

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania, Inc.,	:	
pursuant to Sections 1102 and 1329 of the	:	
Public Utility Code for: (1) Approval of its	:	A-2024-3049015
Acquisition of the Water System Assets of the	:	
Greenville Municipal Water Authority	:	
Situated within the Borough of Greenville,	:	
Hempfield Township, and West Salem Township,	:	
Mercer County, Pennsylvania; (2) Approval of the	:	
Right to Begin to Offer, Render, Furnish and	:	
Supply Water Service to the Public in the Borough	:	
Of Greenville, Hempfield Township, and West	:	
Salem Township, Mercer County, Pennsylvania;	:	
And (3) an Order Approving the Acquisition that	:	
Includes the Ratemaking Rate Base of the 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	:	
Pennsylvania, Inc., and the Municipal Authority of	:	
The Borough of Greenville, pursuant to Section 507	:	
Of the Public Utility Code.	:	

PREHEARING ORDER

HISTORY

On May 14, 2024, Aqua Pennsylvania, Inc. (Aqua PA) filed with the Pennsylvania Public Utility Commission (the Commission) its Notice of Licensed Engineer and Utility Valuation Expert Engagement Concerning Acquisition of the Greenville Water Authority, Water Treatment and Distribution System.

On April 25, 2025, Aqua Pennsylvania, Inc. (Aqua PA) filed with the Commission an Application requesting approval of its acquisition of the water system assets of the Municipal Authority of the Borough of Greenville (GWA) pursuant to Sections 1102 and 1329 of the Public Utility Code (the Code). The Application included a request the Commission approve certain municipal contracts, between Aqua PA and GWA, pursuant to Section 507 of the Code.

On June 5, 2025, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention and Public Statement as well as a Notice of Appearance for Rebecca Lytle, Esquire.

On June 9, 2025, the Office of Consumer Advocate (OCA) filed a Protest to the Application and Notice of Appearance for Harrison W. Breitman, Esquire and Katherine Kennedy, Esquire.

On June 10, 2025, the Bureau of Investigation and Enforcement (BIE) filed a Notice of Appearance for Carrie B. Wright, Esquire.

On June 30, 2025, the Commission issued the Secretarial Letter which, *inter alia*, conditionally accepted the Application for filing and directed Aqua PA to serve copies of the Application upon designated entities, to provide individualized notice to affected customers and to publish notice of the filing of the Application in a newspaper of general circulation. Aqua complied with the requirements of the conditional acceptance letter.

On July 9, 2025, the Borough of Greenville (Greenville) filed its Petition to Intervene.

On July 9, 2025, the Greenville Municipal Water Authority of the Borough of Greenville (GWA) filed its Petition to Intervene.

On August 11, 2025, the Commission issued the Secretarial Letter by which the Commission informed Aqua PA that the Commission had accepted the Application for filing.

This matter was assigned to the Office of Administrative Law Judge (OALJ) for disposition and Administrative Law Judge Katrina Dunderdale (ALJ Dunderdale) was assigned to preside over the proceeding. On August 12, 2025, the OALJ issued a Call-In Telephonic Prehearing Conference Notice scheduling the prehearing conference for September 10, 2025. On September 13, 2025, the presiding officer issued a Prehearing Conference Order which indicated the issues to be addressed at the Prehearing Conference and directed the parties to file prehearing memoranda on or before September 9, 2025.

On September 8, 2025, Aqua PA filed its Petition for Protective Order.

The following parties submitted Prehearing Conference Memorandums, as directed by the Prehearing Conference Order on or before September 9, 2025: Aqua PA, Greenville Borough, OCA, BIE, and OSBA.

On September 10, 2025, the presiding officer conducted the prehearing conference at which the following parties participated: Aqua PA, Greenville, BIE, OCA, and OSBA. This Prehearing Order sets forth the procedural matters addressed at the prehearing conference.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Petition to Intervene of Greenville Municipal Water Authority of the Borough of Greenville is granted.
2. That the Petition to Intervene of the Borough of Greenville is granted.

3. That pursuant to 52 Pa.Code § 1.55, each party shall be limited to one entry on the Commission's service list, although there can be more than one name listed. The parties may arrange service amongst themselves as they agree.

4. That the parties should serve documents electronically by 4:00 p.m. to meet any required due date.

5. That the parties of record as of this date are Aqua PA, Greenville, BIE, OCA, and OSBA, as reflected in the service list attached, plus the intervenors, Greenville Municipal Water Authority and the Borough of Greenville. Any changes or corrections should be communicated to the presiding officer, via e-mail (kdunderdal@pa.gov) as soon as possible. Please include the legal assistant, Ms. Kayla Loukas (kloukas@pa.gov) on anything sent to the presiding officer.

6. That discovery conducted prior to the date rebuttal testimony is due (**September 26, 2025**), should be conducted according to the Commission's rules and regulations (52 Pa.Code § 5.321 et seq), and be subject to the following modifications:

a. Answers to written interrogatories shall be served in-hand within ten (10) calendar days of service.

b. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within three (3) calendar days of service of the interrogatories, while unresolved objections shall be served in writing to the propounding party within five (5) calendar days of service of the interrogatories and/or requests for production.

c. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within five (5) business days of service of the written objections.

d. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) business days of service of such motions.

e. Requests for admissions will be deemed admitted unless answered within ten (10) calendar days of service or objected to within five (5) calendar days.

f. Answers to on-the-record data requests shall be served in-hand within five (5) calendar days of the requests.

g. Discovery and all discovery-related pleadings, such as objections, motions, or answers, served after 4:00 p.m. on a Monday through Thursday, after 12:00 noon on a Friday or after 12:00 noon on the day before a holiday recognized by the Commission, will be deemed to have been served on the following business day for purposes of tracking due dates for any responsive filing.

7. That discovery conducted **after** the date rebuttal testimony is due (**September 26, 2025**), should be conducted according to the Commission's rules and regulations (52 Pa.Code § 5.321 et seq), and be subject to the following modifications:

a. Answers to written interrogatories shall be served in-hand within five (5) calendar days of service.

b. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within two (2) calendar days of service of the interrogatories, while unresolved objections shall be served in writing to the propounding party within three (3) calendar days of service of the interrogatories and/or requests for production.

c. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) business days of service of the written objections.

d. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) business days of service of such motions.

e. Requests for admissions will be deemed admitted unless answered within three (3) calendar days of service.

f. Discovery and all discovery-related pleadings, such as objections, motions, or answers, served after 4:00 p.m. on a Monday through Thursday, after 12:00 noon on a Friday or after 12:00 noon on the day before a holiday recognized by the Commission, will be deemed to have been served on the following business day for purposes of tracking due dates for any responsive filing.

8. That the parties are directed to make every reasonable effort to comply with these discovery response times. In those instances when compliance is not possible, despite a party's best efforts, the responding party shall so advise and the parties shall work together to address the requests and responses on a timely basis

9. That the following schedule is adopted:

Public input hearings	On September 18, 2025, at 1:00 p.m. and 6:00 p.m., in Greenville, PA
Direct testimony of Other Parties	September 19, 2025
Rebuttal Testimony	September 26, 2025
Surrebuttal Testimony	October 3, 2025
Rejoinder Testimony	October 7, 2025

Evidentiary hearings	October 9 and October 10, 2025
Receipt of transcript	October 14, 2025
Main Briefs	October 28, 2025
Reply Briefs	November 4, 2025
Recommended Decision	December 5, 2025
Public meeting	January 29, 2026

10. That the presiding officer will conduct the evidentiary hearings in the Commission’s hearing room in Harrisburg, PA, on October 9 and 10, 2025.

11. That any motions with respect to, or objections to, written testimony must be presented in writing no later than three days prior to the day that the witness sponsoring that testimony is scheduled to testify. Answers to such motions or objections may be filed within three days or sooner if circumstances warrant. Oral motions, other than for good cause, shall not be accepted.

12. That in accordance with the schedule set forth above, main briefs must be filed with the Secretary of the Commission and received in-hand by all parties no later than 4:00 p.m. on **Tuesday, October 28, 2025**, and reply briefs must be filed with the Secretary of the Commission and received in-hand by all parties no later than 4:00 p.m. on **Tuesday, November 4, 2025**.

13. That an original copy of all main briefs must be filed with the Secretary, in accordance with 52 Pa.Code § 5.502(b), and one copy served on the presiding officer and the other parties no later than 4:00 p.m. on **Tuesday, October 28, 2025**, and filing of an original copy of all reply briefs must be filed with the Secretary and one copy served on the presiding officer and the other parties no later than 4:00 p.m. on **Tuesday, November 4, 2025**. Service

can be made electronically.¹ 52 Pa.Code § 5.501(e) requires that “[b]riefs shall be as concise as possible.”

14. That the parties are to confer amongst themselves in an attempt to resolve all or some of the issues associated with this proceeding. The parties are reminded it is the Commission’s policy to encourage settlements. 52 Pa.Code §5.231(a). The parties are strongly urged to seriously explore this possibility. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served on the presiding officer.

15. That the parties shall comply with the procedural rules and regulations discussed herein.

Date: September 22, 2025

/s/
Katrina L. Dunderdale
Administrative Law Judge

¹ Parties are directed to e-mail a copy of their as-filed briefs in a WORD-formatted document in addition to a compatible PDF format to the ALJ. The format of the briefs served electronically on the parties may be as requested by the parties.

A-2024-3049015 - APPLICATION OF AQUA PENNSYLVANIA, INC., PURSUANT TO SECTIONS 1102 AND 1329 OF THE PUBLIC UTILITY CODE FOR: (1) APPROVAL OF ITS ACQUISITION OF THE WATER SYSTEM ASSETS OF THE GREENVILLE MUNICIPAL WATER AUTHORITY SITUATED WITHIN THE BOROUGH OF GREENVILLE, HEMPFIELD TOWNSHIP, AND WEST SALEM TOWNSHIP, MERCER COUNTY, PENNSYLVANIA; (2) APPROVAL OF THE RIGHT TO BEGIN TO OFFER, RENDER, FURNISH AND SUPPLY WATER SERVICE TO THE PUBLIC IN THE BOROUGH OF GREENVILLE, HEMPFIELD TOWNSHIP, AND WEST SALEM TOWNSHIP, MERCER COUNTY, PENNSYLVANIA; AND (3) AN ORDER APPROVING THE ACQUISITION THAT INCLUDES THE RATEMAKING RATE BASE OF THE 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 PENNSYLVANIA, INC., AND THE MUNICIPAL AUTHORITY OF THE BOROUGH OF GREENVILLE, PURSUANT TO SECTION 507 OF THE PUBLIC UTILITY CODE.

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