

COMMONWEALTH OF PENNSYLVANIA



DARRYL A. LAWRENCE
Consumer Advocate

OFFICE OF CONSUMER ADVOCATE
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
(800) 684-6560

 @pa_oca
 /pennoca
FAX (717) 783-7152
consumer@paoca.org
www.oca.pa.gov

November 21, 2025

Via Electronic Filing

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

Re: Pennsylvania Public Utility Commission
v.
Pennsylvania-American Water Company
Docket Nos. R-2025-3057983 (W)
R-2025-3058051 (WW)

Dear Secretary Homsher:

Attached for electronic filing, please find the Office of Consumer Advocate's Formal Complaint and Public Statement in this proceeding.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Olivia M. Spergel
Olivia M. Spergel, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 337929
E-Mail: OSpergel@paoca.org

Enclosures

cc: The Honorable Charles E. Rainey, Jr. (Email Only: crainey@pa.gov)
Office of Special Assistants (Email Only: ra-OSA@pa.gov)
Paul Diskin, TUS (Email Only: pdiskin@pa.gov)
Daniel Searfoorce, TUS (Email Only: dsearfoorc@pa.gov)
Sean Donnely, TUS (Email Only: sdonnelly@pa.gov)
Paul Zander, TUS (Email Only: pzander@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission :
 :
 v. : Docket Nos. R-2025-3057983 (W)
 : R-2025-3058051 (WW)
 Pennsylvania-American Water Company :
 :

I hereby certify that I have this day filed electronically on the Commission’s electronic filing system and served a true copy of the following document, the Office of Consumer Advocate’s Formal Complaint and Public Statement, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 21st day of November 2025.

SERVICE BY E-MAIL ONLY

Elizabeth Rose Triscari, Esq.
Teresa K. Harrold, Esq.
Erin K. Fure, Esq.
Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055
elizabeth.triscari@amwater.com
teresa.harrold@amwater.com
erin.fure@amwater.com
Counsel for PAWC

Kenneth M. Kulak, Esq.
Mark Lazaroff, Esq.
Catherine Vasudevan, Esq.
Brooke E. McGlinn, Esq.
2222 Market Street
Philadelphia, PA 19103-3007
ken.kulak@morganlewis.com
mark.lazaroff@morganlewis.com
catherine.vasudevan@morganlewis.com
brooke.mcglinn@morganlewis.com
Counsel for PAWC

Rebecca Lyttle, Esq.
Steven C. Gray, Esq.
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
relyttle@pa.gov
sgray@pa.gov
Counsel for OSBA

Alison Kaster, Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
akaster@pa.gov
Counsel for I&E

Counsel for:
Darryl A. Lawrence
Consumer Advocate

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: 717-783-5048
Fax: 717-783-7152

Dated: November 21, 2025

/s/ Olivia M. Spergel
Olivia M. Spergel, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 337929
E-Mail: OSpergel@paoca.org

Harrison W. Breitman, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 320580
E-Mail: HBreitman@paoca.org

Ryan Morden, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 335679
E-Mail: RMorden@paoca.org

Janna E. Williams, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 319584
E-Mail: JWilliams@paoca.org

Johnathan M. Longhurst, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 338157
E-Mail: JLonghurst@paoca.org
E-Mail: OCAPAWC2025@paoca.org

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FORMAL COMPLAINT

1. COMPLAINANT INFORMATION

Darryl A. Lawrence, Consumer Advocate

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Dauphin County

Phone: 717-783-5048

2. FULL NAME OF UTILITY COMPANY:

Pennsylvania-American Water Company
Docket No. R-2025-3057983 (Water)
Docket No. R-2025-3058051 (Wastewater)

3. TYPE OF UTILITY:

Water and Wastewater

4. COMPLAINT:

A. On November 14, 2025, Pennsylvania-American Water Company (PAWC or the Company) filed Supplement No. 58 to Tarriff Water – PA P.U.C. No. 5 and Supplement No. 61 to Tariff Wastewater – PA P.U.C. No. 16 to become effective January 13, 2026. A full suspension by the Public Utility Commission (Commission) would delay the increase until August 13, 2026. Through these filings, PAWC requests that the Commission approve general distribution rate increases to its water and wastewater rates pursuant to sections 1308, 1311(c), and 1330 of the Public Utility Code. 66 Pa. C.S. §§ 1308, 1311(c), and 1330. PAWC's proposed tariffs would increase the Company's total annual operating revenues by approximately \$168.7 million (\$152.4 million for water and \$16.3 million for wastewater), or 14.6% overall, based on a fully projected future test year (FPFTY) ending June 30, 2027.

B. PAWC currently serves approximately 687,000 water customers located in 38 counties and 114,900 wastewater customers located in 18 counties across Pennsylvania.

- C. The Company provides water service in portions of Adams, Allegheny, Armstrong, Beaver, Berks, Bucks, Butler, Centre, Chester, Clarion, Clearfield, Clinton, Columbia, Cumberland, Dauphin, Fayette, Greene, Indiana, Jefferson, Lackawanna, Lancaster, Lawrence, Lebanon, Luzerne, McKean, Monroe, Montgomery, Northampton, Northumberland, Pike, Schuylkill, Susquehanna, Union, Warren, Washington, Wayne, Wyoming, and York Counties.
- D. The Company also provides wastewater service in portions of Adams, Allegheny, Beaver, Berks, Butler, Chester, Clarion, Cumberland, Lackawanna, Lancaster, Luzerne, McKean, Monroe, Montgomery, Northumberland, Pike, Washington, and York Counties.
- E. According to the customer notices included in PAWC’s filing, a residential water customer using 3,263 gallons per month would see the following changes to their monthly bill as provided below:

Water Bills for Residential Customers Based on 3,263 gallons per month usage					
Current Rate Zone	Service Area	Present Rate	Proposed Rate	\$ Increase	% Increase
1	All except as designated	\$81.55	\$95.27	\$13.72	16.8%
2	Valley	\$73.26	\$95.27	\$22.01	30%
3	Turbotville	\$81.55	\$95.27	\$13.72	16.8%
4	Farmington	\$67.50	\$95.27	\$27.77	41.1%
5	East Dunkard	\$77.79	\$95.27	\$17.48	22.5%
6	Audubon	\$44.92	\$58.35	\$13.43	29.9%
7	Manwalamink	\$27.85	\$30.58	\$2.73	9.8%
8	Appalachian	\$36.08	\$45.81	\$9.73	27%
9	Corner	\$42.93	\$55.11	\$12.18	28.4%

A residential wastewater customer using 3,164 gallons per month would see the following estimated changes to their monthly bill as provided by Zone:

Wastewater Bills for Residential Customers Based on 3,164 gallons per month usage					
Current Rate Zone	Service Area	Present Rate	Proposed Rate	\$ Increase	% Increase
1	All except as designated	\$109.50	\$119.50	\$10	9.1%
1a	Royersford	\$60.34	\$84.34	\$24	39.8%
1b	York	\$65	\$91.29	\$26.29	40.4%
1c	Foster Township	\$111.06	\$120	\$8.94	8%
1d	Butler	\$45.94	\$70.81	\$24.87	54%
1e	Sadsbury	\$128.33	\$128.33	-----	-----
1f	Farmington	\$53.50	\$74.88	\$21.38	40%
1g	Manwalamink	\$37.77	\$41.51	\$3.74	9.9%
2	Kane, McKeesport	\$103.62	\$124.16	\$20.54	19.8%
2a	Scranton	\$103.62	\$103.62	-----	-----
2b	Elizabeth Borough	\$60.31	\$77.44	\$17.13	28.4%

- F.** The OCA is investigating the basis for, and calculation of, estimated bill increases and decreases to ensure that they are consistent with applicable standards and will produce just and reasonable rates.

- G.** The proposed rate changes noted above do not reflect the changes that will be experienced by all customers; rather they only reflect changes for customers using what PAWC has asserted is the “typical” usage for residential customers. In the OCA’s experience, the increases reflected above (and on the notices sent to customers) often underestimate the impact of the rate increase for many customers. The projected impact for residential, commercial, industrial, and other classes of customers (including customers charged flat rates) at all usage levels, can be found in Exhibits 10-A through 10-E of the Company’s filing.

H. The Company proposes to consolidate certain rate zones for water and wastewater. For water customers, the Company proposes to move Rate Zones 2, 3, 4, and 5 to Rate Zone 1 rates and to move Rate Zones 6, 7, 8 and 9 toward Zone 1 rates and rate structures. This would increase customer service charges for the majority of residential PAWC water customers by \$1.20 per month (6.4% increase) and the customer consumption charge to \$2.3069 per 100 gallons per month (22.9% to 76.1% increase). PAWC's proposed customer service charge increases are likely unjust and unreasonable.

Water Residential Customers Customer Charge for Metered Usage									
Current Rate Zone	Service Area	Current		Proposed		Fixed		Consumption	
		Fixed Service Charge*	Consumption Charge (per 100 gallons)	Fixed Service Charge*	Consumption Charge (per 100 gallons)	\$ Increase	% Increase	\$ Increase	% Increase
1	All except as designated	\$18.80	\$1.8772	\$20	\$2.3069	\$1.20	6.4%	\$0.4297	22.9%
2	Valley	\$18.80	\$1.6276	\$20	\$2.3069	\$1.20	6.4%	\$0.6793	41.7%
3	Turbotville	\$18.80	\$1.8772	\$20	\$2.3069	\$1.20	6.4%	\$0.4297	22.9%
4	Farmington	\$67.50	-----	\$20	\$2.3069	-\$47.50	-\$70.4%	\$2.3069	-----
5	East Dunkard	\$35.04	\$1.3100	\$20	\$2.3069	-\$15.04	-\$42.9%	\$0.9969	76.1%
6	Audubon	\$16.80	\$0.8619	\$20	\$1.1754	\$3.20	19%	\$0.3135	36.4%
7	Manwalamink	\$8.89	\$0.5810	\$9.75	\$0.6385	\$0.86	9.7%	\$0.0575	9.9%
8	Appalachian	\$11.28	\$0.7600	\$14.70	\$0.9534	\$3.42	30.3%	\$0.1934	25.4%
9	Corner	\$16.88	-----	\$20	\$0.3493	\$3.12	18.5%	\$0.3493	-----

*For 5/8-inch meter size

- I.** Additionally, the Company proposes to consolidate and restructure rate zones for wastewater by moving Rate Zone 1c to Zone 1 rates and moving Rate Zones 1a, 1b, 1f, and 1g toward Rate Zone 1 rates and rate structures. The Company also proposes a fixed charge of \$20 for all residential wastewater customers. This would increase fixed customer charges for the majority of residential PAWC wastewater customers by \$5 per month (33.3% increase), from the current rate of \$15, a rate increase the OCA contends is likely unjust and unreasonable.

Wastewater Residential Customers Customer Charge for Metered Usage									
Current Rate Zone	Service Area	Present Service Charge	Proposed Service Charge	Present Usage Charge (per 100 gallons)	Proposed Usage Charge (per 100 gallons)	Service		Usage	
						\$ Increase	% Increase	\$ Increase	% Increase
1*	All except as designated	\$15	\$20	\$2.9539	\$3.1446	\$5	33.3%	\$0.1907	6.5%
1a	Royersford	\$15	\$20	\$1.4150	\$2.0334	\$5	33.3%	\$0.6164	43.7%
1b	York	\$15	\$20	\$0.7500	\$1.7345	\$5	33.3%	\$0.9845	131.3%
1c	Foster Township	-----	-----	-----	-----	-----	-----	-----	-----
1d	Butler	-----	\$20	-----	\$1.6058	-----	-----	-----	-----
1e	Sadsbury	-----	-----	-----	-----	-----	-----	-----	-----
1f	Farmington	-----	\$20	-----	\$1.7345	-----	-----	-----	-----
1g	Manwalamink	\$16.92	\$18.60	\$0.6590	\$0.7240	\$1.68	9.9%	\$0.0650	9.9%
2 (CSS)	McKeesport and Kane (CSS)	\$20	\$25	\$2.6117	\$3.1340	\$5	25%	\$0.5223	20%
2a**	Scranton (CSS)	\$20	\$20.19	\$2.6117	\$2.6368	\$0.19	1%	\$0.0251	1%
2b**	Elizabeth	\$35	\$35	\$0.8000	\$1.3412	-----	-----	\$0.5412	67.7%

*Present Service Charges are per EDU, proposed are per customer
**Present and proposed are per EDU

- J.** Of the total proposed water revenue increase, the Company proposes to allocate the costs inclusive of the proposed Act 11 shift among customer classes as follows: 68.4% residential customers, 22.3% commercial customers, 3.3% industrial customers, and 1.2% public customers. Based on the Company's proposed allocation of revenue, the Company proposes a total revenue increase of 16.9% for residential customers, 15.2% for commercial customers, 11.9% for industrial customers, and 7.5% for public customers. Exhibit 10-A, Page 1 of 104.
- K.** Of the total proposed wastewater revenue increase, the Company proposes to allocate the costs after the proposed Act 11 shift among customer classes as follows: 69.7% residential customers, 23.6% commercial customers, 1.5% industrial customers, and 3.4% public customers. Based on the Company's proposed

allocation of revenue, the Company proposes an increase of 9.3% for residential customers, a 7.6% increase for commercial customers, a 4.7% increase for industrial customers, and a 15% increase for public customers. Exhibit 10-B, Page 1 of 74; Exhibit 10-C, Page 1 of 24; Exhibit 10-D, Page 1 of 17; Exhibit 10-E, Page 1 of 4.

- L.** PAWC proposes to shift approximately \$53 million dollars of wastewater revenue requirement onto water customers pursuant to 66 Pa C.S. 1311(c). Significantly, PAWC proposes to assign \$38.6 million of the shifted wastewater revenue requirement, or approximately 73% of it, to residential water customers. Such a shift must be examined closely to ensure that water customers, who may or may not be wastewater customers, are not unjustly burdened by wastewater revenue requirements. The OCA submits that the Company's proposed Act 11 shift must be closely scrutinized to determine whether it is in the public interest and will result in rates that are just, reasonable, and non-discriminatory. 66 Pa. C.S. §§ 1301, 1304, 1311(c).
- M.** For ratemaking purposes, PAWC proposes a return on equity of 10.95% resulting in overall rates of return of 8.23% for water operations and 7.75% for wastewater operations. The request for a 10.95% return on equity includes the Company's request for recognition of its claimed exemplary managerial performance. The Company also proposes to utilize an equity rich capital ratio of 55.3% common equity and 44.7% debt for ratemaking purposes.
- N.** The proposed rates of return appear to be excessive and, if accepted, would result in rates that are unjust and unreasonable in violation of chapter 13 of the Pennsylvania Public Utility Code, 66 Pa. C.S. Section 1301, *et seq.*, sound ratemaking principles, and public policy. The proposed capital structure is also likely to be found to be excessive and, if adopted, would result in rates that are unjust and unreasonable in violation of Chapter 13 of the Pennsylvania Public Utility Code, 66 Pa. C.S. Section 1301, *et seq.*, sound ratemaking principles, and public policy.
- O.** For the depreciation study, PAWC used the straight-line remaining life method of depreciation. The Company used the Equal Life Group (ELG) procedure for all depreciable accounts and installation years of water and wastewater plants. The Company proposes that wastewater operations be consolidated and studied together in the next rate case to produce a common depreciation rate by account for all wastewater operations. This depreciation procedure is or may be unjust and unreasonable and otherwise may be contrary to sound ratemaking principles and public policy.

- P.** PAWC proposes to change the methodology of calculating base rates for wastewater metered customers from setting rates per each Equivalent Dwelling Unit (EDU) to setting rates per customer plus the customer's usage volumes. In Wastewater Zone 1, the rate structure for metered customers would change from adding a Service Charge per EDU to the Volumetric Charge to adding a Service Charge per customer to the Volumetric Charge. In Wastewater Rate Zones 1d (Butler) and 1f (Farmington), the rate structure for metered customers would change from a Flat Rate per EDU to adding a Service Charge per Customer to a Volumetric Charge. The OCA will review this proposal to determine if it meets all legal requirements and sound ratemaking principles.
- Q.** PAWC proposes a wastewater rate design, called a deduct adjustment, where a wastewater customer's monthly bill during the summer months will be based on the customer's average winter consumption rather than the customer's actual water consumption during the summer months. The Company states that the purpose of this proposed change is to accommodate customers that have high seasonal outdoor water usage where such water usage does not get collected in the wastewater system, e.g., filling a swimming pool or watering a lawn. The OCA is concerned that this rate design may increase average wastewater rates for low-income residential customers while decreasing average wastewater rates for higher income residential customers. This rate design proposal is or may be unjust, unreasonable, and in violation of law; may be contrary to the provisions of prior Commission-approved settlements and orders; and otherwise, may be contrary to sound ratemaking principles and public policy.
- R.** PAWC proposes a new surcharge/surcredit called the Customer Assistance Program (CAP) Rider. The CAP rider would apply to both water and wastewater service under separate tariffs. The CAP rider would recover between rate cases, with limited Commission oversight or review, the costs incurred by the company to administer and promote the Company's CAPs. If PAWC's actual CAP costs are lower than the amount collected from rates, the Company will credit the difference back to customers. The CAP rider will only be collected from and allocated to residential customers. Through the CAP rider proposal, the Company requests that it be granted automatic recovery of all costs related to the Company's CAPs. The proposed CAP rider is or may be unjust, unreasonable, and in violation of law; may be contrary to the provisions of prior Commission-approved settlements and orders; and otherwise, may be contrary to sound ratemaking principles and public policy.
- S.** PAWC proposes two wastewater riders for industrial (Rider DIS) and governmental (Rider DGS) customers that would enable PAWC to offer negotiated wastewater rates. Through these riders, PAWC would be given more flexibility in offering rates to attract or retain certain types of large customers. The OCA will review this

proposal to determine if it meets all legal requirements and sound ratemaking principles.

- T. The Company requests Commission approval of deferred accounting treatment for pension and OPEB expenses to reflect differences that occur between base rate cases in the annual amount of pension/OPEB accounts reflected in base rates and the actual annual amount of pension/OPEB accounts expense the Company incurs. The OCA will review this proposal to determine if it meets all legal requirements and sound ratemaking principles.
- U. The Company proposes to consolidate Water Service Discounts so that the same percentage discount will apply to both fixed and volumetric charges for each tier. The proposed consolidated discount percentages are lower than the current fixed charge discount percentages, but higher than the current volumetric charge discount percentages. The OCA is concerned that the proposed consolidated discount percentages will decrease discounts for customers who use a lower volume of water, and that it will lead to a decrease in overall savings for residential customers. The proposed consolidation of water service discounts is or may be unjust, unreasonable, and in violation of law; may be contrary to the provisions of prior Commission-approved settlements and orders; and otherwise, may be contrary to sound ratemaking principles and public policy.
- V. A preliminary examination of the Company's general rate increase request indicates that the rates requested, including specific elements of its request, for example, but not limited to, the inclusion of certain plant in rate base, expense claims, rate of return, proposed Act 11 shift, revenue allocation, proposed customer charges, and proposed rate design, may not be just and reasonable and otherwise may be in violation of the law.
- W. Whether rates are just and reasonable is inextricably intertwined with the quality of service provided. *Nat'l Utils. v. Pa. PUC*, 709 A.2d 972, 973 (Pa. Cmwlth. 1998). Therefore, all issues pertaining to the adequacy and reasonableness of a utility's service and facilities are relevant to whether a utility's existing or proposed rates are just and reasonable. 66 Pa. C.S. §§ 1301, 1501.
- X. The Consumer Advocate is empowered to represent the interests of consumers before the Pennsylvania Public Utility Commission, pursuant to Act 161 of the General Assembly, as amended, 71 P.S. §§ 309-1, *et seq.*
- Y. In reaching a decision on whether to grant PAWC's rate increase as well as its various rule and tariff changes, the Public Utility Commission must give "due consideration to the interests of consumers." 71 Pa. Stat. Ann. §309-5(2).

Z. A preliminary examination of the Company's filed Supplement No. 58 to Tarriff Water – PA P.U.C. No. 5, Supplement No. 61 to Tariff Wastewater – PA P.U.C. No. 16, and request for a general rate increase indicates that:

1. The proposed changes and increase in rates, proposed rate schedule modifications and transfers, and proposed changes in rate policy, rules and regulations contained in the proposed Tariff may be unjust, unreasonable, in violation of the law and may produce an excessive return on investment in violation of the Public Utility Code, 66 Pa. C.S. Section 1301, *et seq.*;
2. The proposed tariff changes and proposed rate structure and rate design may be unlawfully discriminatory, in violation of the Public Utility Code, 66 Pa. C.S. Sections 1301 and 1304, *et seq.*, and are otherwise contrary to sound ratemaking principles and public policy;
3. The Company's existing rates, rules, and regulations may not be just and reasonable or otherwise proper under the Public Utility Code and applicable ratemaking principles. 66 Pa. C.S. § 1301 *et seq.*;
4. The character of service and facilities furnished and maintained by the Company may not be adequate, efficient, safe, reasonable, reasonably continuous, or without unreasonable interruptions or delay, in violation of Section 1501 of the Public Utility Code. 66 Pa. C.S. § 1501. The character of service and facilities may not be in conformity with Commission regulations or orders. 66 Pa. C.S. § 1501. Additionally, the Company may have failed to make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public. 66 Pa. C.S. § 1501.

AA. The Consumer Advocate files this Complaint to ensure that the Commission will fully and fairly adjudicate issues pertaining to whether the Company's (1) existing and proposed rates are just, reasonable, and are not unduly discriminatory or otherwise unlawful, and (2) service and facilities are adequate, efficient, safe, reasonable, reasonably continuous, without unreasonable interruptions or delay, and in conformity with Commission regulations and orders.

5. RELIEF

The Consumer Advocate respectfully requests that the Commission take the following actions:

- A.** Suspend and investigate the operation of the proposed tariff supplements, Pennsylvania-American Water Company filed Supplement No. 58 to Tarriff Water – PA P.U.C. No. 5 and Supplement No. 61 to Tariff Wastewater – PA P.U.C. No. 16 pursuant to Section 1308(d) of the Public Utility Code. 66 Pa. C.S. §1308(d);

- B.** Enter a suspension order at the next scheduled Public Meeting following the date of this Complaint, which is December 4, 2025, in order to expedite this matter being assigned to the Office of Administrative Law Judge, which would allow the commencement of necessary procedural steps for purposes of developing a reasonable procedural schedule in which the parties may litigate;
- C.** Direct the Office of Administrative Law Judge to use the July 16, 2026, Public Meeting as the deadline for a final Commission determination in this matter and for purposes of setting a deadline for a Recommended Decision and developing a litigation schedule in this matter;
- D.** Consolidate all complaints filed against the proposed general rate increase request;
- E.** Ensure that PAWC has provided appropriate and adequate notice in accordance with the Public Utility Code and the Commission's Regulations;
- F.** Hold full evidentiary hearings examining the reasonableness of PAWC's current and proposed rates and its proposed increases;
- G.** After providing the public with adequate notice, and as early in the proceeding as possible, hold in-person public input hearings in the utility company's service territory, as well as by telephone or virtually, in order to provide customers with an opportunity to be heard on the record;
- H.** Deny the inclusion into rate base of any plant that is not reasonably projected to be used and useful within the FPFTY, deny any charges or changes contained in the proposal which would result in unjust and unreasonable rates, or cannot be fully justified by the Company, or otherwise are contrary to the Public Utility Code, sound ratemaking principles, and public policy;
- I.** Deny the proposed changes and increase in rates, proposed rate schedule modifications and transfers, proposed changes in rate policy or pilot programs, and proposed changes in rules and regulations contained in the proposed Tariff where the Commission finds they are not just and reasonable, unreasonably discriminatory, contrary to sound ratemaking principles, or inconsistent with or in violation of Commission regulations or orders. 66 Pa. C.S. §§ 1301, 1304;
- J.** After reasonable notice, as raised by consumer testimony in public input hearings or a party's written direct or supplemental direct testimony, and after hearing of the same, make findings as to whether the service or facilities of any public utility are unreasonable, unsafe, inadequate, insufficient, or unreasonably discriminatory, or otherwise in violation of the Public Utility Code. 66 Pa. C.S. § 1505(a);

- K.** Consider, in addition to all other relevant evidence of record, the efficiency, effectiveness and adequacy of service of each utility when determining just and reasonable rates. 66 Pa. C.S. § 523. On the basis of the Commission’s consideration of such evidence, give effect to it by making such adjustments to specific components of the utility’s claimed cost of service as it may determine to be proper and appropriate, on the basis of specific findings upon evidence of record, which findings shall be set forth explicitly, together with their underlying rationale, in the final order of the commission. 66 Pa. C.S. § 523;
- L.** Reject, in whole or in part, a public utility’s request to increase its rates where the Commission concludes, after hearing, that the service rendered by the public utility is inadequate in that it fails to meet quantity or quality for the type of service provided. 66 Pa. C.S. § 526;
- M.** Where the Commission finds that service or facilities of the public utility are unreasonable, unsafe, inadequate, insufficient, or unreasonably discriminatory, or otherwise in violation of the Public Utility Code, determine and prescribe, by regulation or order, the reasonable, safe, adequate, sufficient, service or facilities to be observed, furnished, enforced, or employed, including all such repairs, changes, alterations, extensions, substitutions, or improvements in facilities as shall be reasonably necessary and proper for the safety, accommodation, and convenience of the public. 66 Pa. C.S. § 1505(a); and
- N.** Grant such other relief that the Commission may deem appropriate.

6. VERIFICATION AND SIGNATURE

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

Darryl Lawrence
Signature

11-21-2025
Date

7. Legal Representation

Harrison W. Breitman, Esq., PA Attorney ID # 320580
 Ryan R. Morden, Esq., PA Attorney ID # 335679
 Janna E. Williams, Esq., PA Attorney ID # 319584
 Olivia M. Spergel, Esq., PA Attorney ID # 337929
 Johnathan M. Longhurst, Esq., PA Attorney ID # 338157

555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Dauphin County

Phone: 717-783-5048
E-mail: OCAPAWC2025@paoca.org

**PUBLIC STATEMENT OF THE OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)**

Act 161 of the Pennsylvania General Assembly, 71 Pa. C.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a Formal Complaint and participate in the proceedings before the Commission involving the proposed general rate increase by Pennsylvania-American Water Company, Inc. (PAWC or the Company).

On November 14, 2025, PAWC filed a general rate increase request seeking the Commission's approval to increase its overall operating revenue by approximately \$168.7 million per year, or 14.6%, over the amount of annual revenues at present rates. Under the Company's proposal, a residential water customer using 3,263 gallons of water a month would see an estimated monthly increase in their water bill ranging from 9.8% to 41.1%. A Residential wastewater customer using 3,164 gallons of water per month could see an estimated monthly increase in their wastewater bill ranging from 8% to 54%.

PAWC serves approximately 687,600 water customers in portions of 38 counties across Pennsylvania: Adams, Allegheny, Armstrong, Beaver, Berks, Bucks, Butler, Centre, Chester, Clarion, Clearfield, Clinton, Columbia, Cumberland, Dauphin, Fayette, Greene, Indiana, Jefferson, Lackawanna, Lancaster, Lawrence, Lebanon, Luzerne, McKean, Monroe, Montgomery, Northampton, Northumberland, Pike, Schuylkill, Susquehanna, Union, Warren, Washington, Wayne, Wyoming, and York Counties. The Company also provides wastewater service to approximately 114,900 customers in portions of Adams, Allegheny, Beaver, Berks, Butler, Chester, Clarion, Cumberland, Lackawanna, Lancaster, Luzerne, McKean, Monroe, Montgomery, Northumberland, Pike, Washington, and York Counties.

The objective of the Consumer Advocate in filing this complaint is to protect the interests of the Company's customers in paying just and reasonable rates and receiving adequate, efficient, safe, and reasonable utility service.

The Consumer Advocate will seek to ensure that the Company is permitted to implement only rates that are fully substantiated, just and reasonable, not unduly discriminatory, and otherwise consistent with the Public Utility Code, Commission regulations and orders, case law, and sound ratemaking principles. The Consumer Advocate submits that the Company's existing rates and its proposed rates may be unjust and unreasonable and other otherwise unlawful based upon information filed by the Company in support of its ratemaking claims and overall general rate increase request. 66 Pa. C.S. §§ 1301, 1304.

Additionally, the Consumer Advocate will seek to ensure that the character of utility service and facilities furnished and maintained by the Company are adequate, efficient, safe, reasonable, reasonably continuous, without unreasonable interruptions or delay, and in conformity with Commission regulations or orders. 66 Pa. C.S. § 1501. Where service or facilities are found to be inadequate, the Consumer Advocate will seek to ensure that the Commission consider such findings in granting or denying the requested rate relief, in whole or in part, and in determining and prescribing the character of service or facilities to be furnished or maintained by the Company. 66 Pa. C.S. §§ 523, 526, 1505(a).