

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**ADMINISTRATIVE LAW JUDGES  
ERIN L. GANNON AND STEVEN K. HAAS**

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Pennsylvania-American Water Company –	:	
Wastewater Division Section 1329 Application	:	Docket Nos. A-2025-3052983, <i>et al.</i>
for the Acquisition of the Elizabeth Borough	:	
Municipal Authority Wastewater System	:	

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**STATEMENT IN SUPPORT OF FORWARD TOWNSHIP**

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Forward Township (“Forward” or the “Township”) files this Statement in Support of the Joint Petition for Approval of Non-Unanimous Settlement of All Issues (“Settlement”), which was previously filed at the Pennsylvania Public Utility Commission (“PUC” or “Commission”) on June 27, 2025. On July 8, 2025, Forward submitted Objections to the Settlement in this matter. Subsequent settlement discussions were held between Forward and EBMA, which resolved Forward’s concerns with the Settlement.<sup>1</sup> On August 22, 2025, Administrative Law Judges Erin L. Gannon and Steven K. Haas issued a Recommended Decision (“R.D.”) recommending approval of the Settlement. Accordingly, rather than filing Exceptions, Forward is filing a Statement in Support of the Settlement, which the Township now believes is reasonable and in the public interest.

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<sup>1</sup> The Township also intends to withdraw its civil court challenges related to this Transaction in *Forward Township v. Elizabeth Borough Municipal Authority, et al.*, at Docket Nos. 1436 CD 2024 (Commonwealth Court of Pennsylvania) and GD-23-9235 (Court of Common Pleas of Allegheny County, Pennsylvania).

As recognized by the Commission, settlements avoid the time, expense, and uncertainty of litigation, and create results that are often preferable to those achieved through a fully litigated proceeding. 52 Pa. Code §§ 5.231(a), 69.391(a), and 69.401. The Settlement is reasonable and consistent with the public interest in its entirety, but there are a few specific provisions within the Settlement that Forward will highlight because they are particularly beneficial to Forward as a bulk customer of the EBMA System (“System”) and a neighboring municipality:

- The Settlement authorizes PAWC to acquire the System (the “Transaction”), which the record shows will result in improved environmental compliance and a reduction in combined sewer system overflow events into the Monongahela River.
- PAWC is able to comply with the Long-Term Control Plan (“LTCP”) for the System at a lower cost than EBMA, which will reduce the costs passed on to customers of the System.
- If the Transaction does not occur, in order to comply with the LTCP, EBMA would need to increase the monthly bill for an average residential customer utilizing 3,000 gallons to approximately \$114.23, which is significantly higher than PAWC’s current average monthly combined sewer system bill for residential customers utilizing 3,000 gallons of \$98.36, demonstrating that PAWC can provide service to System customers more economically than EBMA.
- Under PAWC’s System ownership, customer service is likely to improve due to PAWC’s larger staff, extended call center hours, and specific water and wastewater system expertise.
- The Settlement avoids rate shock to EBMA customers. Under the Settlement, in the first base rate case including the System, PAWC will not propose to increase rates for EBMA customers by more than 30% of EBMA’s rates in place at the time of Transaction closing.

In the subsequent base rate case, PAWC will not propose to increase EBMA rates by more than 60% of EBMA's rates in place at the time of Transaction closing.

Based on the foregoing benefits of the Settlement, Forward believes that the benefits of Transaction outweigh its detriments. The Settlement is reasonable and consistent with the public interest. Forward Township respectfully requests that consistent with the Recommended Decision of Honorable Administrative Law Judges Erin L. Gannon and Steven K. Haas, the Commission approve the Settlement without modification.

Respectfully submitted,

MAURICE A. NERNBERG & ASSOCIATES

August 29, 2025

By: 

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**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

FORWARD TOWNSHIP,  
Petitioner,

A-2025-3052983

RE: Application of Pennsylvania-American Water Company under Sections 1102(a) and 1329 of the Pennsylvania Public Utility Code, 66 Pa C.S. § § 1102(a) and 1329, for approval of:(1) the transfer, by sale, to Pennsylvania-American Water Company, of substantially all of the assets, properties and rights related to the wastewater treatment plant and collection system owned and operated by the Elizabeth Borough Municipal Authority, and (2) the rights of Pennsylvania-American Water Company to begin to offer or furnish wastewater service to the public in the Borough of Elizabeth, Allegheny County, Pennsylvania

**CERTIFICATE OF SERVICE**

I, David M. Nernberg, hereby certify that a true and correct copy of the within **Statement in Support** was served upon all parties to the within matter, this date, in the manner described below, addressed as follows:

**Via email:**

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Date: 08/29/25

  
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