



COMMONWEALTH OF PENNSYLVANIA

September 9, 2025

**E-FILED**

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

**Re: Application of Aqua Pennsylvania, Inc. (hereinafter referred to as “Aqua”, “Company” or “Applicant”) pursuant to Sections 1102 and 1329 of the Public Utility Code for: (1) approval of the acquisition by Aqua of the water system assets of the Municipal Authority of the Borough of Greenville (“GWA”) situated within the Borough of Greenville, Hempfield Township, Sugar Grove a Township, and West Salem Township, Mercer County, Pennsylvania; (2) approval of the right of Aqua to begin to offer, render, furnish and supply water service to the public in the Borough of Greenville, Hempfield Township, Sugar Grove Township, and West Salem Township, Mercer County, Pennsylvania; and (3) an order approving the acquisition that includes the ratemaking rate base of the GWA water system assets pursuant to Section 1329(c)(2) of the Public Utility Code. Request for Approval of Contracts, including Assignments of Contracts, between Aqua and the GWA Pursuant to Section 507 of the Public Utility Code / Docket No. A-2024-3049015**

Dear Secretary Homsher:

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

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

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

Sincerely,

*/s/ Rebecca Lyttle*

Rebecca Lyttle  
Assistant Small Business Advocate  
Attorney ID No. 201399

*Enclosures*

cc: Jason Hails  
Roger Cathcart  
Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Application of Aqua Pennsylvania, Inc.</b>	<b>:</b>	<b>Docket No. A-2024-3049015</b>
<b>(hereinafter referred to as “Aqua”,</b>	<b>:</b>	
<b>“Company” or “Applicant”) pursuant to</b>	<b>:</b>	
<b>Sections 1102 and 1329 of the Public</b>	<b>:</b>	
<b>Utility Code for: (1) approval of the</b>	<b>:</b>	
<b>acquisition by Aqua of the water system</b>	<b>:</b>	
<b>assets of the Municipal Authority of the</b>	<b>:</b>	
<b>Borough of Greenville (“GWA”) situated</b>	<b>:</b>	
<b>within the Borough of Greenville,</b>	<b>:</b>	
<b>Hempfield Township, Sugar Grove</b>	<b>:</b>	
<b>Township, and West Salem Township,</b>	<b>:</b>	
<b>Mercer County, Pennsylvania; (2)</b>	<b>:</b>	
<b>approval of the right of Aqua to begin</b>	<b>:</b>	
<b>to offer, render, furnish and supply water</b>	<b>:</b>	
<b>service to the public in the Borough of</b>	<b>:</b>	
<b>Greenville, Hempfield Township, Sugar</b>	<b>:</b>	
<b>Grove Township, and West Salem</b>	<b>:</b>	
<b>Township, Mercer County,</b>	<b>:</b>	
<b>Pennsylvania; and (3) an order approving</b>	<b>:</b>	
<b>the acquisition that includes the</b>	<b>:</b>	
<b>ratemaking rate base of the GWA water</b>	<b>:</b>	
<b>system assets pursuant to Section</b>	<b>:</b>	
<b>1329(c)(2) of the Public Utility Code.</b>	<b>:</b>	
<b>Request for Approval of Contracts,</b>	<b>:</b>	
<b>including Assignments of Contracts,</b>	<b>:</b>	
<b>between Aqua and the GWA,</b>	<b>:</b>	
<b>Pursuant to Section 507 of the</b>	<b>:</b>	
<b>Public Utility Code</b>	<b>:</b>	

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

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**I. INTRODUCTION**

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“the Act”). In order to discharge this statutory duty,

the Small Business Advocate deems it necessary to participate as a party to this proceeding.  
Representing the OSBA in this matter is Assistant Small Business Advocate Rebecca Lyttle.

Please address all correspondence as follows:

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

## **II. FILING BACKGROUND**

On April 25, 2025, Aqua Pennsylvania, Inc. (“Aqua” or the “Company”) filed an Application, pursuant to Sections 1102, 1329, and 507 of the Public Utility Code, 66 Pa. C.S. §§ 1102, 1329, and 507, for approvals related to the acquisition by Aqua of the water system assets of the Municipal Authority of the Borough of Greenville (the “GWA”).

On June 5, 2025, the OSBA filed a Notice of Intervention in this proceeding.

## **III. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES**

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Jason Hails  
Quantiv Advisory, LLC  
925 Wappoo Road, Suite A  
Charleston, SC 29407  
[j.hails@quantivadvisory.com](mailto:j.hails@quantivadvisory.com)

Roger Cathcart, CPA, CA, CBV  
Quantiv Advisory, LLC  
300-330 St. Mary Avenue  
Winnipeg, MB, R3C 3Z5  
Canada  
[REMC@CathcartAdvisors.com](mailto:REMC@CathcartAdvisors.com)

After an initial review of the materials submitted by Aqua, the OSBA has identified the following issues:

- (1) Whether GWA's system is a troubled system in need of acquisition by Aqua.
- (2) Whether GWA's system will require approximately \$10 million in investment over the next 10 years, as proposed by Aqua.
- (3) Whether Aqua's suggestion that the proposed acquisition will promote "regionalization," and whether such a goal is reasonable given Aqua's current service territory footprint.
- (4) Whether the proposed acquisition is in the public interest.
- (5) Whether the proposed acquisition satisfies the requirements of *City of York* for affirmative public benefits.

The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding. The OSBA will participate in this case to assure that the interests of small business customers of Aqua and GWA are adequately represented and protected.

#### **IV. SERVICE OF DOCUMENTS**

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

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

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

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

V. **SETTLEMENT**

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

VI. **HEARING AND BRIEFING SCHEDULE**

At the time of this writing, the parties are working to develop a proposed procedural schedule.

Respectfully submitted,

*/s/ Rebecca Lyttle*

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Rebecca Lyttle  
Assistant Small Business Advocate  
Attorney ID No. 201399

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

Dated: September 9, 2025

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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approval of the right of Aqua to begin :  
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Grove Township, and West Salem :  
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Request for Approval of Contracts, :  
including Assignments of Contracts, :  
between Aqua and the GWA, :  
Pursuant to Section 507 of the :  
Public Utility Code :**

**CERTIFICATE OF SERVICE**

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

The Honorable Katrina L. Dunderdale  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
Piatt Place  
301 Fifth Avenue, Suite 220  
Pittsburgh, PA 15222  
[kdunderdal@pa.gov](mailto:kdunderdal@pa.gov)

Legal Assistant, Kayla Loukas  
[kaloukas@pa.gov](mailto:kaloukas@pa.gov)  
  
Carrie B. Wright, Esquire  
Bureau of Investigation & Enforcement  
400 North Street  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
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Harrison W. Breitman, Esquire  
Katherine Kennedy, Esquire  
PA Office of Consumer Advocate  
Forum Place  
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Harrisburg, PA 17101-1923  
[HBreitman@paoca.org](mailto:HBreitman@paoca.org)  
[KKennedy@paoca.org](mailto:KKennedy@paoca.org)

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409 N. Hermitage Road  
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Philadelphia, PA 19102  
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[Courtney.schultz@saul.com](mailto:Courtney.schultz@saul.com)

Date: September 9, 2025

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