



March 23, 2026

VIA E-FILING

Dawn Kurtz Crompton

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Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Application of Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, Inc. (Water Division), Pursuant to Section 1102(a) of the Pennsylvania Public Utility Code, for Approval of (1) the Right to Offer, Render, Furnish or Supply Water Service To the Public in an Additional Portion of Hazle Township, together with portions of Sugarloaf Township and West Hazleton Borough, all in Luzerne County, Pennsylvania and (2) the Abandonment of Portions of its Water Service Territory in Hazle Township, Luzerne County, Pennsylvania; Docket No. A-2026-3059809

Prehearing Conference Memorandum of Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, Inc. (Water Division)

Dear Secretary Homsher:

On behalf of the Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, Inc. (Water Division) ("CAN DO"), enclosed please find the Prehearing Conference Memorandum. Copies have been served as shown on the attached Certificate of Service.

Thank you for your attention to this filing. If you have any questions, please feel free to contact me.

Sincerely,

Cozen O'Connor

By: Dawn Kurtz Crompton
Counsel for *Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, Inc. (Water Division)*

Enclosures

cc: Per Certificate of Service
Paul Zander (*Bureau of Technical Utility Services*)
Joseph Lettiere, President and CEO, CAN DO
Raina Nichols, Director of Utilities, CAN DO

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Greater Hazleton Community :
Area New Development Organization Inc. t/a :
CAN DO, Inc. (Water Division), Pursuant to :
Section 1102(a) of the Pennsylvania Public : Docket No. A-2026-3059809
Utility Code, for Approval of (1) the Right to :
Offer, Render, Furnish or Supply Water :
Service To the Public in an Additional Portion :
of Hazle Township, together with portions of :
Sugarloaf Township and West Hazleton :
Borough, Luzerne County, Pennsylvania and :
(2) the Abandonment of Portions of its Water :
Service Territory in Hazle Township, Luzerne :
County, Pennsylvania :

CERTIFICATE OF SERVICE

I hereby certify that I have this 23rd day of March, 2026 served a true copy of the foregoing **Prehearing Conference Memorandum of Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, Inc. (Water Division)** upon the parties, listed below and in the manner described below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Via E-mail and First Class Mail

Patricia Kisenwether
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Sugarloaf, PA 18249
pkisenwether@gmail.com

Jennifer Yanni
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White Haven, PA 18661
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Lisa Logan
293 Tomhicken Road
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Respectfully submitted,



Dawn Kurtz Crompton, Esq.
Counsel for *Greater Hazleton Community Area
New Development Organization Inc. t/a CAN DO,
Inc. (Water Division)*

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Service Territory in Hazle Township, Luzerne :
County, Pennsylvania :

**PREHEARING CONFERENCE MEMORANDUM OF
GREATER HAZLETON COMMUNITY AREA NEW DEVELOPMENT
ORGANIZATION INC. T/A CAN DO, INC. (WATER DIVISION)**

AND NOW COMES, Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, Inc. (Water Division) (“CAN DO”), by and through its counsel, Cozen O’Connor, pursuant to 52 Pa. Code § 5.222(d)(1) and the Prehearing Conference Order issued by Administrative Law Judges Emily A. Farren and Administrative Law Judge Steven K. Haas (the “ALJs”), to file this Prehearing Conference Memorandum in the above-captioned matter, and states as follows:

I. INTRODUCTION AND PROCEDURAL HISTORY

1. On January 14, 2026, CAN DO submitted an Application for Approval of (1) the Right to Offer, Render, Furnish or Supply Water Service To the Public in an Additional Portion of Hazle Township, together with portions of Sugarloaf Township and West Hazleton Borough, Luzerne County, Pennsylvania (the “Expansion”), and (2) the Abandonment of

Portions of its Water Service Territory in Hazle Township, Luzerne County, Pennsylvania and East Union Township, Schuylkill County, Pennsylvania (the “Abandonment”).

2. As directed by a letter from Secretary Homsher, dated January 14, 2026, CAN DO published notice once a week for two consecutive weeks in a newspaper having a general circulation in the area involved and filed proof of publication with the Public Utility Commission (“Commission”) on February 11, 2026.

3. On January 22, 2026, CAN DO filed an amended application that revised Exhibit 6’s designation from Confidential Security Information to Confidential Information.

4. On February 12, 2026, Protestant Patricia Kisenwether filed a Protest in this matter.

5. On February 13, 2026, Protestant Lisa Logan filed a Protest in this matter.

6. On February 12, 2026, Protestant Jennifer Yanni filed a Protest in this matter.

7. On February 14, 2026, Protestant Jason Ritz filed a Protest in this matter.

8. On February 14, 2026, Protestant Melissa Ritz filed a Protest in this matter.

9. On February 18, 2026, CAN DO was served Data Request Set 1 by the Bureau of Technical Utility Services (“TUS”).

10. On February 25, 2026, the ALJs issued a Notice and Prehearing Order setting a Prehearing Conference for Wednesday, March 25, 2026, at 1:00 p.m.

11. On March 5, 2026, CAN DO filed Preliminary Objections to the Kisenwether Protest, seeking dismissal of the Protest due to lack of standing.

12. On March 6, 2026, CAN DO filed Preliminary Objections to the Logan Protest, the Melissa Ritz Protest, the Jason Ritz Protest, and the Yanni Protest, seeking dismissal of each of those Protests due to lack of standing.

13. On March 9, 2026, Protestant Logan filed an Answer to CAN DO's Preliminary Objection to her Protest.

14. On March 9, 2026, CAN DO filed its partial answers to the TUS Data Requests.

15. On March 9, 2026, both Melissa Ritz and Jason Ritz sought leave to withdraw their Protests.

16. On March 10, the ALJs granted both the Melissa Ritz and the Jason Ritz petitions to withdraw.

17. On March 13, CAN DO requested a continuance of the March 25, 2026 Prehearing Conference until after a decision has been rendered on all of CAN DO's pending Preliminary Objections.

18. On March 18, 2026, the ALJs denied CAN DO's request for a continuance, and noted that CAN DO's Preliminary Objections to the Kisenwether, Logan, and Yanni Protests will be ruled upon by separate order(s) prior to the Prehearing Conference.

19. On March 19, 2026, CAN DO amended its Application to withdraw the request to abandon a portion of CAN DO's service territory located on the border of Hazle Township and East Union Township (the "Amended Application"). As a result of this amendment, CAN DO no longer proposes any change in its service territory in East Union Township.

20. On March 20, 2026, the ALJs denied CAN DO's Preliminary Objections to the Kisenwether, Logan, and Yanni Protests.

II. LIST OF ISSUES TO BE ADDRESSED AT HEARING

21. The matter of CAN DO's Amended Application will need to be addressed at the hearing, namely:

- a) Whether CAN DO should be issued a Certificate of Public Convenience, pursuant to 66 Pa. C.S. § 1102(a)(1), evidencing approval of the expansion of CAN DO's water service territory to include additional portions of Hazle Township, together with portions of Sugarloaf Township and West Hazleton Borough, all in Luzerne County, Pennsylvania; and
- b) Whether CAN DO should be issued a Certificate of Public Convenience, pursuant to 66 Pa. C.S. § 1102(a)(2), evidencing approval of the abandonment of portions of CAN DO's water service territory in Hazle Township, Luzerne County, Pennsylvania.

III. LIST OF WITNESSES & PROPOSED AREA OF TESTIMONY

22. Counsel for CAN DO expects to call the following witnesses and provide their testimony:

- a) Joseph Lettiere

Mr. Lettiere is the President and Chief Executive Officer of CAN DO and is expected to provide testimony about CAN DO's justification for abandoning or expanding service territory, its operational readiness and compliance with Commission requirements, as well as CAN DO's managerial, technical, and financial fitness.

b) Raiana Nichols

Ms. Nichols is the Director of Utilities of CAN DO and is expected to provide testimony about CAN DO’s technical justification for abandoning or expanding service territory, explain CAN DO’s water production and distribution facilities, discuss CAN DO’s capacity to serve current and future customers, discuss the expected operational aspects of the areas proposed for abandonment and expansion, as well as discuss CAN DO’s technical and operational fitness.

23. CAN DO reserves the right to adjust the scope of the witness’ testimony, as well as to present additional witnesses. CAN DO will provide timely notice to the ALJs and parties of any change in scope or additional witnesses.

IV. PROPOSED LITIGATION SCHEDULE

24. Below is CAN DO’s proposed litigation schedule, which counsel for CAN DO provided to Protestants Kisenwether, Logan, and Yanni on March 18, 2026. As of March 22, 2026, none of the Protestants responded to CAN DO’s request to confer concerning the schedule below:

Direct testimony of Applicant	May 8, 2026
Direct testimony of Other Parties	May 29, 2026
Rebuttal Testimony	June 12, 2026
Surrebuttal Testimony	June 26, 2026
Written Rejoinder	July 17, 2026
Evidentiary hearings	July 27 & 28, 2026
Main Briefs	TBD; approx. August 17, 2026
Reply Briefs	TBD; approx. September 11, 2026

V. PUBLIC INPUT HEARING

25. CAN DO is not requesting a public hearing for this matter. CAN DO is aware of only five protests being filed in this matter and two of these have been withdrawn. Although there is considerable public interest in the data center that CAN DO proposes to serve, CAN DO does not believe there is considerable public interest in its proposed Expansion or Abandonment.

VI. ANY OTHER RELEVANT ISSUES

26. CAN DO intends to file a Petition for a Protective Order pursuant to 52 Pa. Code § 5.365 for the protection from public disclosure of certain confidential and proprietary information that CAN DO anticipates may be filed and exchanged with the Commission and the parties during the course of these proceedings.

27. At this time, CAN DO is not aware of any other relevant issues that need to be raised, but respectfully requests leave to address additional relevant issues should any arise during the pendency of this matter.

Respectfully submitted,



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Dated: March 23, 2026