



April 7, 2026

**VIA EFILING**

**Dawn Kurtz Crompton**

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Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, 2<sup>nd</sup> Floor (Filing Room)  
Harrisburg, PA 17120

Re: Office of Small Business Advocate and Office of Consumer Advocate v. Veolia Water  
Pennsylvania, Inc.; Docket Nos. C-2025-3058757 and C-2025-3058865

**Veolia Water Pennsylvania, Inc.'s Prehearing Conference Memorandum**

Dear Secretary Homsher:

On behalf of Veolia Water Pennsylvania, Inc. ("VWPA"), enclosed please find **VWPA's Prehearing Conference Memorandum**, along with verification. Copies have been served as shown on the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Sincerely,  
Cozen O'Connor

A handwritten signature in blue ink, appearing to read "DKC", with a long horizontal flourish extending to the right.

By: Dawn Kurtz Crompton, Esq. (#311701)  
Counsel for *Veolia Water Pennsylvania, Inc.*

DKC  
Enclosures

cc: Administrative Law Judge Chad Allensworth  
Per Certificate of Service  
Phoebe Youhanna, Esq., Veolia North America  
Michael Corona, Esq., Veolia North America  
Larry Finnicum, Regional President, VWPA

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Office of Small Business Advocate	:	
and Office of Consumer Advocate	:	
	:	Docket Nos.
v.	:	C-2025-3058757
	:	C-2025-3058865
Veolia Water Pennsylvania, Inc.	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 7<sup>th</sup> day of April, 2026 served a true copy of the foregoing **PREHEARING CONFERENCE MEMORANDUM OF VEOLIA WATER PENNSYLVANIA, INC.** 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**

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Steven Gray, Esq.  
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Respectfully submitted,



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**VERIFICATION**

I, Larry Finicum, hereby state that the facts set forth above 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. § 4904 (relating to unsworn falsification to authorities).

Date: April 7, 2026



A handwritten signature in blue ink, appearing to read "Larry Finicum", is written over a horizontal line.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Office of Small Business Advocate	:	
and Office of Consumer Advocate	:	
	:	Docket Nos.
v.	:	C-2025-3058757
	:	C-2025-3058865
Veolia Water Pennsylvania, Inc.	:	

**PREHEARING CONFERENCE MEMORANDUM  
OF VEOLIA WATER PENNSYLVANIA, INC.**

AND NOW COMES, VEOLIA WATER PENNSYLVANIA, INC. (“VWPA” or the “Company”), 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 Judge Chad Allensworth to file this Prehearing Conference Memorandum in the above-captioned matter, and states as follows:

**I. INTRODUCTION AND HISTORY OF THE PROCEEDINGS**

1. Between June 22, 2025 and July 28, 2025, some of VWPA’s residential and commercial customers in Susquehanna Township, Lower Paxton Township, Swatara Township, and Marysville Borough experienced discolored water due to an atypical series of incidents (the “Abnormal Series of Incidents”) that affected VWPA’s water service in the Harrisburg area. Most of these events were not atypical by themselves, and each of these events could be expected to cause discolored water in the normal course of such an event. It was, however, atypical for several such incidents to occur in a short period of time in the same general vicinity.

2. Immediately following those events, VWPA implemented targeted directional flushing to clear affected areas and dispatched field technicians to investigate and

help clear discoloration by flushing a nearby hydrant(s). During the events, and in the weeks and months following the immediate response to the events, VWPA processed customer complaints, corresponded with elected officials, communicated with media, engaged in public outreach via social media and other mediums, and hosted three open houses in early September.

3. Starting in approximately mid July 2025 and continuing through approximately late October 2025, the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), and VWPA engaged in informal discovery concerning the Abnormal Series of Incidents.

4. On November 21, 2025, VWPA was served with OSBA’s Complaint regarding the Abnormal Series of Incidents, which was assigned Docket No. C-2025-3058757.

5. On November 25, 2025, OCA filed a Notice of Intervention in Docket No. C-2025-3058757.

6. On November 26, 2025, VWPA was served with OCA’s Complaint regarding the Abnormal Series of Incidents, which was assigned Docket No. C-2025-3058865.

7. On December 11, 2025, VWPA filed an Answer and New Matter to the OSBA Complaint in Docket No. C-2025-3058757.

8. On December 11, 2025, VWPA also filed a Preliminary Objection requesting that the Commission dismiss or strike one of the OSBA’s requests for relief in Docket No. C-2025-3058757.

9. On December 16, 2025, OSBA filed an Answer to VWPA’s Preliminary Objection in Docket No. C-2025-3058757.

10. On December 16, 2025, VWPA filed an Answer and New Matter to the OCA Complaint in Docket No. C-2025-3058865.

11. On December 16, 2025, VWPA filed a Motion to Consolidate Docket Nos. C-2025-3058757 and C-2025-3058865. Neither OSBA nor OCA replied to the Motion for Consolidation.

12. On December 23, 2025, VWPA filed a letter notifying the Pennsylvania Public Utility Commission (“Commission”) that, due to the impending holidays and the parties’ desire to begin settlement negotiations, VWPA, OCA, and OSBA agreed to extend the deadline for OSBA to file Replies to the New Matter of VWPA until January 21, 2026.

13. On December 29, 2025, the Commission issued a notice that Judge Allensworth had been assigned as the Presiding Officer in Docket No. C-2025-3058757.

14. On December 29, 2025, Judge Allensworth granted an extension of time for OSBA to file Replies to the New Matter of VWPA until January 21, 2026 in Docket No. C-2025-3058757.

15. On January 6, 2026, Judge Allensworth granted an extension of time for OCA to file Replies to the New Matter of VWPA until January 21, 2026 in Docket No. C-2025-3058865.

16. On January 13, 2026, Judge Allensworth issued an interim order which granted VWPA’s unopposed Motion to Consolidate and granted in part and denied in part VWPA’s Preliminary Objection.

17. On January 21, 2026, both OSBA and OCA filed a Reply to VWPA’s New Matter.

18. On January 26, 2026, the Commission issued a hearing notice and entered a Prehearing Conference Order setting April 14, 2026 as the date for the initial telephonic prehearing conference.

19. On February 27, 2026, VWPA was served with OCA Interrogatories, Set 1.
20. On March 6, 2026, VWPA was served with OCA Interrogatories, Set 2.
21. On March 19, 2026, VWPA served responses to the OCA Interrogatories, Set 1.
22. On March 26, 2026, VWPA served responses to the OCA Interrogatories, Set 2.
23. On March 26, 2026, VWPA was served with OSBA Confidential Interrogatories and Requests for Production, Set 1. VWPA's responses are due April 15, 2026.

## **II. ESTIMATED TIME NEEDED TO PRESENT VWPA'S CASE**

24. As respondent, VWPA estimates that it will need one day to present its case.

## **III. LIST OF ISSUES TO BE PRESENTED AT HEARING**

25. The primary issue to be presented at the evidentiary hearing is whether the utility services and facilities furnished and maintained by VWPA are adequate, efficient, safe, reasonable, reasonably continuous, without unreasonable interruptions or delay, and in conformity with Commission regulations or orders pursuant to 66 Pa. C.S. § 1501.

## **IV. DESIGNATION OF PRIMARY ATTORNEY SPEAKER FOR PURPOSES OF PREHEARING CONFERENCE**

26. VWPA designates Dawn Kurtz Crompton, Esq. as the primary speaker for purposes of the Prehearing Conference.

## V. PROPOSED LITIGATION SCHEDULE

27. Below is the proposed litigation schedule, which includes dates that have been agreed-upon by all parties:

Direct testimony (OCA and OSBA)	August 31, 2026
Direct testimony (VWPA)	September 25, 2026
Rebuttal Testimony (OCA and OSBA)	October 19, 2026
Surrebuttal Testimony (VWPA)	November 2, 2026
Written Outline of Oral Rejoinder (OCA and OSBA)	November 9, 2026
Evidentiary hearings	December 2-3, 2026 <sup>1</sup>
Main Briefs (simultaneous)	TBD; approx. December 23, 2026
Reply Briefs (simultaneous)	TBD; approx. January 14, 2027

## VI. LIST OF WITNESSES & PROPOSED AREA OF TESTIMONY

28. Counsel for VWPA expects to call the following witnesses and provide their testimony:

a) Larry Finnicum

Mr. Finnicum is the Regional President for VWPA and is expected to provide testimony about VWPA's overall response strategy to the Abnormal Series of Incidents, the Company's position concerning the need for customer-initiated contact, and VWPA's provision of reasonable and adequate service.

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<sup>1</sup> Paragraph 1(f) of the Prehearing Conference Order in this matter dated January 26, 2026 (the "Order"), states that the proposed litigation schedule should "include dates between June 2026 and August 2026 for having an in-person evidentiary hearing." VWPA acknowledges that the proposed evidentiary hearing dates are beyond the timeframe set forth in the Order but the parties were unable to identify other viable dates due to continuing settlement discussions, the Advocates' existing hearing schedule and a large volume of conflicts, and other pending matters. Accordingly, VWPA respectfully requests consideration of the dates as proposed.

b) Alan Superfine

Mr. Superfine is the Vice President of Customer Experience for VWPA and is expected to provide testimony about the scope and extent of customer impacts, its call center operations, and its crediting practices.

c) Mark Baker

Mr. Baker is the Vice President of Operations for VWPA and is expected to provide technical and operational testimony concerning the nature and cause of the discolored water events, VWPA's operational response, and VWPA's compliance with Pennsylvania Department of Environmental Protection ("DEP") orders and water quality standards.

d) Leigh Ann Urban

Ms. Urban is the Director of Communications for VWPA and is expected to provide testimony about VWPA's customer communications and public outreach.

e) Josh Barrell

Mr. Barrell is the Director of Operations for VWPA and is expected to provide technical and operational testimony concerning the nature and cause of the discolored water events, VWPA's operational response, and VWPA's compliance with DEP orders and water quality standards.

29. The addresses for the witnesses is 6310 Allentown Blvd, Harrisburg, PA 17112.

30. VWPA reserves the right to adjust the scope of the witness' testimony, as well as to present additional witnesses. VWPA will provide timely notice to Judge Allensworth and parties of any change in scope or additional witnesses.

## **VII. PUBLIC INPUT HEARING**

31. With respect to the need for a public input hearing, VWPA has already hosted multiple open houses in the affected service territories, and intends to present evidence in this proceeding concerning the operational causes of discolored water events, system infrastructure and flushing protocols, timing and effectiveness of VWPA's response activity, the reasonableness of VWPA's crediting practices, and compliance with DEP directives and applicable water quality standards. Accordingly, VWPA is not requesting a public hearing for this matter, as VWPA believes that a public input hearing would not assist the Commission in resolving disputed facts or in applying the controlling legal standard of reasonable and adequate service.

## **VIII. ANY OTHER RELEVANT ISSUES**

32. VWPA 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 VWPA anticipates may be filed and exchanged with the Commission and the parties during the course of these proceedings.

33. There is no statutory deadline for this proceeding. Consequently, VWPA does not propose any changes to the Commission's discovery rules at this time.

34. At this time, VWPA 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.

## VIII. SETTLEMENT

35. VWPA remains open to reaching a reasonable settlement of this proceeding and has already begun discussions with the OCA and the OSBA.

Respectfully submitted,



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Dated: April 7, 2026