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File #: 214162

March 9, 2026

***VIA ELECTRONIC FILING***

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Joint Application of American Water Works Company, Inc., Essential Utilities, Inc., Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc., Peoples Natural Gas Company, LLC, and Alpha Merger Sub, Inc., for a Certificate of Public Convenience under Sections 1102(a)(3) and 2210(c) of the Public Utility Code and All Other Necessary Approvals to Effect a Change of Control of Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc., and Peoples Natural Gas Company, LLC. Docket Nos. A-2025-3058927, 2025-3058928, A-2025-3058929**

Dear Secretary Homsher:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Corrected Answer of the Essential Utilities, Inc. f/k/a Aqua America, Inc. (“Essential”), Aqua Pennsylvania, Inc. (“Aqua PA”) and Aqua Pennsylvania Wastewater, Inc. (“Aqua PA WW”), and Peoples Natural Gas Company LLC (“Peoples”) (collectively, the “Essential Utilities Parties”), submitted to correct and replace the previously filed Answer that was filed on March 6, 2026, in response to the Petition to Intervene filed by Montgomery County (the “County”) in the above-referenced proceeding.

This corrected filing is submitted for the sole purpose of removing references to Alpha Merger Sub, Inc. (“Merger Sub”) as a party to the Answer and clarifying that all such references should instead be to the Essential Utilities Parties. No other changes have been made to the substance of the previously filed Answer. American Water Works, Inc. and Merger Sub do not oppose the Intervention.

Should you have any questions, please feel free to contact the undersigned. Copies will be provided as indicated on the Certificate of Service.

Respectfully Submitted,



ALLENTOWN HARRISBURG LANCASTER MOUNT LAUREL PHILADELPHIA PITTSBURGH WASHINGTON, D.C. WILMINGTON

A PENNSYLVANIA PROFESSIONAL CORPORATION

Matthew L. Homsher, Secretary  
March 9, 2026  
Page 2

Garrett P. Lent

GPL/tjc

Attachment

cc: The Honorable Emily I. DeVoe (*via email w/attachment*)  
The Honorable Ann Quimby (*via email w/attachment*)  
Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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Date: March 9, 2026



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Garrett Lent

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of American Water	:	
Works Company, Inc., Essential Utilities,	:	
Inc., Aqua Pennsylvania, Inc., Aqua	:	
Pennsylvania Wastewater, Inc., Peoples	:	Docket No. A-2025-3058927
Natural Gas Company LLC, and Alpha	:	A-2025-3058928
Merger Sub, Inc. for a Certificate of	:	A-2025-3058929
Public Convenience under Sections	:	
1102(a)(3) and 2210(c) of the Public	:	
Utility Code and All Other Necessary	:	
Approvals to Effect a Change of Control	:	
of Aqua Pennsylvania, Inc., Aqua	:	
Pennsylvania Wastewater, Inc., and	:	
Peoples Natural Gas Company LLC	:	

**ANSWER OF ESSENTIAL UTILITIES, INC., AQUA PENNSYLVANIA, INC., AQUA  
PENNSYLVANIA WASTEWATER, INC., AND  
PEOPLES NATURAL GAS COMPANY LLC TO THE PETITION TO INTERVENE OF  
MONTGOMERY COUNTY**

**I. INTRODUCTION AND OVERVIEW**

Pursuant to the 52 Pa. Code § 5.66, Essential Utilities, Inc. f/k/a Aqua America, Inc. (“Essential”),<sup>1</sup> Aqua Pennsylvania, Inc. (“Aqua PA”) and Aqua Pennsylvania Wastewater, Inc. (“Aqua PA WW”),<sup>2</sup> and Peoples Natural Gas Company LLC (“Peoples”) (collectively, the “Essential Utilities Parties”) submit this Answer to the Petition to Intervene (the “Petition”) of Montgomery County (the “County”) in the above-referenced proceedings. Specifically, the County has failed to allege good cause for its intervention out of time because it has not alleged that it was unaware of this proceeding. In support thereof, the Essential Utilities Parties state as follows:

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<sup>1</sup> Aqua America, Inc. changed its name to Essential Utilities, Inc. on February 3, 2020 following its acquisition of Peoples.

<sup>2</sup> Unless otherwise specified herein, references to Aqua PA also include Aqua PA WW, which is a wholly-owned subsidiary of Aqua PA.

## II. ANSWER TO SPECIFIC AVERMENTS

1. Admitted.
2. Denied as stated. It is admitted that Aqua PA, and Pennsylvania American Water Company (“PAWC”) provide water services to the County’s residents. It is also admitted that Essential’s headquarters are located in the County.
3. Denied. It is denied that the County’s alleged interest in ensuring that the residents who are currently customers of Aqua PA and PAWC “retain the same benefits and protections provided for by their current service” gives rise to an “interest” in the instant merger proceeding that satisfies the minimum requirements of 52 Pa. Code § 5.72(a)(2) for the Commission to authorize intervention. This averment amounts to no more than a general interest in compliance with the law, which is insufficient to convey a direct, immediate, and substantial interest in the subject matter of a proceeding.<sup>3</sup>
4. Denied. The averments of Paragraph No. 4 seek to characterize the Commission’s regulations at 52 Pa. Code § 5.72, which, as a written document, speaks for itself.
5. Denied. It is denied that the averments of Paragraph 5 constitute “due case” for intervention in this proceeding. By way of further response, I&E, the OCA, and the OSBA are actively participating in this case<sup>4</sup> and adequately represent the interests of customers regarding any potential impacts of the Merger on rates and service. Accordingly, the County has no interest in this proceeding sufficient to warrant granting its Petition.

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<sup>3</sup> *Supply Water Serv. to the Pub. in Additional Territory in Portions of New Garden Twp., Chester Cty., Pennsylvania*, A-2014-2451241, 2015 WL 1976284, at \*9 (Apr. 22, 2015) (citing *Ken R. ex rel. C.R. v. Arthur Z.*, 682 A.2d 1267, 1270 (Pa. 1996); *In re El Rancho Grande, Inc.*, 437 A.2d 1150 (Pa. 1981); *William Penn Parking Garage, Inc. v. City of Pittsburgh*, 346 A.2d 269, 282-284 (Pa. 1975)).

<sup>4</sup> The OCA filed a Notice of Appearance and Protest on December 15, 2016, the OSBA filed a Notice of Intervention on December 16, 2025, and I&E filed a Notice of Appearance on January 7, 2026.

6. The allegations of Paragraph No. 6 are conclusions of law to which no response is required and, therefore, are denied as stated.

7. Denied. The averments of Paragraph No. 7 are denied for the reasons set forth in Paragraph Nos. 3 and 5 above, which are incorporated herein by reference.

8. The Essential Utilities Parties are without knowledge or information sufficient to form a belief as to the allegations of Paragraph No. 8 and, therefore, deny those allegations and demand proof thereof, if deemed relevant.

9. Admitted in part and denied in part. It is denied that the County has alleged good cause for allowing it to intervene out of time in this proceeding. By way of further response, the County's alleged basis for intervening out of time is that there were "delays in getting the necessary authority to seek to intervene."<sup>5</sup> The Essential Utilities Parties are without knowledge or information sufficient to form a belief as to this allegation and, therefore, deny this allegation and demand proof thereof, if deemed relevant. The County does not, however, allege that it was unaware of the proceeding. It is admitted that counsel for Essential stated that the schedule proposed in this case permitted sufficient time for "individuals or entities that may come into the proceeding will still have sufficient time to develop discovery, develop testimony, if they so desire."<sup>6</sup> The Essential Utilities Parties did not state that they would not oppose *any* late-filed applications. In addition, the Administrative Law Judge Long explained that "I think the solution here is to simply be very - take a broad view of late interventions. If for some reason there is an entity that was not aware of it."<sup>7</sup> By way of further response, the Essential Utilities Parties are without knowledge or information sufficient to form a belief as to the remaining allegations of

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<sup>5</sup> Petition at ¶ 9.

<sup>6</sup> Tr. at 48-49.

<sup>7</sup> Tr. at 49.

Paragraph No. 9 and, therefore, deny those allegations and demand proof thereof, if deemed relevant.

**III. CONCLUSION**

**WHEREFORE**, for the foregoing reasons, the Essential Utilities Parties respectfully request that the Commission deny the petition to intervene filed by Montgomery County and reject all other relief requested therein.

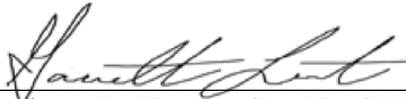
Respectfully submitted,

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Date: March 9, 2026

  
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