

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3057983
Office of Consumer Advocate	:	C-2025-3058806
Office of Small Business Advocate	:	C-2025-3058770
Rik Bhattacharyya	:	C-2025-3058701
Curran Mitchell	:	C-2025-3058705
Michael Leone	:	C-2025-3058733
Zachary Bugay	:	C-2025-3058769
Mary Naydan	:	C-2025-3058792
Brian Dugas	:	C-2025-3058818
David R. Hurlbrink	:	C-2025-3058843
Patricia A. Finley	:	C-2025-3058864
Connie Horhut	:	C-2025-3058873
William Balint	:	C-2025-3058984
Jay S. Croft	:	C-2025-3059030
Brooke Birckbichler	:	C-2025-3059057
Marc Wills and Angelia Koser	:	C-2025-3059143
Neil Allen Brown	:	C-2025-3059169
David and Lynn Griffith	:	C-2025-3059164
Jeffrey Reichart	:	C-2025-3059136
Keith Sauer	:	C-2025-3059144
CAUSE-PA	:	C-2025-3059141
Karen W. Harris	:	C-2025-3059042
Deanna Pilkerton	:	C-2025-3059154
Angela McCloy	:	C-2025-3059209
Paul Heiken	:	C-2025-3059211
John Arty	:	C-2025-3059254
Kevin Clinebell	:	C-2025-3059159
James C. Davies	:	C-2025-3059113
Christopher Cappuccitti	:	C-2025-3059093
Carolann Hunt	:	C-2025-3059080
David Dubos	:	C-2025-3059090
Ralf Neckien	:	C-2025-3059089
Amy Stalnecker	:	C-2025-3059188
Paul Walaski	:	C-2025-3059341
Mary Tanealian	:	C-2025-3059342
Scott Retalla	:	C-2025-3059302
Kathleen Schwartz	:	C-2025-3059350
Amanda Johnsen	:	C-2025-3059381
Larry and Irene Mistik	:	C-2025-3059421
Tacy M. Rutherford	:	C-2025-3059426
Felipe Ortiz	:	C-2025-3059452

Grace Nucciarone	:	C-2025-3059484
Violet B. Kern	:	C-2025-3059446
Jayne Fitzpatrick	:	C-2025-3059490
Mark Schlosser	:	C-2025-3059494
Thomas Ziman	:	C-2025-3059499
Wayne W. Hedrick	:	C-2025-3059501
Amity Township Board of Supervisors	:	C-2025-3059538
John Erbiecella	:	C-2025-3059507
John Messina	:	C-2025-3059527
Robert and Patricia Boni	:	C-2026-3059592
James B. Dworchak	:	C-2026-3059603
John P. Dolekary	:	C-2026-3059574
Dazhe Wang	:	C-2026-3059556
Shawn Cieniewicz	:	C-2026-3059631
Adam Thomas	:	C-2026-3059694
Michelle Kazar	:	C-2026-3059697
Naomi Conte	:	C-2026-3059647
Dana Ullmann	:	C-2026-3059695
Carla Seidel	:	C-2026-3059689
Michael Vallonio	:	C-2026-3059710
Alicia W. Shussett	:	C-2026-3059712
Heather Zeh	:	C-2026-3059716
Shaun Keperling	:	C-2026-3059707
Steve Comuso	:	C-2026-3059709
Jedidiah Chappell	:	C-2026-3059766
Diane Martellacci	:	C-2026-3060020
Jennifer Breton	:	C-2026-3059732
Scott Bogust	:	C-2026-3059735
Sherri and Scott High	:	C-2026-3059742
Rebecca Carsto	:	C-2026-3059746
Anna Smallwood	:	C-2026-3059741
Theodore Gardella	:	C-2026-3059731
Sergio Castaneda	:	C-2026-3059734
Stephanie Mosteller	:	C-2026-3059737
Paedrick Holohan	:	C-2026-3059743
Ahn Weisner	:	C-2026-3059755
Lauren Hoover	:	C-2026-3059758
Jeffrey Bezler	:	C-2026-3059762
Patricia Istenes	:	C-2026-3059761
Patricia May Phillips	:	C-2026-3059779
Joshua and Bryn Hoyt	:	C-2026-3059778
Richard Matijasich	:	C-2026-3059812
Kendra Robinson	:	C-2026-3059801
David Barnett	:	C-2026-3059818
Christopher Nicholson	:	C-2026-3059819
Robert Peiffer	:	C-2026-3059824

William Dobron	:	C-2026-3059821
Exeter Township School District	:	C-2026-3059827
Kathleen Townsend	:	C-2026-3059845
Donald and Roberta Baker	:	C-2026-3060105
Edward C. Padgelek	:	C-2026-3060463
Frank Shaffer	:	C-2026-3060734
Judy Wojanis	:	C-2026-3060881
James P. Docherty	:	C-2026-3060880

v.

Pennsylvania-American Water Company

Pennsylvania Public Utility Commission	:	R-2025-3058051
Office of Consumer Advocate	:	C-2025-3058810
Office of Small Business Advocate	:	C-2025-3058771
Curran Mitchell	:	C-2025-3058707
Elaine L. Bowman	:	C-2025-3058815
Joel Jackson	:	C-2025-3059064
Patricia A. Finley	:	C-2025-3058826
David R. Hurlbrink	:	C-2025-3058845
Jay S. Croft	:	C-2025-3059031
Brooke Birckbichler	:	C-2025-3059053
Marc Wills and Angelia Koser	:	C-2025-3059147
Neil Allen Brown	:	C-2025-3059170
David and Lynn Griffith	:	C-2025-3059165
Jeffrey Reichart	:	C-2025-3059137
Keith Sauer	:	C-2025-3059146
CAUSE-PA	:	C-2025-3059142
Karen W. Harris	:	C-2025-3059148
Deanna Pilkerton	:	C-2025-3059172
Angela McCloy	:	C-2025-3059213
Paul Heiken	:	C-2025-3059212
John Arty	:	C-2025-3059250
Christopher Cappuccitti	:	C-2025-3059094
Carolann Hunt	:	C-2025-3059087
Ralf Neckien	:	C-2025-3059117
Linda Allison	:	C-2025-3059122
Amy Stalnecker	:	C-2025-3059189
Theresa McGee	:	C-2025-3059334
Mary Tanealian	:	C-2025-3059295
Kathleen Schwartz	:	C-2025-3059353
Amanda Johnsen	:	C-2025-3059377
Larry and Irene Mistick	:	C-2025-3059447
James Lyle	:	C-2025-3059442

Wayne W. Hedrick	:	C-2025-3059502
Mark Schlosser	:	C-2025-3059492
John Erbicella	:	C-2025-3059508
John Messina	:	C-2025-3059528
Robert and Patricia Boni	:	C-2026-3059593
Stephen M. Citrullo	:	C-2026-3059602
Karen Bates	:	C-2026-3059699
Adam Thomas	:	C-2026-3059693
Joey and Lisa Inmon	:	C-2026-3059682
Naomi Conte	:	C-2026-3059650
Dana Ullmann	:	C-2026-3059692
Carla Seidel	:	C-2026-3059703
Colleen Vallonio	:	C-2026-3059711
Alicia W. Shussett	:	C-2026-3059714
Heather Zeh	:	C-2026-3059715
Laurel Miller	:	C-2026-3059733
Scott Bogust	:	C-2026-3059738
Stephanie Lamison	:	C-2026-3059745
Anna Smallwood	:	C-2026-3059744
Paedrick Holohan	:	C-2026-3059751
Anh Weisner	:	C-2026-3059757
Lauren Hoover	:	C-2026-3059759
Patricia Istenes	:	C-2026-3059756
Sherrie Greene	:	C-2026-3059764
Exeter Township Board of Supervisors	:	C-2026-3059765
Douglas Berguson	:	C-2026-3059767
Jeffrey Bezeler	:	C-2026-3059763
Amber Dinnella	:	C-2026-3059768
John Phio	:	C-2026-3059773
Richard Matijasich	:	C-2026-3059811
Kendra Robinson	:	C-2026-3059815
Sujata Shakya	:	C-2026-3059817
Christopher Nicholson	:	C-2026-3059822
Patricia May Phillips	:	C-2026-3059797
Denise E. Prowse	:	C-2026-3059816
Kathleen Townsend	:	C-2026-3059844
Diane Martellacci	:	C-2026-3060028
Floyd Gault Jr	:	C-2026-3060025
Paul Brown	:	C-2026-3060188
Frank Shaffer	:	C-2026-3060717
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	:	
v.	:	
	:	
	:	
Pennsylvania-American Water Company	:	
Wastewater Division	:	

INTERIM ORDER
GRANTING IN PART AND DENYING IN PART THE PETITION TO INTERVENE
OUT OF TIME AND PROPOSAL BY THE EXETER TOWNSHIP SCHOOL DISTRICT
TO PRESENT EVIDENCE AT HEARING

A telephone prehearing conference was convened on December 12, 2025, at 10:00 a.m. The Company, OCA, OSBA, I&E and CAUSE-PA participated and were represented by Counsel. Individual Complainant Joel Jackson also participated, without counsel.

On December 17, 2025, a Prehearing Order was entered adopting a litigation schedule in this proceeding.

On January 7, 2026, a Further Prehearing Conference was held whereby the Parties agreed to cancel the Public Input Hearings scheduled for January 29, 2026, at 1 and 6 p.m. in New Garden Township, and to reschedule those hearings for the same date and time at the Coatesville City Hall and to further modify the litigation schedule.

On January 26, 2026, an In-Person Evidentiary Hearing Notice was issued scheduling the evidentiary hearing for March 23, 2026, through March 25, 2026, in Harrisburg, Pennsylvania.

On January 28, 2026, an Interim Order was entered approving modifications to the litigation schedule, as follows:

Modified Litigation Schedule

Initial Filing	November 14, 2025
Prehearing Conference	December 12, 2025
Public Input Hearings	January 13, 2026 through January 21, 2026, as scheduled by the ALJs. January 29, 2026 1 & 6 pm, Coatesville City Hall

Opposing Party Direct Testimony	January 30, 2026
Supplemental Direct Testimony regarding issues raised at January 29, 2026 Public Input Hearings	February 10, 2026
Rebuttal Testimony (all parties and all issues)	February 27, 2026
Surrebuttal Testimony (all parties and all issues)	March 13, 2026
Written Rejoinder or Outlines of Oral Rejoinder	March 19, 2026
Evidentiary Hearings (including oral rejoinder)	March 23-25, 2026 *PAWC witness Ladner unavailable beginning March 24 (p.m.)
Main Briefs due	April 6, 2026
Reply Briefs due	April 15, 2026
Public Meeting	July 16, 2026
End of Suspension Period	August 13, 2026

On February 2, 2026, a Notice of Appearance was filed entering the appearance of Sharon Montanye, Esquire on behalf of the Exeter Township School District.

On February 18, 2026, counsel for OCA advised the undersigned presiding officers and the active parties that one of OCA’s witnesses, Roger Colton, would be out of the country between the dates Rebuttal testimony is due and Surrebuttal Testimony is due. Counsel for OCA requested that the deadline for Mr. Colton’s Surrebuttal testimony be moved from Friday, March 13, 2026, to Monday, March 16, 2026, at noon. Counsel for OCA advised that the Company agreed to this modification and that no party opposed the request from OCA.

On March 2, 2026, an Interim Order was entered further modifying the litigation schedule approved by Interim Order entered on January 28, 2026, to extend the deadline for OCA witness Roger Colton to submit surrebuttal testimony from Friday, March 13, 2026, to

Monday, March 16, 2026, at noon. The parties were further directed to comply in all other respects with the Interim Order entered on January 28, 2026.

The In-Person Evidentiary Hearing has been scheduled for March 23, 2026, through March 25, 2026, in Harrisburg, Pennsylvania.

On March 13, 2026, Pennsylvania-American Water Company filed a Motion of Pennsylvania American Water Company for Leave to File the Supplemental Direct Testimony of Linda Schlessman (Motion). Service of the Motion was made by email upon the presiding officers on March 13, 2026. The Company requests that the Commission grant the Motion and authorize the Company to file the Supplemental Direct Testimony attached to the Motion as Appendix A. The Motion was granted by Interim Order entered on March 18, 2026, without objection.

On March 13, 2026, the undersigned presiding officer received an email transmitted at 5:30 p.m. from the office of legal counsel for the Exeter Township School District advising that the Exeter Township School District filed a Petition to Intervene Out of Time and a Motion to Participate in Evidentiary Hearing Via Telephone. On March 16, 2026, the presiding officers were served with the Motion and Petition. The Petition and Motion indicate that the Exeter Township School District proposes to present testimony and exhibits at the evidentiary hearing.

On March 16, 2026, the Company filed an Answer of Pennsylvania-American Water Company to the Petition to Intervene Out of Time of Exeter Township School District and the Motion for Leave to Participate in the March 23-25, 2026 Evidentiary Hearing Via Telephone.

On March 17, 2026, an Interim Order was entered requiring that any objections to the Petition to Intervene Out of Time and the Motion to Participate in Evidentiary Hearing Via Telephone filed by Exeter Township School District be filed and served upon the active parties

and the presiding officers not later than 3:00 p.m. on March 18, 2026. The Order further provided that any motions in limine or other proper objections by any Party to the proposal by the Exeter Township School District to present evidence at the evidentiary hearing shall be filed and served upon the active parties and the presiding officers not later than 4:00 p.m. on March 18, 2026. It was further ordered that any response by the Exeter Township School District to any motions in limine or other proper objections by any Party to the proposal by the Exeter Township School District to present evidence at the evidentiary hearing be filed and served upon the active parties and the presiding officers by the School District not later than 4:00 p.m. on March 19, 2026. The Parties were further reminded of their obligation to comply with the Pennsylvania Public Utility Code, the Commission regulations and the terms and provisions set forth in the Interim Orders entered in this proceeding.

In its Answer opposing the Petition to Intervene Out of Time (Petition or Petition to Intervene), the Company asserts, *inter alia*, that the School District has not shown that good cause exists, as required pursuant to 52 Pa. Code § 5.74, to permit the District to intervene on the eve of evidentiary hearings in this proceeding. The Company argues the School District is a governmental authority represented by counsel that, despite being aware of this proceeding and filing a complaint almost 60 days ago, took no action to intervene or otherwise change its status to an active party until approximately 10 days before the commencement of the scheduled evidentiary hearing.

On March 20, 2026, the Exeter Township School District filed a Reply to the Answer of Pennsylvania-American Water Company to the District's Petition. In the School District's Reply, the District offers the direct testimony of Brian Feick, Business Manager for the District, attached as Exhibit E: a one and one-half page document.

For context, on December 5, 2025, a Prehearing Conference Order (Prehearing Conference Order)¹ was entered. The Prehearing Conference Order scheduled a telephonic prehearing conference for December 12, 2025, and included instructions on how to elect to

¹ *Pa. Pub. Util. Comm'n v. Pennsylvania-American Water Co.*, Prehearing Conference Order, Docket Nos. R-2025-3057983 and R-2025-3058051 (Dec. 5, 2025).

participate in the proceeding as an active party.² The Prehearing Conference Order stated that any party that failed to attend and participate in the prehearing conference would be considered an inactive party, but a party could request a change in status to become an active party by filing a written request for a change in status.³ The Prehearing Conference Order also provided that active parties wishing to present evidence at the evidentiary hearing would be required to submit testimony in writing in advance, in accordance with the schedule to be set after the prehearing conference.⁴

Further, during the prehearing conference held on December 12, 2025, it was explained how individuals and entities, including customers, could file complaints and participate as active parties and stated that any party intending to present evidence at the formal evidentiary hearing would be required to submit testimony and exhibits in advance in accordance with the adopted litigation schedule and participate in accordance with the Commission's rules of practice and evidence.⁵

Following the prehearing conference, a Prehearing Order was entered on December 17, 2025 (Prehearing Order).⁶ The Prehearing Order included a litigation schedule, which included deadlines for opposing party direct testimony on January 30, 2026, rebuttal testimony on February 27, 2026, surrebuttal testimony on March 13, 2026, written rejoinder or outlines of oral rejoinder on March 19, 2026, and in-person evidentiary hearings in Harrisburg on March 23-25, 2025.⁷ The Prehearing Order also stated that any customer complainant wishing to participate as an active party must file correspondence with the Commission's Secretary Bureau indicating their intent to do so.⁸

The School District filed a complaint in Docket No. R-2025-7983 (Water) on January 17, 2026. In addition, individuals and entities, including PAWC customers, are

² *Id.* at 8-10.

³ *Id.* at 10.

⁴ *Id.* at 8.

⁵ Tr. at 32-36.

⁶ *Pa. Pub. Util. Comm'n v. Pennsylvania-American Water Co.*, Prehearing Order, Docket Nos. R-2025-3057983 and R-2025-3058051 (Dec. 17, 2025).

⁷ *Id.* at 7.

⁸ *Id.* at 9.

permitted to file Formal Complaint to the Proposed Rate Increase,⁹ Public Comment, or an Opposition to the Rate Increase, which will become part of the record considered in making a determination in this rate proceeding. In addition, ample opportunity was provided to receive testimony and evidence at the public input hearings held in this proceeding.¹⁰

In the Complaint, the District averred that the Company's proposed rate increase would have an adverse impact on the District and residents, that the cumulative effect of increases is resulting on financial hardship on the District and residents, and that another rate increase would exacerbate challenges faced by the District and other school districts in the Company's service territory.¹¹ The District's requested relief was limited to requesting that the PUC conduct in-person public input hearings, "in the affected communities, with a specific emphasis on Exeter Township."¹²

Ten in-person public input hearings were held on January 13, 15, 16, 20, and 29, 2026, and two telephonic public input hearings were held on January 21, 2026. In total, approximately 240 witnesses testified at the public input hearings in this case. Two of those hearings were held in Berks County, in close proximity to Exeter Township, and included many Exeter residents and public officials, including the Chairman of the Board of the Exeter Township Supervisors.¹³

On March 5, 2026, an Interim Order Confirming Requirements for Evidentiary Hearing (Interim Order Confirming Hearing Requirements), which included the following requirements:

⁹ Section 5.32(b) of the Commission's Regulations, 52 Pa. Code § 5.32(b), provides that "a person filing a complaint during the suspension of a proposed general rate increase shall take the record of the suspended rate proceeding as it stands at the time of the complaint's filing."

¹⁰ In reaching a decision on the proposed rate increase, the presiding officers and the Commission will review the record evidence and give what they find to be the appropriate probative weight to the evidence and testimony presented in this case.

¹¹ Formal Complaint to Proposed Rate Increase, Exeter Township School District, ¶ 5.

¹² *Id.*, ¶ 6.

¹³ *See, e.g.*, Tr. at 736-45, 752-56, 770-75, 806-14, 823-31, 840-44, 848-53, 854-57, 897-905, 907-09, 915-19, 920-23, 925-28, 929-31, 943-49, 954-59, 959-65, 966-70, 979-84, 985-87. 1030-35, 1269-73.

1. That only active parties shall be afforded an opportunity to present evidence at an evidentiary hearing.
2. That, in order to be considered an active party, an individual or entity must (1) file a complaint pursuant to 52 Pa. Code § 5.21 et. seq. or a petition to intervene pursuant to 52 Pa. Code § 5.71 et seq., and (2) if filing a complaint under 52 Pa. Code § 5.21, 52 Pa. Code § 5.22, or 52 Pa. Code § 5.32, file also correspondence with the Commission's Secretary's Bureau indicating an intent to participate as an active party, as directed in the Prehearing Order entered December 17, 2025, and (3) comply with the provisions set forth in the Prehearing Order entered December 17, 2025, as amended.
3. The active parties as well as any individual or entity desiring to participate in these proceedings shall comply with the terms of all Orders issued in this proceeding, including the Prehearing Order entered on December 17, 2025, and amended by Interim Orders entered on January 28, 2026, and March 2, 2026.

12. That no other oral or written testimony, exhibits, or evidence of any kind will be admitted into evidence at the evidentiary hearings unless the active party sponsoring such evidence has fully and timely complied with the terms and provisions set forth in this Interim Order and has provided all other active parties and the presiding officers with a written summary of any oral direct testimony and a copy of any written testimony, exhibits, or evidence of any kind, not later than **Friday March 13, 2026 at 4:00 p.m.**

The District filed the Petition and Motion on March 13, 2026, ten days prior to the commencement of the scheduled evidentiary hearing in this proceeding¹⁴ and served the Petition and Motion on the presiding officers on March 16, 2026. In the Petition, the District averred that it will present evidence, attached as Exhibits B and C to the Petition,¹⁵ and testimony concerning

¹⁴ The District's pleadings are dated March 12, 2026, but were filed and served after 4:30 p.m. and are therefore deemed filed as of March 13, 2026. *See* 52 Pa. Code § 1.11.

¹⁵ Exhibit B appears to consist of an estimate of the Company's proposed rates on Water Rate Zone 1 customers and the Company's proposed Rate Zone 1 Schedule of Rates. Exhibit C appears to consist of internal District billing information related to invoices issued by the Company.

the impact of the Company’s proposed rate increases on public school districts and other public institutions.¹⁶

The School District did not provide the written testimony or summary of the proposed testimony of its witness with its late filed Motion and Petition to Intervene and only provided its one and one-half page proposed written testimony as an attachment to its Reply to Objections to the Petition to Intervene on March 19, 2026. The District stated that it was filing the Petition after the intervention deadline “as a result of the procedural clarifications recently issued and the necessity to ensure that evidence of the impact to public schools is admitted and considered by the tribunal,” and that there is good cause to allow its Petition out-of-time and that it does not believe any party will be prejudiced by the late intervention.¹⁷

However, nowhere in its Petition to Intervene or other pleadings did the School District provide any basis for its failure to comply with the terms of the Interim Orders entered in this case as early as the Prehearing Conference Order entered on December 5, 2025, and as late as the March 5, 2026 Interim Order Confirming Hearing Requirements, which provided that no evidence of any kind will be admitted into evidence unless the active party sponsoring such evidence has fully and timely complied with the terms and provisions set forth in the Order and has provided all active parties and the presiding officers with a written summary of any oral direct testimony and a copy of any written testimony, exhibits, or evidence of any kind, not later than March 13, 2026 at 4:00 p.m.

The School District finally, for an unknown reason(s) provided no summary of its proposed testimony nor a copy of the written testimony, until attaching a copy of a one and one-half page proposed written testimony March 19, 2026.

Although the School District averred in its Petition that it was filing the Petition after the intervention deadline as a result of the procedural clarifications recently issued, nowhere does the School District provide any basis for failing to timely comply with the Public Utility

¹⁶ Petition, ¶ 11.

¹⁷ *Id.*, ¶ 12.

Code and regulations or the clear instructions in the Interim Orders entered as early as December 5, and 17, 2025, including the requirements to obtain active party status and to provide the active parties and the presiding officers with a written summary of any oral direct testimony or a written copy of any written testimony with exhibits, throughout the litigation and at least by the deadline of March 13, 2026 at 4:00 p.m.¹⁸

Turning to the Company's Response, PAWC argues the District's stated interest in this proceeding is, as a customer, to oppose the rate increase sought by the Company.¹⁹ However, there are already multiple active parties in this proceeding – including the Office of Consumer Advocate, the Office of Small Business Advocate, and the Coalition of Affordable Utility Services and Energy Efficiency in Pennsylvania – that oppose the rate increase sought by the Company and represent the interests of customers, and which have actively participated in this proceeding since it was initiated, including by submitting direct, rebuttal, and surrebuttal testimony in compliance with the Prehearing Order.²⁰ The Company asserts the District has not demonstrated why its interests are not adequately represented by these active parties, or why the public interest would be served by allowing it to intervene and participate in the evidentiary hearing at this late stage.

The undersigned find that the District has provided no reasonable excuse for intervening at this late stage.²¹

In its Reply to the Answer of Pennsylvania-American Water Company to the District's Petition to Intervene, the School District asserts that well-established policy favors broad participation by affected parties, that the District satisfies all applicable criteria for intervention as it has a direct, substantial, and immediate interest in the outcome of this

¹⁸ Interim Order, ¶ 12.

¹⁹ Formal Complaint to Proposed Rate Increase, Exeter Township School District, ¶ 5.

²⁰ *Id.*, ¶ 6.

²¹ See *Joint Application of Ppl Interstate Energy Co. & Ppl Elec. Utilities Corp. for All of the Necessary Auth., Approvals, & Certificates of Pub. Convenience (1) for the Transfer of Ppl Corps. Ownership Interest in Ppl Interstate Energy Co. to Talen Energy Corp., & Certain Post Closing Transactions Associated Therewith; (2) for the Transfer of Certain Prop. Interests Between Ppl Elec. Utilities Corp.*, A-2014-2435752, 2014 WL 5810354, at *4 (Oct. 17, 2014) (rejecting “administrative oversight” as a reasonable excuse for missing the protest due date).

proceeding, its participation will not unduly delay or prejudice the adjudication, and its interests are not adequately represented by existing parties.

The School District argues that, as a public school district and a significant customer of PAWC, the District will be directly impacted by any rates, tariffs, rules, or policies at issue in this proceeding. Water service is essential to the operation of the District's facilities, and any changes approved in this docket may materially affect the District's operating costs and allocation of public resources.

As the Company asserts, the District is not a *pro se* complainant. The District is a governmental authority, represented by counsel. Having filed a complaint almost 60 days ago, the District was well aware of this proceeding and could have, at any time over the past several months, filed a motion to intervene or elected active participant status. The School District cites vague unspecified "procedural clarifications" with regard to its failure to timely participate in this proceeding. The reality is that the Code, Commission regulations and Interim Orders issued in this case provided clear and detailed instructions for complying with the discovery process and litigation schedule as well as electing active participant status and participating in the evidentiary hearing. The District still, despite its Motion to Intervene and its Reply to the Objection to its Petition to Intervene, has failed to even generally explain how or why it was unaware of those requirements, unable to comply with those requirements, or why the District waited until approximately one week prior to the evidentiary hearing to file its Petition to Intervene and waited until four days prior to the hearing to finally submit its proposed written testimony.

Contrary to the School District's assertions, the Parties would be prejudiced by allowing the School District to present evidence at the evidentiary hearing and to allow the District's intervention and participation as a full active party at this late stage. The School District failed to timely comply with any of the requirements for the submission of written testimony or evidence in this proceeding as set forth in the Interim Orders and Prehearing Order, which is a bar to active participant status pursuant to Ordering Paragraph 2 of the Interim Order. The District also failed to provide a timely copy or summary of the direct testimony it intended to offer at the evidentiary hearing in violation of the Interim Orders entered in this case including Ordering

Paragraph 12 of the Interim Order entered on March 5, 2026. As a result, the Company and other parties have not had the opportunity to propound discovery upon the School District or otherwise explore or respond to any of the issues that could be raised by the District at the evidentiary hearing.

For all of the foregoing reasons set forth above, the following Interim Order will be entered.

THEREFORE,

IT IS ORDERED:

1. That the Petition to Intervene Out of Time filed by the Exeter Township School District is GRANTED IN PART, solely to permit the School District, by its legal counsel, to conduct cross-examination of the witnesses at the evidentiary hearing in this proceeding, subject to specific objections raised at the evidentiary hearing. The School District will also be permitted to timely file objections to any proposed settlement, if any, and to timely file Main and Reply Briefs in this proceeding.

2. That the Petition to Intervene Out of Time filed by the Exeter Township School District is DENIED in all other respects.

3. In the event that the School District intends to participate in cross examination of any witnesses at the evidentiary hearing in this proceeding, counsel for the School District shall immediately confer with counsel for the active parties to ensure that the School District has copies of all proposed testimony and evidence to conduct cross examination of the witnesses, without resulting in a delay.

4. That the Parties shall provide counsel for the School District with any confidential testimony or exhibits provided to the active parties, only in the event that the School District complied with the Protective Order entered in this proceeding. The Parties are

cautioned to carefully comply with all laws and Commission rules and Orders as they relate to Confidential Security Information (CSI).

5. That counsel for the School District, Company and active Parties shall promptly confer this date to address any outstanding issues related to this proceeding and shall prepare a witness matrix and submit the same, by electronic mail, to all active Parties and presiding officers **not later than 4:00 p.m. today, March 20, 2026.**

6. That, in the event that any party, including the School District, will **not** participate in examination of any or all witnesses at the evidentiary hearing that information shall also be reflected on the witness matrix.

7. That to the extent that the pleadings filed by Exeter Township School District include a request of the School District to present evidence at the evidentiary hearing in this proceeding, such request is DENIED. However, the Parties are encouraged to confer and attempt to reach a stipulation or agreement regarding the evidence previously identified and proposed by the School District, and to enter into a stipulation or agreement, if possible, prior to the commencement of the evidentiary hearing on Monday, March 23, 2026.

8. That the Evidentiary Hearing will proceed as scheduled on Monday, March 23, 2026, at 10 a.m.

9. That any filings in this proceeding shall include a certificate of service identifying all Parties receiving service of the filing, the date and method of service.

10. That the Parties are reminded of their obligation to comply with the Pennsylvania Public Utility Code, the Commission regulations and the terms and provisions set forth in the Interim Orders entered in this proceeding.

11. That the Parties are expected to be prepared to participate at the evidentiary hearing and to proceed, without delay.

Date: March 20, 2026

/s/
Jeffrey A. Watson
Administrative Law Judge

Date: March 20, 2026

/s/
Emily I. DeVoe
Administrative Law Judge

R-2025-3057983 and R-2025-3058051 - PA PUBLIC UTILITY COMMISSION v. PENNSYLVANIA AMERICAN WATER COMPANY - WATER & WASTEWATER

Revised March 17, 2026

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