WATER CO (19586)  
REPORT FOR CALENDAR YEAR JAN 1 TO DEC 31, 2022

Client: PLUMER WATER CO

**PRIMARY FACILITY NAME AND MAILING ADDRESS**

Name and Address: PLUMER WATER COMPANY  
PO BOX 397  
RENO, PA 16343-0397  
Contact Information: RANDALL RHODES  
SECRETARY  
Phone: 814-676-2730  
Fax: 814-676-2730  
Facility e-mail: VWC-RLR@PA.RR.COM

**PEAK DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
Gallons Per Day:

**MINIMUM DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
Gallons Per Day:

**POPULATION SERVED**

Population Served: 185

**AVERAGE DAILY WATER USE**

Type	Metered Connections		Unmetered Connections	
	Number	Water Use (GPD)	Number	Water Use (GPD)
Domestic	53	3,976	0	0
Commercial	1	41	0	0
Industrial	0	0	0	0
Institutional	0	0	0	0
Bulk Sales to other PWS	0	0	0	0
Oil and Gas	0	0	0	0
Other	4	60	0	0
Water Losses				713
Total	58	4,077	0	713
Explain 'Other' Connections:	PUBLIC			

**BREAKDOWN OF WATER LOSSES FOR THE SYSTEM**

Type	Water Use (GPD)
Apparent Losses	No Information reported.
Real Losses	No Information reported.

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
CORNPLANTER TWP (VENANGO)	53	1	0	0	0	4	8.42	0	0

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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PRESENT NUMBER OF CONNECTIONS SERVED									
Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
TOTAL	53	1	0	0	0	4		0	0

## METERING, WATER CONSERVATION AND DISTRIBUTION SYSTEM

What is the average age of existing meters? 10 Years

Are you currently installing meters at new connections? YES

Are you currently installing meters at unmetered connections? NO

Is there an active meter replacement program for your water system? YES

How many meters did you replace during the report year? 0

Did you provide water conservation information to your customers during the report year? NO

What is the type, size (inches), and length of new pipe installed as an extension to your present system during the report year?

What is the frequency of flushing the distribution system during the past year? 2

Did you work your hydrants during the report year? NO

Did you work the valves in the system during the report year? YES

Does your system have an active leak detection program? YES

What type of equipment or methods do you use for leak detection?

COMPUTER ANALYSIS, MASTER METERS, AQUA SCOPE & GEOPHONES

Does your system have a cross-connection control program? YES

Has the water pressure been inadequate in any part of the system? NO

If yes, explain

Service Area Boundary Map: The box contains the date of the latest submitted service area boundary map for your system. If this date is older than 5 years, blank, or there has been a change in the area since then, please use the online service area boundary mapping tool to review and submit a current map. (See Instructions) 05/05/2014

Describe major system changes such as purchases and transfers:

## REPORT CONTACT INFORMATION

Report Preparer: RANDALL RHODES  
SECRETARY  
PLUMER WATER CO  
PO BOX 397  
RENO, PA 16343  
Phone: 814-676-2730  
Fax: 814-676-2730  
Email Address: VWC-RLR@PA.RR.COM

## REPORT SUBMISSION INFORMATION

Submitted By: Randall Rhodes  
Submitted On: 03/23/2023  
Submitted By Email: vwc-rlr@pa.rr.com

2022

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subfacility Report for ROUSEVILLE MUNI WATERWORKS INTC (43138)  
 REPORT FOR CALENDAR YEAR JAN 1 TO DEC 31, 2022

Client: PLUMER WATER CO  
 Primary Facility: PLUMER WATER CO

**MEASURING/METERING OF WATER**

Measure Method      METERED (2" SENSUS METER)  
 Last Date Tested     09/15/2009 (mm/dd/yyyy)  
 Tested By             MANUFACTURER

**INTERCONNECTIONS WITH OTHER WATER SUPPLIERS**

Name of Interconnected Water Supplier  
 ROUSEVILLE MUNI WATERWORKS (19591)

**PURCHASED FROM**

<u>Month</u>	<u>Total Gallons</u>	<u>Month</u>	<u>Days</u>
Jan Gallons Purchased	160,700	Jan Days Use Purchased	31
Feb Gallons Purchased	134,000	Feb Days Use Purchased	28
Mar Gallons Purchased	135,400	Mar Days Use Purchased	31
Apr Gallons Purchased	125,800	Apr Days Use Purchased	30
May Gallons Purchased	142,700	May Days Use Purchased	31
Jun Gallons Purchased	191,200	Jun Days Use Purchased	30
Jul Gallons Purchased	139,300	Jul Days Use Purchased	31
Aug Gallons Purchased	138,600	Aug Days Use Purchased	31
Sep Gallons Purchased	134,500	Sep Days Use Purchased	30
Oct Gallons Purchased	141,600	Oct Days Use Purchased	31
Nov Gallons Purchased	142,800	Nov Days Use Purchased	30
Dec Gallons Purchased	161,900	Dec Days Use Purchased	31
Total Gallons Purchased	1,748,500	Total Days Use Purchased	365

Maximum Water Transfer Capability, GPD From: 0

Double Counted: N

If changed, Explain why:

**DATA ENTRY INFORMATION**

Entered By:             Randall Rhodes  
 Last Data Entry Date:    03/23/2023  
 Email:                    vwc-rlr@pa.rr.com

2022

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

Primary Facility Report for FRYBURG WATER CO (19041)  
 REPORT FOR CALENDAR YEAR JAN 1 TO DEC 31, 2022

Client: FRYBURG WATER CO

**PRIMARY FACILITY NAME AND MAILING ADDRESS**

Name and Address: FRYBURG WATER COMPANY  
 PO BOX 397  
 RENO, PA 16343-0397  
 Contact Information: RANDALL RHODES  
 SECRETARY  
 Phone: 814-676-2730  
 Fax: 814-676-2730  
 Facility e-mail: VWC-RLR@PA.RR.COM

**PEAK DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
 Gallons Per Day:

**MINIMUM DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
 Gallons Per Day:

**POPULATION SERVED**

Population Served: 490

**AVERAGE DAILY WATER USE**

Type	Metered Connections		Unmetered Connections	
	Number	Water Use (GPD)	Number	Water Use (GPD)
Domestic	165	13,743	0	0
Commercial	15	1,617	0	0
Industrial	0	0	0	0
Institutional	0	0	0	0
Bulk Sales to other PWS	0	0	0	0
Oil and Gas	0	0	0	0
Other	6	80	0	0
Water Losses				3,677
Total	186	15,440	0	3,677
Explain 'Other' Connections:	PUBLIC			

**BREAKDOWN OF WATER LOSSES FOR THE SYSTEM**

Type	Water Use (GPD)
Apparent Losses	No Information reported.
Real Losses	No Information reported.

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
WASHINGTON TWP (CLARION)	150	15	0	0	0	5	22.29	2	7

2022

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
PINEGROVE TWP (VENANGO)	15	0	0	0	0	1	4.37	0	0
<b>TOTAL</b>	<b>165</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>		<b>2</b>	<b>7</b>

**METERING, WATER CONSERVATION AND DISTRIBUTION SYSTEM**

What is the average age of existing meters? 17 Years  
 Are you currently installing meters at new connections? YES  
 Are you currently installing meters at unmetered connections? NO  
 Is there an active meter replacement program for your water system? YES  
 How many meters did you replace during the report year? 2  
 Did you provide water conservation information to your customers during the report year? NO  
 What is the type, size (inches), and length of new pipe installed as an extension to your present system during the report year?  
 What is the frequency of flushing the distribution system during the past year? 2  
 Did you work your hydrants during the report year? NO  
 Did you work the valves in the system during the report year? YES  
 Does your system have an active leak detection program? YES  
 What type of equipment or methods do you use for leak detection?  
 COMPUTER ANALYSIS, MASTER METERS, AQUA SCOPE & GEOPHONES  
 Does your system have a cross-connection control program? YES  
 Has the water pressure been inadequate in any part of the system? NO  
 If yes, explain  
 Service Area Boundary Map: The box contains the date of the latest submitted service area boundary map for your system. If this date is older than 5 years, blank, or there has been a change in the area since then, please use the online service area boundary mapping tool to review and submit a current map. (See Instructions) 05/05/2014  
 Describe major system changes such as purchases and transfers:

**REPORT CONTACT INFORMATION**

Report Preparer: RANDALL RHODES  
 SECRETARY  
 FRYBURG WATER CO  
 PO BOX 397  
 RENO, PA 16343  
 Phone: 814-676-2730  
 Fax: 814-676-2730  
 Email Address: WWC-RLR@PA.RR.COM

**REPORT SUBMISSION INFORMATION**

Submitted By: Randall Rhodes  
 Submitted On: 03/23/2023  
 Submitted By Email: wwc-rlr@pa.rr.com



2022

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subfacility Report for WELL 3 (8099)  
 REPORT FOR CALENDAR YEAR JAN 1 TO DEC 31, 2022

Client: FRYBURG WATER CO  
 Primary Facility: FRYBURG WATER CO

**MEASURING/METERING OF WATER**

Measure Method METERED (5/8" HAYS CONTACT METER)  
 Last Date Tested 12/30/2011 (mm/dd/yyyy)  
 Tested By MANUFACTURER

**WITHDRAWALS OR USE FOR REPORTING YEAR 2022**

Month	Total Gallons	Month	Days
Jan Gallons	97,640	Jan Days	31
Feb Gallons	86,290	Feb Days	28
Mar Gallons	88,590	Mar Days	31
Apr Gallons	104,520	Apr Days	30
May Gallons	103,790	May Days	31
Jun Gallons	98,070	Jun Days	30
Jul Gallons	95,050	Jul Days	31
Aug Gallons	96,040	Aug Days	31
Sep Gallons	87,910	Sep Days	30
Oct Gallons	82,560	Oct Days	31
Nov Gallons	69,930	Nov Days	30
Dec Gallons	80,000	Dec Days	31
Total Gallons	1,090,390	Total Days	365

**FOR PUBLIC WATER SUPPLIERS**

Double Counted: N  
 If changed, Explain why:

**DATA ENTRY INFORMATION**

Entered By: Randall Rhodes  
 Last Data Entry Date: 03/23/2023  
 Email: vwc-rlr@pa.rr.com

2022

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

Page 1

Primary Facility Report for COOPERSTOWN WATER CO (19585)  
 REPORT FOR CALENDAR YEAR JAN 1 TO DEC 31, 2022

Client: COOPERSTOWN WATER CO

**PRIMARY FACILITY NAME AND MAILING ADDRESS**

Name and Address: COOPERSTOWN WATER COMPANY  
 PO BOX 397  
 RENO, PA 16343-0397  
 Contact Information: RANDALL RHODES  
 SECRETARY  
 Phone: 814-676-2730  
 Fax: 814-676-2730  
 Facility e-mail: VWC-RLR@PA.RR.COM

**PEAK DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
 Gallons Per Day:

**MINIMUM DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
 Gallons Per Day:

**POPULATION SERVED**

Population Served: 360

**AVERAGE DAILY WATER USE**

Type	Metered Connections		Unmetered Connections	
	Number	Water Use (GPD)	Number	Water Use (GPD)
Domestic	127	12,271	0	0
Commercial	0	0	0	0
Industrial	0	0	0	0
Institutional	0	0	0	0
Bulk Sales to other PWS	0	0	0	0
Oil and Gas	0	0	0	0
Other	0	0	0	0
Water Losses				6,296
Total	127	12,271	0	6,296

Explain 'Other' Connections:

**BREAKDOWN OF WATER LOSSES FOR THE SYSTEM**

Type	Water Use (GPD)
Apparent Losses	No Information reported.
Real Losses	No Information reported.

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
COOPERSTOWN BORO (VENANGO)	101	0	0	0	0	0	72.72	0	0

2022

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
JACKSON TWP (VENANGO)	26	0	0	0	0	0	9.37	0	0
TOTAL	127	0	0	0	0	0		0	0

**METERING, WATER CONSERVATION AND DISTRIBUTION SYSTEM**

What is the average age of existing meters? 12 Years  
 Are you currently installing meters at new connections? YES  
 Are you currently installing meters at unmetered connections? NO  
 Is there an active meter replacement program for your water system? YES  
 How many meters did you replace during the report year? 0  
 Did you provide water conservation information to your customers during the report year? NO  
 What is the type, size (inches), and length of new pipe installed as an extension to your present system during the report year?  
 What is the frequency of flushing the distribution system during the past year? 2  
 Did you work your hydrants during the report year? NO  
 Did you work the valves in the system during the report year? YES  
 Does your system have an active leak detection program? YES  
 What type of equipment or methods do you use for leak detection?  
 COMPUTER ANALYSIS, MASTER METERS, AQUA SCOPE & GEOPHONES  
 Does your system have a cross-connection control program? YES  
 Has the water pressure been inadequate in any part of the system? NO  
 If yes, explain  
 Service Area Boundary Map: The box contains the date of the latest submitted service area boundary map for your system. If this date is older than 5 years, blank, or there has been a change in the area since then, please use the online service area boundary mapping tool to review and submit a current map. (See Instructions) 05/05/2014  
 Describe major system changes such as purchases and transfers:

**REPORT CONTACT INFORMATION**

Report Preparer: RANDALL RHODES  
 SECRETARY  
 COOPERSTOWN WATER CO  
 PO BOX 397  
 RENO, PA 16343  
 Phone: 814-676-2730  
 Fax: 814-676-2730  
 Email Address: VWC-RLR@PA.RR.COM

**REPORT SUBMISSION INFORMATION**

Submitted By: Randall Rhodes  
 Submitted On: 03/23/2023  
 Submitted By Email: vwc-rlr@pa.rr.com





COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Primary Facility Report for VENANGO WATER CO (19593)  
REPORT FOR CALENDAR YEAR JAN 1 TO DEC 31, 2022

Client: VENANGO WATER CO

**PRIMARY FACILITY NAME AND MAILING ADDRESS**

Name and Address: VENANGO WATER COMPANY  
PO BOX 397  
RENO, PA 16343-0397  
Contact Information: RANDALL RHODES  
SECRETARY  
Phone: 814-676-2730  
Fax: 814-676-2730  
Facility e-mail: VWC-RLR@PA.RR.COM

**PEAK DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
Gallons Per Day:

**MINIMUM DAY WATER USE FOR REPORT YEAR 2022**

Date: (mm/dd/yyyy)  
Gallons Per Day:

**POPULATION SERVED**

Population Served: 550

**AVERAGE DAILY WATER USE**

Type	Metered Connections		Unmetered Connections	
	Number	Water Use (GPD)	Number	Water Use (GPD)
Domestic	179	15,751	0	0
Commercial	26	5,162	0	0
Industrial	4	2,095	0	0
Institutional	0	0	0	0
Bulk Sales to other PWS	0	0	0	0
Oil and Gas	0	0	0	0
Other	5	271	0	0
Water Losses				11,825
Total	214	23,279	0	11,825
Explain 'Other' Connections:	PUBLIC			

**BREAKDOWN OF WATER LOSSES FOR THE SYSTEM**

Type	Water Use (GPD)
Apparent Losses	No Information reported.
Real Losses	No Information reported.

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
SUGARCREEK BORO (VENANGO)	179	26	4	0	0	5	12.65	0	0

2022

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

**PRESENT NUMBER OF CONNECTIONS SERVED**

Municipality Name	Present Number of Connections						% Pop Served	Multiple Unit Connections	
	Dom	Comm	Ind	Inst	Oil Gas	Other		No. Conn	No. Units
TOTAL	179	26	4	0	0	5	0	0	

**METERING, WATER CONSERVATION AND DISTRIBUTION SYSTEM**

What is the average age of existing meters? 10 Years  
 Are you currently installing meters at new connections? YES  
 Are you currently installing meters at unmetered connections? NO  
 Is there an active meter replacement program for your water system? YES  
 How many meters did you replace during the report year? 0  
 Did you provide water conservation information to your customers during the report year? NO  
 What is the type, size (inches), and length of new pipe installed as an extension to your present system during the report year?  
 What is the frequency of flushing the distribution system during the past year? 2  
 Did you work your hydrants during the report year? YES  
 Did you work the valves in the system during the report year? YES  
 Does your system have an active leak detection program? YES  
 What type of equipment or methods do you use for leak detection?  
 COMPUTER ANALYSIS, MASTER METERS, AQUA SCOPE & GEOPHONES  
 Does your system have a cross-connection control program? YES  
 Has the water pressure been inadequate in any part of the system? NO  
 If yes, explain  
 Service Area Boundary Map: The box contains the date of the latest submitted service area boundary map for your system. If this date is older than 5 years, blank, or there has been a change in the area since then, please use the online service area boundary mapping tool to review and submit a current map. (See Instructions) 05/05/2014  
 Describe major system changes such as purchases and transfers:

**REPORT CONTACT INFORMATION**

Report Preparer: RANDALL RHODES  
 SECRETARY  
 VENANGO WATER CO  
 PO BOX 397  
 RENO, PA 16343  
 Phone: 814-676-2730  
 Fax: 814-676-2730  
 Email Address: VWC-RLR@PA.RR.COM

**REPORT SUBMISSION INFORMATION**

Submitted By: Randall Rhodes  
 Submitted On: 03/23/2023  
 Submitted By Email: vwc-rlr@pa.rr.com

B. E. Rhodes Sewer Company

For the Year Ended December 31, 2022

(Company Name)

**402. OPERATING REVENUES SUPPORTING SCHEDULE - CUSTOMER DATA**

Customers should be reported on the basis of number of meters, (except where multiple customers have one meter) plus number of flat rate accounts. Where separate meter readings are added for billing purposes, one customer shall be counted for each group of meters so added.

Line No.	Customer Classes (a)	Customers End of Current Year (b)	Customers End of Previous Year (c)	Increase/ (Decrease) (d)
1	Unmetered Charges	XXX	XXX	XXX
2	Residential			
3	Commercial			
4	Industrial			
5	Public Authorities			
6	Multiple Family Dwellings*			
7	Availability			
8	Other			
9				
10	Total Unmetered Charges			
11				
12	Measured Sales	XXX	XXX	XXX
13	Residential	178	180	(2)
14	Commercial	25	25	
15	Industrial	4	4	
16	Public Authority	5	5	
17	Multiple Family Dwellings*			
18	Other			
19	Other Systems			
20	Interdepartmental			
21	Other Systems-Interdepartmental			
22				
23	Total Measured Sales	212	214	(2)

\* Use number of Individual Dwelling Units

**Venango Water Company**  
**P. O. Box 397**  
**Reno, PA 16343**  
**(814) 676-2730**

PA Public Utility Commission  
Commission Secretary  
Rosemary Chiavetta  
Secretarys Bureau  
400 North Street  
Harrisburg, PA 17105-0211

**DATE OF DEPOSIT**

**MAY - 3 2023**

USPS Tracking # 9114901230803379525945

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

May 3, 2023

Re: Extension of 120 day filing rule for rate changes.

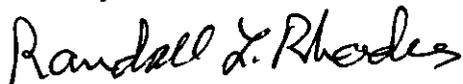
Dear Ms. Chiavetta,

Enclosed with this letter are five petitions to waiver the 120-day filing rule for small utilities for the following companies:

- Venango Water Company
- Sugarcreek Water Company ←
- Plumer Water Company
- Fryburg Water Company
- Cooperstown Water Company

Also enclosed is the required certificate of service stating that this information was submitted to the Office of Consumer Advocate, the Office of Small Business Advocate and the Bureau of Investigation and Enforcement.

Sincerely,



Randall L. Rhodes,  
Secretary

Sugarcreek Water Company  
P. O. Box 397  
Reno, PA 16343  
(814) 676-2730

PA Public Utility Commission  
Commission Secretary  
Rosemary Chiavetta  
P. O. Box 3265  
Harrisburg, PA 17105-3265

USPS Tracking # 9114901230803379525945

May 3, 2023

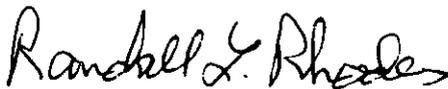
Re: Extension of 120 day filing rule for rate changes.

Dear Ms. Chiavetta,

I am writing to you to petition a waiver to the 120-day filing rule for small water utilities. Due to circumstances related to the operation of the business, I have been unable to approach this matter until recently. I am currently waiting on the completion of financial reports which relate to the preparation of the filing. After receiving this information, I will be able to formalizing the increase. Therefore, I am requesting a 120-day extension of the 120-day filing rule for a rate change to August 28<sup>th</sup>, 2023.

Approval of this extension will enable the Company to file for additional revenues required to meet current and new regulations imposed by the Department of Environmental Protection and to continue to provide adequate safe and reliable service to its customers.

Sincerely,



Randall L. Rhodes,  
Secretary

DATE OF DEPOSIT

MAY - 3 2023

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Instructions:** You must serve a copy of the Application and any amendments upon the Office of Consumer Advocate, Office of Small Business Advocate, and the Bureau of Investigation and Enforcement.

**Certificate of Service**

I hereby certify that I have on this date May 3, 2023, served a true copy of the foregoing document(s) upon the participants, listed below, in accordance with the requirements of §1.54 (relating to service by a participant).

Signature Randall L. Rhodes

Name (printed) Randall L. Rhodes

Title (printed) Secretary

**Office of Consumer Advocate**  
Forum Place – 5th Floor  
555 Walnut Street  
Harrisburg, PA 17101-1923

**Office of Small Business Advocate**  
Commonwealth of Pennsylvania  
Office of Small Business Advocate  
555 Walnut Street, 1st Floor Forum Place  
Harrisburg, PA, 17101-1901

**Bureau of Investigation and Enforcement**  
Pa PUC  
PO Box 3265  
Harrisburg, PA 17105

**DATE OF DEPOSIT**

**MAY - 3 2023**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**



**COMMONWEALTH OF PENNSYLVANIA**  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET  
HARRISBURG, PENNSYLVANIA 17120

May 15, 2023

Docket No. R-2023-3040516  
Utility Code: 212920

Randall L. Rhodes  
Sugarcreek Water Company  
P. O. Box 397  
Reno, PA 16343

Re: Petition of Sugarcreek Water Company for Waiver of the 120-Day Filing Period  
Under 52 Pa. Code § 53.52(b)(2)

Dear Mr. Rhodes:

On May 3, 2023, Sugarcreek Water Company (the Company) filed for a waiver of 52 Pa. Code § 53.52(b)(2) concerning the time period between the end of an historic test year and the date on which a proposed increase in base rates is filed. The Company is requesting a 120-day extension of the 120-day filing rule for a rate change to be filed by August 28, 2023. The Commission grants your request.

If you need further information or assistance, you may contact Marissa Boyle at (717) 787-7237 or [maboyle@pa.gov](mailto:maboyle@pa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Rosemary Chiavetta', is written in a cursive style.

Rosemary Chiavetta  
Secretary

Venango Water Company  
P. O. Box 397  
Reno, PA 16343  
(814) 676-2730

PA Public Utility Commission  
Commission Secretary  
Rosemary Chiavetta  
Secretarys Bureau  
400 North Street  
Harrisburg, PA 17105-0211

DATE OF DEPOSIT

SEP 18 2023

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

USPS Tracking # 9114901230803379525983

September 15, 2023

Re: Finalize and close Docket Numbers

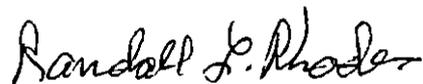
Dear Ms. Chiavetta,

Enclosed with this letter are five requests to finalize and close Docket Numbers for the following companies:

- Venango Water Company – Docket No. R-2023-3040514
- Sugarcreek Water Company – Docket No. R-2023-3040516
- Plumer Water Company – Docket No. R-2023-3040517
- Fryburg Water Company – Docket No. R-2023-3040518
- Cooperstown Water Company – Docket No. R-2023-3040513

Also enclosed is the required certificate of service stating that this information was submitted to the Office of Consumer Advocate, the Office of Small Business Advocate and the Bureau of Investigation and Enforcement.

Sincerely,



Randall L. Rhodes,  
Secretary

Sugarcreek Water Company  
P. O. Box 397  
Reno, PA 16343  
(814) 676-2730

PA Public Utility Commission  
Commission Secretary  
Rosemary Chiavetta  
P. O. Box 3265  
Harrisburg, PA 17105-3265

DATE OF DEPOSIT

SEP 18 2023

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

USPS Tracking # 9114901230803379525983

September 15, 2023

Re: Closure of Dockets.

Dear Ms. Chiavetta,

On May 3, 2023, I submitted a request to petition a waiver to the 120-day filing rule for small water utilities. This request was approved at Docket No. R-2023-3040516. However, due to circumstances related to the operation of the business, I have been unable to approach this matter. Therefore, I am requesting to have Docket No. R-2023-3040516 be finalized and closed.

Sincerely,



Randall L. Rhodes,  
Secretary

**Instructions:** You must serve a copy of the Application and any amendments upon the Office of Consumer Advocate, Office of Small Business Advocate, and the Bureau of Investigation and Enforcement.

**Certificate of Service**

I hereby certify that I have on this date September 15, 2023, served a true copy of the foregoing document(s) upon the participants, listed below, in accordance with the requirements of §1.54 (relating to service by a participant).

Signature Randall L. Rhodes

Name (printed) Randall L. Rhodes

Title (printed) Secretary

**Office of Consumer Advocate**  
Forum Place – 5th Floor  
555 Walnut Street  
Harrisburg, PA 17101-1923

**Office of Small Business Advocate**  
Commonwealth of Pennsylvania  
Office of Small Business Advocate  
555 Walnut Street, 1st Floor Forum Place  
Harrisburg, PA, 17101-1901

**Bureau of Investigation and Enforcement**  
Pa PUC  
PO Box 3265  
Harrisburg, PA 17105

DATE OF DEPOSIT

SEP 18 2023

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**I&E Statement No. 2**  
**Witness: Christopher Keller**

**VENANGO WATER COMPANY – EX PARTE EMERGENCY ORDER NAMING  
AQUA PENNSYLVANIA, INC. AS RECEIVER**

**SECTION 529 INVESTIGATION OF VENANGO WATER COMPANY**

**SECTION 529 INVESTIGATION OF SUGARCREEK WATER COMPANY,  
WEST HICKORY WATER COMPANY, PLUMER WATER COMPANY,  
FRYBURG WATER COMPANY, COOPERSTOWN WATER COMPANY AND  
BLAINE E. RHODES SEWER COMPANY**

**Docket Nos. M-2023-3042180, I-2023-3042312, and P-2024-3045205**

**Direct Testimony**

**of**

**Christopher Keller**

**Bureau of Investigation & Enforcement**

**Concerning:**

**PUBLIC UTILITY CODE SECTION 529 INVESTIGATION  
SECTION 529(a)(4)-(6)**

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Christopher Keller. My business address is Pennsylvania Public  
3 Utility Commission, Commonwealth Keystone Building, 400 North Street,  
4 Harrisburg, PA 17120.

5

6 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

7 A. I am employed by the Pennsylvania Public Utility Commission (Commission) in  
8 the Bureau of Investigation & Enforcement (I&E) as a Fixed Utility Financial  
9 Analyst.

10

11 **Q. WHAT IS YOUR EDUCATIONAL AND EMPLOYMENT HISTORY.**

12 A. An outline of my education and employment background is attached as Appendix  
13 A.

14

15 **Q. DOES YOUR TESTIMONY INCLUDE AN ACCOMPANYING EXHIBIT?**

16 A. Yes. I&E Exhibit No. 1 contains schedules that support my direct testimony.

17

18 **Q. PLEASE DESCRIBE THE ROLE OF I&E IN RATE PROCEEDINGS.**

19 A. I&E is responsible for protecting the public interest in proceedings before the  
20 Commission. I&E's analysis in the proceedings is based on its responsibility to  
21 represent the public interest. This responsibility requires the balancing of the

1 interests of the ratepayers, the utility company, and the regulated community as a  
2 whole.

3  
4 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

5 A. The purpose of my direct testimony is to present the results of I&E's investigation  
6 into the Section 529<sup>1</sup> Investigation (529 Investigation) of Venango Water  
7 Company (Venango), Sugarcreek Water Company, West Hickory Water  
8 Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water  
9 Company, and Blaine E. Rhodes Sewer Company (collectively the Rhodes  
10 Utilities).

11  
12 **Q. BRIEFLY DESCRIBE THE EVENTS RESULTING IN THE CURRENT**  
13 **PROCEEDING?**

14 A. The current proceeding resulted from a series of events and several Commission  
15 Orders. In an Ex Parte Emergency Order issued on August 11, 2023, the  
16 Commission ordered Aqua Pennsylvania, Inc. (Aqua) to act as receiver for  
17 Venango starting August 12, 2023, and ordered that a 529 investigation be opened  
18 to determine whether the Commission should order a capable public utility to  
19 acquire Venango as a result of the Commission's Bureau of Technical Utility  
20 Services receiving notification that the Pennsylvania Department of

---

<sup>1</sup> 66 Pa. C.S. § 529.

1 Environmental Protection (DEP) requiring Venango to issue a “Do Not Consume”  
2 advisory.<sup>2</sup>

3 On December 20, 2023, I&E received a copy of a letter from the operators  
4 of Venango to DEP informing DEP that they would cease employment and  
5 operator duties to the Rhodes Utilities as of December 31, 2023.<sup>3</sup> On December  
6 27, 2023 the operators of Venango agreed that they would continue to provide  
7 service to Venango customers while all parties work toward a resolution.<sup>4</sup>

8 On January 3, 2024, I&E filed a petition to request the Commission open a  
9 529 Investigation for all companies owned and operated by the Blaine Edwin  
10 Rhodes Estate (Rhodes Estate). On February 15, 2024, I&E filed a petition to  
11 consolidate the Venango 529 Investigation with the 529 Investigation of the other  
12 utilities owned by the Rhodes Estate.<sup>5</sup> On May 14, 2024, a notice was sent to all  
13 proximate providers and municipalities of the Commission opening the 529  
14 Investigation.<sup>6</sup> In a May 28, 2024 Order,<sup>7</sup> a litigation schedule was adopted for  
15 the 529 Investigation.

---

<sup>2</sup> Ex Parte Emergency Order, Docket No. M-2023-3042180 (Order Issued August 11, 2023).

<sup>3</sup> *I&E Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin Rhodes Estate*, p. 10, paragraph 34. Docket Nos. P-2024-3045205 and I-2023-3042312.

<sup>4</sup> *I&E Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin Rhodes Estate*, I&E Exhibit J. Docket Nos. P-2024-3045205 and I-2023-3042312.

<sup>5</sup> *I&E Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin Rhodes Estate*. Docket Nos. P-2024-3045205 and I-2023-3042312.

<sup>6</sup> I&E Exhibit No. 2, Schedule 1.

<sup>7</sup> *Venango Water Company – Ex Parte Emergency Order Naming Aqua Pennsylvania, Inc. as Receiver*. Docket No. M-2023-3042180. *Section 529 Investigation of Venango Water Company*. Docket No. I-2023-3042312, *Section 529 Investigation of Sugarcreek Water Company, West Hickory Water Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water Company, and Blaine E. Rhodes Sewer Company*. Docket No. P-2024-3045205, *Prehearing Order*. (Order Entered May 28, 2024).

1 **Q. WHAT IS SECTION 529 OF THE PUBLIC UTILITY CODE?**

2 A. Under Section 529 of the Public Utility Code, the Commission has the power to  
3 order a capable public utility to acquire a small water or sewer utility. Further, it  
4 enumerates six elements that must be met and factors that must be considered  
5 when determining whether an acquisition is appropriate.

6  
7 **Q. WHAT IS YOUR RECOMMENDATION?**

8 A. For the reasons discussed below and in the direct testimony of I&E witness Ethan  
9 Cline,<sup>8</sup> I recommend that the Commission order a capable public utility,  
10 specifically Aqua, to acquire the Rhodes Utilities pursuant to Section 529 of the  
11 Public Utility Code.

12  
13 **Q. HOW IS THE REMAINDER OF YOUR TESTIMONY ORGANIZED?**

14 A. I have organized my testimony to address three of the six elements of Section 529  
15 that the Commission evaluates in determining if a capable public utility should be  
16 ordered to acquire a small water or sewer utility. In particular, I will be addressing  
17 elements four through six.

18  
19 **Q. WHAT IS THE FOURTH ELEMENT OF A 529 INVESTIGATION?**

20 A. The fourth element of Section 529(a) states, “that alternatives to acquisition have  
21 been considered in accordance with subsection (b) and have been determined by

---

<sup>8</sup> I&E Statement No. 1.

1 the commission to be impractical or not economically feasible.”<sup>9</sup>

2  
3 **Q. WHAT ARE THE ALTERNATIVES TO ACQUISITION LISTED IN**  
4 **SUBSECTION (b)?**

5 A. Section 529(b) lists the five alternatives to acquisition to be discussed with the  
6 small public utility and considered by the Commission as follows:

- 7 (1) The reorganization of the small water or sewer utility under new  
8 management.
- 9 (2) The entering of a contract with another public utility or a management or  
10 service company to operate the small water or sewer utility.
- 11 (3) The appointment of a receiver to assure the provision of adequate, efficient,  
12 safe and reasonable service and facilities to the public.
- 13 (4) The merger of the small water or sewer utility with one or more other  
14 public utilities.
- 15 (5) The acquisition of the small water or sewer utility by a municipality, a  
16 municipal authority or a cooperative.<sup>10</sup>

17  
18 **Q. DOES THE COMPANY MEET THE CRITERIA FOR THE FOURTH**  
19 **ELEMENT OF A 529 INVESTIGATION?**

20 A. Yes. By Venango being placed in receivership by the Commission, it is implicit

---

<sup>9</sup> 66 Pa. C.S. § 529(a)(4).

<sup>10</sup> 66 Pa. C.S. § 529(b).

1           that the above alternatives to acquisition are impractical or not economically  
2           feasible; therefore, the criteria for element four have been met.

3

4   **Q.   WHAT IS THE FIFTH ELEMENT OF A 529 INVESTIGATION?**

5   A.   The fifth element of Section 529(a) states, “that the acquiring capable public  
6           utility is financially, managerially and technically capable of acquiring and  
7           operating the small sewer utility in compliance with applicable statutory and  
8           regulatory standards.”<sup>11</sup>

9

10   **Q.   WHAT IS A CAPABLE PUBLIC UTILITY FOR PURPOSES OF A**  
11       **SECTION 529 ACQUISITION?**

12   A.   Section 529(m) defines a capable public utility as “[a] public utility which  
13           regularly provides the same type of service as the small water utility or the small  
14           sewer utility to 4,000 or more customer connections, which is not an affiliated  
15           interest of the small water utility or the small sewer utility and which provides  
16           adequate, efficient, safe and reasonable service.”<sup>12</sup>

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<sup>11</sup> 66 Pa. C.S. § 529(a)(5).

<sup>12</sup> 66 Pa. C.S. § 529(m).

1 **Q. ARE THERE ANY OTHER PUBLIC UTILITY COMPANIES,**  
2 **MUNICIPALITIES, MUNICIPAL AUTHORITIES, OR COOPERATIVES**  
3 **IN THE AREA OTHER THAN AQUA?**

4 A. Yes. I&E identified eight public utilities (including Aqua), municipalities,  
5 municipal authorities or cooperatives in the above referenced notice that was sent  
6 by the Commission notifying them of the 529 Investigation.<sup>13</sup>

7  
8 **Q. HAS A CAPABLE PUBLIC UTILITY THAT IS FINANCIALLY,**  
9 **MANAGERIALLY, AND TECHNICALLY CAPABLE OF ACQUIRING**  
10 **THE RHODES UTILITIES BEEN IDENTIFIED?**

11 A. Yes. The Commission has already named Aqua as the receiver of one of the  
12 Rhodes Utilities' companies in Venango.

13  
14 **Q. HAS AQUA RECENTLY ACQUIRED ANY OTHER WASTEWATER**  
15 **COMPANIES?**

16 A. Yes. Aqua acquired the water systems of James Black Water Service Company –  
17 Belle Aire Acres in 2024 and the Municipal Authority of the Borough of  
18 Shenandoah in 2023 which provide water service to approximately 20 and 2,900  
19 customers, respectively. Aqua has also acquired the wastewater systems of North  
20 Heidelberg Sewer Company in 2023 and East Whiteland Township and Lower

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<sup>13</sup> I&E Exhibit No. 2, Schedule 1.

1 Makefield Township in 2022 which provide wastewater service to approximately  
2 275, 3,900, and 11,000 customers, respectively.<sup>14</sup>

3  
4 **Q. HAS AQUA DEMONSTRATED IT IS FINANCIALLY, MANAGERIALLY,**  
5 **AND TECHNICALLY CAPABLE OF ACQUIRING OTHER WATER AND**  
6 **WASTEWATER COMPANIES?**

7 A. Yes. In Aqua’s direct testimony for the acquisition of the Municipal Authority of  
8 the Brough of Shenandoah water system, Aqua witness William C. Packer  
9 discussed how Aqua is financially, managerially, and technically capable of  
10 acquiring other water companies:

11 Aqua currently provides utility service to approximately  
12 448,000 water customers in the Commonwealth and has over  
13 135 years of experience operating water treatment and  
14 distribution systems in a safe, reliable and efficient manner.  
15 Moreover, Aqua has the managerial, technical, and financial  
16 resources to operate, maintain and improve the System.

17 Aqua has acquired 10 water systems over the past 10 years.  
18 Many of these systems required significant investment to  
19 correct service and environmental issues. Other systems did  
20 not need substantial capital investment. Aqua is essentially the  
21 compilation of smaller systems that have been acquired over  
22 the last 135 years and make both utilities what they are today.  
23 The inherent diversification of systems and customers provides  
24 a foundation of stability in the day to day, month to month, and  
25 year to year operations of the utility, in that, they are all not  
26 requiring major capital investments at the same time. Thus,  
27 spreading the financial impacts over the long-term operations  
28 of the utility. The System is in need of significant infrastructure  
29 investment as outlined in Aqua Statement No. 2 – Direct  
30 Testimony of Brennan T. Kelly. I would submit that it is  
31 important for Aqua to be permitted to acquire both non-viable

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<sup>14</sup> I&E Exhibit No. 2, Schedule 2.

1 and viable systems. Both types of systems, viable and non-  
2 viable, are consistent with the Commission’s policy statements  
3 regarding acquisitions. The acquisition of the System will  
4 continue to address the Commission’s supported policy of  
5 consolidation and regionalization.<sup>15</sup>  
6

7 **Q. HAS I&E DETERMINED WHETHER THE CRITERIA FOR THE FIFTH**  
8 **ELEMENT OF A 529 ACQUISITION ARE MET?**

9 A. Yes. Aqua is a capable public utility that is financially, managerially, and  
10 technically capable of compliance with applicable statutory and regulatory  
11 standards. Aqua currently serves approximately 448,000 water and 57,000  
12 wastewater customers and Aqua clearly indicated in the Brough of Shenandoah  
13 proceeding that it is capable of acquiring water and wastewater systems totaling  
14 850 and 212 customers, respectively. Additionally, the Commission identified  
15 Aqua as a capable public utility when the Commission named Aqua as the receiver  
16 of Venango. Therefore, it is my opinion that Aqua is capable of operating the  
17 Rhodes Utilities’ water and wastewater systems totaling only 850 water customers  
18 and 212 wastewater customers.  
19

20 **Q. WHAT IS THE SIXTH ELEMENT OF A 529 INVESTIGATION?**

21 A. The sixth element of Section 529(a) states, “that the rates charged by the acquiring  
22 capable public utility to its preacquisition customers will not increase  
23 unreasonably because of the acquisition.”<sup>16</sup>

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<sup>15</sup> Docket No. A-2022-3034143, Aqua Exhibit U, Testimony of William C. Packer, pp. 11-12.

<sup>16</sup> 66 Pa. C.S. § 529(a)(6).

1 **Q. WOULD THE ACQUISITION OF THE COMPANY BY AQUA**  
2 **UNREASONABLY INCREASE RATES FOR PRE-ACQUISITION**  
3 **CUSTOMERS?**

4 A. No. First, the Rhodes Utilities' 850 water customers and 212 wastewater  
5 customers are not going to unreasonably affect rates for pre-acquisition customers  
6 as Aqua currently supplies services to approximately 448,000 water customers and  
7 57,000 wastewater customers where the Rhodes Utilities' customers would  
8 represent only 0.2% and 0.4% of all water and wastewater customers, respectively.  
9 Second, Aqua, as both a water and wastewater public utility, would be able to  
10 spread the costs of any wastewater improvements across both water and  
11 wastewater customers through the use of Act 11 of 2012.<sup>17</sup> Act 11 of 2012 states:

12 The commission, when setting base rates, after notice and an  
13 opportunity to be heard, may allocate a portion of the  
14 wastewater revenue requirement to the combined water and  
15 wastewater customer base if in the public interest.<sup>18</sup>  
16

17 **Q. HAS AQUA RECENTLY UTILIZED ACT 11 OF 2012 TO ALLOCATE**  
18 **WASTEWATER COSTS TO ITS WATER OPERATIONS IN A BASE**  
19 **RATE CASE?**

20 A. Yes. In Aqua's 2024 base rate case, Aqua proposed to allocate \$21,850,629 of  
21 wastewater cost of service to the revenue requirement of water operations.<sup>19</sup>  
22 Although the resolution of that base rate proceeding and the amount allocated

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<sup>17</sup> 66 Pa. C.S. § 1311 (as amended 2012).

<sup>18</sup> 66 Pa. C.S. § 1311(c).

<sup>19</sup> Docket No. R-2024-3047822, Aqua Volume 2, Schedule Act 11, p. 1.

1 from wastewater operations to water operations is currently pending before the  
2 Commission, it demonstrates that Aqua has utilized Act 11 to propose the  
3 allocation of wastewater costs to its water customers.  
4

5 **Q. HAS I&E DETERMINED WHETHER THE SIXTH ELEMENT OF A 529**  
6 **ACQUISITION IS MET?**

7 A. Yes. The acquisition of the Rhodes Utilities by Aqua would not result in an  
8 unreasonable increase in rates for Aqua's current customers. Aqua has  
9 demonstrated through the acquisition of several larger water and wastewater  
10 systems that Aqua is capable of acquiring systems such as the Rhodes Utilities  
11 without a significant increase in rates for existing customers. Additionally, Aqua  
12 would be able to propose spreading the costs of any improvements to the  
13 wastewater system, through Act 11 of 2012, to its water operations, which Aqua  
14 has utilized in the past and is applying in its current base rate case. Therefore, the  
15 acquisition of the Rhodes Utilities by Aqua would not result in an unreasonable  
16 increase in rates to Aqua's current customers.  
17

18 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

19 A. Yes.

**Professional and Educational Experience**  
**Christopher Keller**

**Professional Experience**

January 2014 to Present  
Fixed Utility Financial Analyst  
Pennsylvania Public Utility Commission, Harrisburg, Pennsylvania  
Bureau of Investigation & Enforcement

September 2008 to January 2014  
Insurance Company Financial Analyst  
Pennsylvania Insurance Department, Harrisburg, Pennsylvania  
Bureau of Licensing & Financial Analysis

**Education and Training**

FAI Utility Finance and Accounting for Financial Professionals, Boston, MA  
May 21-23, 2014

York College of Pennsylvania, York, Pennsylvania  
Master of Business Administration, Finance Concentration, 2008  
Bachelor of Science, Accounting, 2006

**Testimony Submitted**

I have testified and/or submitted testimony in the following proceedings:

- Docket No. R-2024-3048828 – UGI Utilities, Inc. – Gas Division (1307(f))
- Docket No. R-2024-3046932 – PECO Energy Company – Gas Division (O&M)
- Docket No. R-2024-3046523 – Duquesne Light Company (ROR)
- Docket No. R-2023-3044549 – Peoples Natural Gas Company LLC (O&M)
- Docket No. R-2023-3040258 – Columbia Water Company (O&M and ROR)
- Docket No. R-2023-3040290 – UGI Utilities, Inc. – Gas Division (1307(f))
- Docket No. R-2022-3037368 – UGI Utilities, Inc. – Electric Division (O&M)
- Docket No. R-2022-3035730 – National Fuel Gas Distribution Corporation (O&M)
- Docket No. R-2022-3031340 – York Water Company – Water (ROR)
- Docket No. R-2022-3032806 – York Water Company – Wastewater (ROR)
- Docket No. R-2022-3032300 – Valley Energy, Inc. (ROR)
- Docket No. R-2022-3031704 – Borough of Ambler – Water Department (ROR)
- Docket No. R-2022-3032242 – UGI Utilities, Inc. – Gas Division (1307(f))
- Docket No. R-2022-3031211 – Columbia Gas of Pennsylvania, Inc. (ROR)
- Docket No. A-2021-3026132 – Aqua Pennsylvania Wastewater, Inc. – Acquisition of the Wastewater Collection and Conveyance System Assets of East Whiteland Township (1329)
- Docket No. P-2021-3030012 – Metropolitan Edison Company (DSP)

**Professional and Educational Experience**  
**Christopher Keller**

**Testimony Submitted (Continued)**

I have testified and/or submitted testimony in the following proceedings:

- Docket No. P-2021-3030013 – Pennsylvania Electric Company (DSP)
- Docket No. P-2021-3030014 – Pennsylvania Power Company (DSP)
- Docket No. P-2021-3030021 – West Penn Power Company (DSP)
- Docket No. R-2021-3026116 – Borough of Hanover – Water (ROR)
- Docket No. R-2021-3025206 – Community Utilities of Pennsylvania – Water Division (ROR)
- Docket No. R-2021-3025207 – Community Utilities of Pennsylvania – Wastewater Division (ROR)
- Docket No. R-2021-3025652 – UGI Utilities, Inc. – Gas Division (1307(f))
- Docket No. R-2021-3024750 – Duquesne Light Company (O&M and ROR)
- Docket No. R-2021-3024296 – Columbia Gas of Pennsylvania, Inc. (ROR)
- Docket No. R-2020-3018929 – PECO Energy Company – Gas Division (ROR)
- Docket No. P-2020-3020914 – Twin Lakes Utilities, Inc. (529 Proceeding)
- Docket No. R-2020-3018835 – Columbia Gas of Pennsylvania, Inc. (ROR)
- Docket No. R-2020-3019680 – UGI Utilities, Inc. (1307(f))
- Docket No. P-2020-3019356 – PPL Electric Utilities Corporation (DSP)
- Docket No. R-2019-3015162 – UGI Utilities, Inc. – Gas Division (ROR)
- Docket No. R-2019-3010955 – City of Lancaster – Sewer Fund (O&M)
- Docket No. R-2019-3009647 – UGI Utilities, Inc. – Gas Division (1307(f))
- Docket No. R-2018-3006818 – Peoples Natural Gas Company LLC (O&M)
- Docket No. R-2018-3000124 – Duquesne Light Company (O&M)
- Docket No. R-2018-3001631 – UGI Central Penn Gas, Inc. (1307(f))
- Docket No. R-2018-3001632 – UGI Penn Natural Gas, Inc. (1307(f))
- Docket No. R-2018-3001633 – UGI Utilities, Inc. (1307(f))
- Docket No. R-2018-2645938 – Philadelphia Gas Works (1307(f))
- Docket No. P-2017-2637855 – Metropolitan Edison Company (DSP)
- Docket No. P-2017-2637857 – Pennsylvania Electric Company (DSP)
- Docket No. P-2017-2637858 – Pennsylvania Power Company (DSP)
- Docket No. P-2017-2637866 – West Penn Power Company (DSP)
- Docket No. R-2017-2602627 – UGI Central Penn Gas, Inc. (1307(f))
- Docket No. R-2017-2602638 – UGI Utilities, Inc. (1307(f))
- Docket No. R-2017-2586783 – Philadelphia Gas Works (O&M)
- Docket No. R-2017-2587526 – Philadelphia Gas Works (1307(f))
- Docket No. I-2016-2526085 – Delaware Sewer Company (529 Proceeding)
- Docket No. R-2016-2531550 – Citizens’ Electric Company (O&M)
- Docket No. R-2016-2531551 – Wellsboro Electric Company (O&M)
- Docket No. R-2016-2537349 – Metropolitan Edison Company (CWC and CAP)
- Docket No. R-2016-2537352 – Pennsylvania Electric Company (CWC and CAP)

**Professional and Educational Experience  
Christopher Keller**

**Testimony Submitted (Continued)**

I have testified and/or submitted testimony in the following proceedings:

- Docket No. R-2016-2537355 – Pennsylvania Power Company (CWC and CAP)
- Docket No. R-2016-2537359 – West Penn Power Company (CWC and CAP)
- Docket No. R-2016-2543311 – UGI Central Penn Gas, Inc. (1307(f))
- Docket No. R-2015-2518438 – UGI Utilities, Inc. – Gas Division (CWC and USP)
- Docket No. P-2015-2511333 – Metropolitan Edison Company (DSP)
- Docket No. P-2015-2511351 – Pennsylvania Electric Company (DSP)
- Docket No. P-2015-2511355 – Pennsylvania Power Company (DSP)
- Docket No. P-2015-2511356 – West Penn Power Company (DSP)
- Docket No. R-2015-2468056 – Columbia Gas of Pennsylvania, Inc. (O&M)
- Docket No. P-2014-2404341 – Delaware Sewer Company (529 Investigation)
- Docket No. R-2014-2452705 – Delaware Sewer Company (O&M)
- Docket No. R-2014-2428304 – Borough of Hanover – Water (O&M)
- Docket No. R-2014-2419774 – Wellsboro Electric Company (Customer Choice Support Charge)
- Docket No. R-2014-2420279 – UGI Central Penn Gas, Inc. (1307(f))

**Assisted with the Following Cases**

- Docket No. R-2017-2631441 – Reynolds Water Company (ROR)
- Docket No. R-2016-2580030 – UGI Penn Natural Gas, Inc. (ROR)
- Docket No. R-2014-2462723 – United Water Pennsylvania (CWC)
- Docket No. R-2014-2428742 – West Penn Power Company (CWC)
- Docket No. R-2014-2428743 – Pennsylvania Electric Company (CWC)
- Docket No. R-2014-2428744 – Pennsylvania Power Company (CWC)
- Docket No. R-2014-2428745 – Metropolitan Edison Company (CWC)
- Docket No. R-2013-2397353 – Pike County Light & Power Company (Gas) (O&M)
- Docket No. R-2013-2397237 – Pike County Light & Power Company (Electric) (O&M)

**I&E Exhibit No. 2**  
**Witness: Christopher Keller**

**PETITION FOR A COMMISSION ORDER AUTHORIZING THE  
ACQUISITION OF SEVERAL SMALL WATER AND WASTEWATER  
UTILITIES OWNED BY THE BLAINE EDWIN RHODES ESTATE BY A  
CAPABLE PUBLIC UTILITY PURSUANT TO 66 PA. C.S. SECTION 529**

**Docket Nos. M-2023-3042180, I-2023-3042312, and P-2024-3045205**

**Exhibit to Accompany**

**the**

**Direct Testimony**

**of**

**Christopher Keller**

**Bureau of Investigation and Enforcement**

**Concerning:**

**PUBLIC UTILITY CODE SECTION 529 INVESTIGATION  
SECTION 529(a)(4)-(6)**

# NOTICE OF SECTION 529 ACQUISITION INVESTIGATION

I&E Exhibit No. 2

Schedule 1

Page 1 of 2

To Proximate Service Providers and Proximate Municipalities:

## The PUC's Acquisition Investigation

Sugar Creek Water Company, West Hickory Water Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water Company, Blaine E. Rhodes Sewer Company, and Venango Water Company (the Rhodes Utilities) are water and/or wastewater service providers operating within the proximate vicinity of your service territory or serving customers within proximity to your municipality. The Rhodes Utilities are regulated by the Pennsylvania Public Utility Commission (PUC) under the Pennsylvania Public Utility Code. The PUC has opened an investigation at PUC Docket Nos. I-2023-3042312 and P-2024-3045205 into whether it should order a capable public utility to acquire any or all of the Rhodes Utilities pursuant to Section 529 of the Public Utility Code (66 Pa. C.S. Section 529).

## Notice of the Investigation

Section 529(h) of the Public Utility Code (66 Pa. C.S. Section 529(h)) states that the notice required by subsection (a) of Section 529 shall be served upon all proximate public utilities providing the same type of service as the small sewer utility, all proximate municipalities and municipal authorities providing the same type of service as the small sewer utility, and the municipalities served by the small sewer utility. The PUC's Bureau of Investigation & Enforcement has identified you as a proximate public utility providing the same type of service as the small sewer utility or a municipality in proximity to the customers served by the small sewer utility. Having been identified as described above, you are required to receive Notice of the Acquisition Investigation (Notice) and you may be joined as a party to the proceeding at Docket No. I-2023-3042312 and P-2024-3045205.

## Actions You Can Take

The burden to prosecute the proceeding is with the PUC's Bureau of Investigation and Enforcement. However, as stated above, you are required to receive this Notice and you may be joined as a party to the proceeding.

You may file a formal Petition to Intervene stating your specific concerns, or you may file any other responsive pleading by **July 12, 2024**. Petitions or other pleadings should include the docket number (I-2023-3042312 and P-2024-3045205) and be sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

with a copy to Deputy Chief Administrative Law Judge Mark A Hoyer, PUC, Piatt Place, 301 Fifth Avenue, Suite 220, Pittsburgh, Pennsylvania 15222. Petitions or other responsive pleadings must be received by the Secretary by close of business on Friday July 12, 2024. Or, you may eFile your Petition or other pleading using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFile is located under the Filing & Resources tab on the homepage. NHSC and/or any other party to this proceeding have the right to file a responsive pleading to any petition or other pleading you file.

Otherwise, as a person or entity receiving this Notice, or as a party to the proceeding, you will continue to be served with all documents, correspondence, and all other relevant materials regarding this proceeding.



Rosemary Chiavetta  
Secretary

Dated: June 1, 2018

Aqua Pennsylvania, Inc.  
Alexander R. Stahl, Esq.  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Pennsylvania American Water  
Elizabeth Triscari, Esq.  
800 West Hersheypark Drive  
Hershey, PA 17033

Veolia Water Pennsylvania  
James C. Cagle  
4211 East Park Circle  
Harrisburg, PA 17111

Rouseville Borough  
c/o Joseph Dengel  
P.O. Box 317  
Rouseville, PA 16344

Franklin Water Department  
c/o Kurt McFadden  
430 13<sup>th</sup> Street  
Franklin, PA 16323

Clintonville Borough Sewer and  
Water Authority  
P.O. Box 292  
Clintonville, PA 16372

City of Oil City  
Water Department  
21 Seneca St., #100  
Oil City, PA 16301

Cornplanter Township  
136 Petroleum Center Road  
Oil City, PA 16301

Respondent: William C. Packer

Date: 07/17/2024

**SECTION 529 INVESTIGATION OF VENANGO WATER COMPANY AND RHODES UTILITIES**

**DOCKET NOS. M-2023-3042180, I-2023-3042312, & P-2024-3045205**

**BUREAU OF INVESTIGATION AND ENFORCEMENT**

**SET I INTERROGATORIES**

**I&E-I-1** Provide a list of all acquisitions made by Aqua Pennsylvania, Inc. (Aqua) for 2022, 2023, and 2024. For each acquisition, provide the docket number and the number of customers acquired by water and wastewater.

**RESPONSE**

Aqua Pennsylvania, Inc. has acquired the following systems in 2022, 2023, and 2024:

Acquisition	Docket No.	W / WW	Date Closed	Customer Count
James Black Water Service Company – Belle Aire Acres	M-2019-3012563	Water	05/02/2024	19
Municipal Authority of the Borough of Shenandoah	A-2022-303413	Water	07/24/2023	2,899

Aqua Pennsylvania Wastewater, Inc. has acquired the following systems in 2022, 2023, and 2024:

Acquisition	Docket No.	W / WW	Date Closed	Customer Count
North Heidelberg Sewer Company	M-2018-2645983 I-2018-3001161	Wastewater	03/31/2023	274
East Whiteland Township	A-2021-3026132	Wastewater	08/12/2022	3,895
Lower Makefield Township	A-2021-3024267	Wastewater	03/04/2022	11,151

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company - Ex Parte Emergency	:	Docket Nos.:
Order Naming Aqua Pennsylvania, Inc. as Receiver	:	
Docket.	:	M-2023-3042180
	:	I-2023-3042312
Section 529 Investigation of Venango Water	:	P-2024-3045205
Company.	:	

Section 529 Investigation of Sugarcreek Water Company, West Hickory Water Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water Company, and Blaine E. Rhodes Sewer Company.

**WITNESS VERIFICATION  
THE BUREAU OF INVESTIGATION AND ENFORCEMENT**

I, Ethan H. Cline, on behalf of the Bureau of Investigation and Enforcement, hereby verify that the documents preliminarily identified as:

- I&E Statement No. 1;
- I&E Exhibit No. 1.

were prepared by me or under my direct supervision and control. Furthermore, the facts contained therein are true and correct to the best of my knowledge, information and belief and I expect to be able to prove the same at an Evidentiary Hearing in this matter. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

/s/Ethan H. Cline

Ethan H. Cline  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement

Dated: July 30, 2025

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company - Ex Parte Emergency	:	Docket Nos.:
Order Naming Aqua Pennsylvania, Inc. as Receiver	:	
Docket.	:	M-2023-3042180
	:	I-2023-3042312
Section 529 Investigation of Venango Water	:	P-2024-3045205
Company.	:	

Section 529 Investigation of Sugarcreek Water Company, West Hickory Water Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water Company, and Blaine E. Rhodes Sewer Company.

**WITNESS VERIFICATION  
THE BUREAU OF INVESTIGATION AND ENFORCEMENT**

I, Christopher Keller, on behalf of the Bureau of Investigation and Enforcement, hereby verify that the documents preliminarily identified as:

- I&E Statement No. 2;
- I&E Exhibit No. 2.

were prepared by me or under my direct supervision and control. Furthermore, the facts contained therein are true and correct to the best of my knowledge, information and belief and I expect to be able to prove the same at an Evidentiary Hearing in this matter. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

/s/ Christopher Keller  
Christopher Keller  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement

Dated: July 30, 2025