

COMMONWEALTH OF PENNSYLVANIA



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April 7, 2026

Via Electronic Filing

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

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

Dear Secretary Homsher:

Attached for electronic filing please find the Office of Consumer Advocate's Prehearing Memorandum in the above-referenced proceeding.

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

Respectfully submitted,

/s/ Christy M. Appleby
Christy M. Appleby
Senior Assistant Consumer Advocate
PA Attorney I.D. # 85824
E-Mail: CAppleby@paoca.org

Enclosures

cc: The Honorable Chad L. Allensworth (**email only:** callenswor@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

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

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 Prehearing Conference Memorandum, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 7th day of April 2026.

SERVICE BY E-MAIL ONLY

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Dated: April 7, 2026

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Counsel for:
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1501 of the Public Utility Code (Code), 66 Pa. C.S. Section 1501. On November 25, 2025, the OCA filed a Notice of Intervention in this matter and filed a separate Formal Complaint against VWPA asserting that VWPA did not adequately maintain its system and did not adequately respond to the quality-of-service issues required by Section 1501 of the Code.

This proceeding concerns a series of operational events that occurred in VWPA's service territory between approximately June 22, 2025, and July 28, 2025, that resulted in high turbidity, water discolorations, and lack of potable drinking water quality, impacting customers in Lower Paxton Township, Susquehanna Township, and Marysville Borough. Media reports indicate that these service issues may have persisted for several months after the initial incident.¹ These service events were the result of the shutdown of a high service pump, use of fire hydrants, high demands causing high flow events, and main breaks. VWPA Answer and New Matter at 8-11.

On December 11, 2025, VWPA filed its Answer and New Matter to the OSBA Complaint and filed a Preliminary Objection, requesting dismissal of requests to reimburse or award small businesses monetary damages. On December 16, 2025, VWPA filed its Answer and New Matter to the OCA Complaint, and filed a Motion for Consolidation, requesting consolidation of the proceedings at Docket Nos. C-225-2058757 (OSBA Complaint) and C-2025-3058865 (OCA Complaint). On December 23, 2025, the Company filed letters indicating that VWPA agreed to extend the deadline for OSBA and OCA to file their respective replies to the New Matter to January 21, 2026.

The matter was assigned to the Office of Administrative Law Judge and subsequently assigned to Administrative Law Judge Chad Allensworth.

¹ <https://www.msn.com/en-us/news/us/veolia-water-tells-customers-not-to-drink-the-water-after-months-of-saying-it-was-safe/ar-AA1MH1eh?ocid=winp2fptaskbar&cvid=4f8e4227a4934592b01685d42a6e28e2&ei=40> (Last accessed Tuesday, January 20, 2026).

On December 29, 2025, the Commission issued an Order granting the unopposed extension for OSBA to file its Reply to New Matter until January 21, 2026, and on January 6, 2026, the Commission issued an Order granting the unopposed extension for OCA to file its Reply to New Matter until January 21, 2026. On January 13, 2026, the Commission issued an Order granting VWPA's Motion to consolidate the OSBA and OCA Complaints and issued an Order granting in part and denying in part VWPA's Preliminary Objection.

The OCA and OSBA both filed Answers to the New Matter, respectively, on January 21, 2026.

On January 26, 2026, the Commission issued a Prehearing Order setting forth a Prehearing Conference on April 14, 2026. The OCA files this Prehearing Memorandum pursuant to the Prehearing Conference Order.

The OCA has also engaged in informal discovery with the Company, filed two sets of interrogatories to date and anticipates additional discovery may be required. As soon as the OCA has completed its review of the interrogatory responses, it is expected that informal discovery meetings may be scheduled. At those meetings, the OCA may be able to narrow the scope of additional information requests. After the discovery process has completed, the OCA will file its Direct Testimony, which will set forth the specific issues to be addressed in this proceeding. At that time, the OCA will also be able to make and to quantify specific recommendations.

II. ISSUES

Based upon a preliminary analysis, the OCA has compiled a list of issues which it anticipates will be included in its investigation. It is anticipated that other issues may arise and may be pursued once the answers to all the OCA's interrogatories have been received and

analyzed. The issues set forth below, and others that may develop during discovery, will be analyzed and presented as appropriate by the OCA with the assistance of its expert witnesses:

1. Whether the frequency and duration of service interruptions constitute unreasonable service in violation of Section 1501 of the Public Utility Code and whether VWPA has adequately resolved the service interruptions.

2. Whether VWPA's flushing credit policy is unreasonably discriminatory and prejudicial in violation of Sections 1501, 1503, and 1504.

III. WITNESSES

The OCA intends to present the direct, rebuttal, and surrebuttal testimonies, as may be necessary, of the below witnesses. Each witness will present testimony in written form and will attach various exhibits, documents, and explanatory information, as may be necessary. In order to expedite the resolution of this proceeding, the OCA requests that copies of all interrogatories, testimony, and answers to interrogatories be mailed and/or emailed directly to the OCA's group email formed particularly for this proceeding.

Customer Service / Quality of Service

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Public Input Hearing Testimony

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The OCA specifically reserves the right to call additional witnesses, as necessary, and retains the flexibility to have the witnesses above address other areas of this case as the case proceeds. If the OCA determines that additional witnesses will be necessary for any portion of its case, it will notify all parties of record immediately.

IV. PROPOSED SCHEDULE

The OCA continues to work with the Company and the parties on a procedural schedule that is a reasonable compromise of the parties' competing interests within the time afforded for litigation of this matter. The OCA acknowledges that the proposed schedule is outside the June 2026 to August 2026 litigation timeframe set forth in the Prehearing Conference Order. However, after conferring with the parties, it is the OCA's understanding that due to statutory proceedings, other proceedings already scheduled before the Commission, and other conflicts for witnesses and counsel that the soonest that the parties have available to commence litigation of this matter is August 2026. Based upon that availability, the OCA proposes the following schedule:

Public Input Hearings	Early August 2026
OCA and OSBA Direct Testimony	August 31, 2026
Written Direct Testimony (VWPA)	September 25, 2026
Rebuttal Testimony (OCA and OSBA)	October 19, 2026
Surrebuttal Testimony (VWPA)	November 2, 2026
Written Rejoinder Outline (OCA and OSBA)	November 9, 2026
Evidentiary Hearings	December 2-3, 2026
Main Briefs	December 23, 2026
Reply Briefs	January 14, 2027

The OCA requests that the dates included in any litigation schedule in this matter be considered “in-hand” dates and that electronic service on the due date will satisfy the “in-hand” requirement.

V. SERVICE ON THE OCA

The OCA respectfully requests that the Presiding Officer permit electronic service without the requirement of a follow-up hard copy. The OCA will be represented in this case by the attorneys listed below.

Christy M. Appleby, Senior Assistant Consumer Advocate
 Janna Williams, Assistant Consumer Advocate
 Olivia Spergel, Assistant Consumer Advocate
 E-Mail: OCAVeoliaComplaint@paoca.org

The OCA has created a group e-mail address provided above. This is the only email address that is required for service on the OCA. The OCA's group email address will provide the emailed materials to all members of the OCA team including the consultants listed above.

The OCA also requests that the ALJ instruct the parties on the record as to whether consumers who have filed formal rate complaints in this proceeding should be included on the official service lists if those complainants have not indicated either at the prehearing conference, or prior to the prehearing conference, that they wish to be active parties to this proceeding.

For the purposes of the Prehearing Conference, Christy Appleby will be the primary attorney speaking on behalf of the OCA.

VI. SETTLEMENT

The OCA will participate in settlement discussions in this matter.

VII. DISCOVERY

The OCA does not propose any discovery rule modifications at this time.

VIII. PREHEARING PROCEDURES

At the Prehearing Conference, the OCA requests an on-the-record discussion regarding font size requirements and page limitations for briefing.

The OCA requests that the ALJs in their Prehearing Conference Order and Evidentiary Hearing Notice clarify that:

A. Evidentiary hearing exhibits need not include all pre-served testimony which is circulated to the ALJs and parties in this proceeding in accordance with the above-referenced procedural schedule. However, such pre-served testimony may be identified for movement into the record at the hearing through an inventory of pre-served testimony which is provided as a hearing exhibit.

B. Evidentiary hearing exhibits may be provided to the ALJs and parties by 10am the day before the start of evidentiary hearings with the exception of hearing exhibits related to rejoinder which may be provided by the end of the day on same day.

IX. PUBLIC INPUT HEARINGS

The OCA will be prepared to discuss public input hearings at the prehearing conference. The OCA respectfully requests that four public input hearings be held, two in-person and two telephonic, in the impacted portions of the Company's service territory. Based on the OCA's long experience with public input hearings, history has shown that Mondays and Fridays are generally the worst days to schedule public input hearings as attendance is usually poor. Accordingly, the OCA respectfully requests that the Commission schedule these public input hearings on either a Tuesday, Wednesday or Thursday.

Attached as **Appendix A** is the OCA's proposed draft Notice for the Public Input Hearing (to be completed with details as determined by the presiding ALJ).

The OCA specifically requests the following for public input hearings:

- A. Given the size of the customer base and service territory, a total of four (4) Public Input Hearings be held, two in-person and two telephonic.
- B. The in-person public input hearings include a combination of daytime and evening hearings at a location with accessible and free parking or easy access to public transportation.
- C. The telephonic public input hearings include a combination of daytime and evening hearings.
- D. Pre-registration be either encouraged or required for telephonic hearings only, and if required, pre-registration be required by 10:00 a.m. on the day of the telephonic Public Input Hearing at which the witness seeks to testify.
- E. Hearing exhibits, such as cross examination exhibits and a list of evidence to be moved into the record (i.e., a party's list of pre-served testimony and exhibits), be required to be submitted to the ALJ by 10:00 a.m. the day before the Public Input Hearing at which the witness seeks to testify.
- F. The Commission's notice of the Public Input Hearings will include the phone numbers and access codes necessary for participants to use to fully access all telephonic Public Input Hearings.

G. The Company will be required to, at a minimum, generate a notice of the Public Input Hearings that contains relevant information as to date, time, location, and phone numbers and access codes and further be required to advertise the notice: (1) in the general readership section (not legal section) of local newspapers within the service territory; (2) on its website; and (3) in social media posts which the Company utilizes to advertise generally.

H. That the other parties involved in the proceeding, including the OCA, be permitted to review these public input announcements prior to their publication and distribution and have input into which publications the ads are placed.

I. In addition to the Company publishing the notice in a newspaper of general circulation for its service territories, the OCA respectfully requests that the Company post notice of the public input hearings on all of their social media platforms at least twice per week during each week prior to the scheduled dates of the public input hearings.

Respectfully submitted,

/s/ Christy M. Appleby

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DATED: April 7, 2026

Counsel for:

Darryl A. Lawrence
Consumer Advocate

OCA APPENDIX A

NOTICE OF IN-PERSON AND TELEPHONIC PUBLIC INPUT HEARINGS

For the Formal Complaints of the Office of Small Business Advocate and the Office of Consumer Advocate Regarding the Quality of Service Provided by Veolia Water Pennsylvania, Inc.

Docket Nos.
C-2025-3058757
C-2025-3058865

The Pennsylvania Public Utility Commission (PUC) will conduct [#] Public Input Hearings concerning the Office of Consumer Advocate and Office of Small Business Advocate investigation of the service quality provided by Veolia Water Pennsylvania, Inc. (VWPA). The in-person and telephonic hearings will be held at the following times and places:

Presiding Officer: Administrative Law Judge Chad Allensworth

IN-PERSON PUBLIC INPUT HEARINGS

Pre-registration is not required.

Date: [Here]

Time: [Here]

Location: [Here]

Date: [Here]

Time: [Here]

Location: [Here]

Date: [Here]

Time: [Here]

Location: [Here]

Date: [Here]

Time: [Here]

Location: [Here]

TELEPHONIC PUBLIC INPUT HEARINGS

Pre-registration is [encouraged/required]. Read below.

Date: [Here]

Time: [Here]

Pre-registration is [encouraged/required] by [same day] at 10AM.

Date: [Here]

Time: [Here]

Pre-registration is [encouraged/required] by [same day] at 10AM.

Toll-free Conference Number: xxx.xxx.xxxx

PIN Number: xxxxxxxx

- You must dial the toll-free Conference number above
- You must enter the PIN number above when instructed
- You must speak your name when prompted, and press #
 - Then, the telephone system will connect you to the hearing

PRE-REGISTRATION FOR TELEPHONIC PUBLIC INPUT HEARINGS: To testify at the telephonic Public Input Hearings, pre-registration is [encouraged/required] by [day of the hearing] at 10AM. Failure to pre-register could result in you not being called to testify by the PUC judge. To pre-register to testify by telephone, please contact the PUC Judge's Legal Assistant, [name], by email at [email address] or by phone at [xxx.xxx.xxxx] and provide the requested information.

NEED ASSISTANCE WITH PRE-REGISTRATION? If you need assistance pre-registering to testify, you may have someone register for you, but they will need to provide the PUC Judge all the information listed above. Additionally, if more than one person in your household would like to testify, one person may pre-register for other individuals in the same household by providing the PUC Judge's Legal Assistant with the above-listed information for each individual.

REQUESTS FOR INTERPRETERS: If you require an interpreter, please pre-register as soon as possible. If you register too close to the hearing date, we may not have enough time to arrange for an interpreter. If you request an interpreter, the PUC will make reasonable efforts to have one present. AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

HEARING EXHIBITS: If you have any hearing exhibits to which you will refer during the hearing, please email them to the PUC Judge's Legal Assistant, [name], at [email address]. The PUC Judge will forward your exhibits to all the parties. Exhibits for the public input hearing must be received by the PUC Judge by [the day before the hearing] at 10AM.

QUESTIONS? The Pennsylvania Office of Consumer Advocate (OCA) represents the interests of utility customers before the PUC. If you have questions about the public input hearings or the Company's requested rate increase, please contact the OCA toll free at 1-800-684-6560 or by email at consumer@paoca.org. Additionally, the OCA can help customers pre-register for the Public Input Hearings.