

**BEFORE  
THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Pennsylvania-American Water :  
Company under Sections 1102(a) and 1329 of the :  
Pennsylvania Public Utility Code, 66 Pa.C.S. : A-2025-3055741  
§§ 1102(a) and 1329, for approval of (1) the transfer, :  
by sale, to Pennsylvania-American Water Company, :  
of substantially all of the assets, properties and rights :  
related to the water treatment and distribution system :  
owned and operated by the Indian Creek Valley :  
Water Authority, and (2) the rights of Pennsylvania- :  
American Water Company to begin to offer or :  
furnish water service to the public in all of the :  
Borough of Ohiopyle and portions of the :  
Townships of Saltlick, Springfield, Bullskin, :  
Connellsville and Stewart, Fayette County and :  
all of the Borough of Donegal and portions of the :  
Townships of Donegal and Mount Pleasant, :  
Westmoreland County, Pennsylvania :

**PREHEARING CONFERENCE ORDER**

An Initial Prehearing Telephonic Conference is scheduled in this case for Thursday, **May 28, 2026, at 9:00 a.m.** There is a statutory six-month deadline for final Commission action in this proceeding. Cooperation among the parties throughout this proceeding will be both necessary and expected to meet this deadline. Accordingly, the parties are hereby directed to comply with the following requirements:

1. Parties must serve the presiding officers directly (electronically at [kdunderdal@pa.gov](mailto:kdunderdal@pa.gov) and [aquimby@pa.gov](mailto:aquimby@pa.gov) and to the Legal Assistant Branwen Shoop at [brshoop@pa.gov](mailto:brshoop@pa.gov)) with any document you file in this proceeding. If you send any document or correspondence, you must send a copy to all other parties in the case. The current service list is attached to this order. The correct mailing address for the presiding officers is:

Administrative Law Judge Katrina L. Dunderdale  
Administrative Law Judge Ann Quimby  
Pennsylvania Public Utility Commission  
301 Fifth Avenue, Suite 220  
Pittsburgh, PA 15222

2. Pursuant to 52 Pa.Code §§ 1.21-1.23, you may represent yourself if you are an individual or a sole proprietorship, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you. However, if you are a partnership, corporation, limited liability company, association, joint venture, other business organization, trust, trustee, legal representative, receiver, agency, governmental entity, municipality or other political subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *pro hac vice* represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall ensure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).

3. Failure of a party to participate in the prehearing conference shall constitute a waiver of all objections to the agreements reached, and any order or ruling with respect thereto.

4. Please review the regulation pertaining to prehearing conferences, 52 Pa.Code § 5.222. Be prepared to discuss possibilities for settlement, discovery issues, service among parties and all other procedural issues relevant to this proceeding. In addition, note subsection (d), which provides, in part:

(d) Parties and counsel will be expected to attend the conference, fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. 52 Pa.Code § 5.222.

5. As noted above, there is a statutory six-month deadline for final Commission action in this proceeding. The following schedule, which was established using the model litigation schedule set forth in the Commission’s Tentative Implementation Order, dated July 21, 2016, at Docket No. M-2016-2543193 as a guide, will be adopted if the parties are unable to agree upon a viable alternative:

Prehearing Conference	May 28, 2026
Transcript from Prehearing Conference	May 29, 2026
Direct Testimony	June 3, 2026
Rebuttal Testimony	June 8, 2026
Surrebuttal Testimony	June 11, 2026
Evidentiary Hearings	June 15 and 16, 2026
Transcript from Hearings	June 17, 2026
Main Briefs	June 18, 2026
<b>Reply Briefs</b>	<b>June 22, 2026</b>
<b>Recommended Decision due</b>	<b>July 17, 2026</b>
<b>Public Meeting</b>	<b>October 1, 2026</b>

Bolded dates are likely not negotiable; however, **the presiding officers are willing to consider suggested changes** to the litigation schedule. Other dates may be revised prior to or at the prehearing conference upon agreement of all parties. The parties may request revised dates, by agreement, by submitting a request to the undersigned presiding officers prior to the prehearing conference in this proceeding.

6. On or before **12:00 p.m. (noon)** on Wednesday, **May 27, 2026**, each litigating party shall file and serve a prehearing memorandum which shall include a list of the issues and sub-issues the party intends to address, a statement of the party’s position on each of the issues and sub-issues listed, the names, business addresses, and telephone numbers of witnesses the party expects to call and the subject matter of each witness’ testimony. The parties are directed to confer prior to the prehearing conference to discuss and attempt to agree upon a final litigation schedule. In the event the parties are able to agree to a proposed litigation schedule, the proposal shall be set forth in the prehearing memoranda. The prehearing memoranda shall be provided to the undersigned presiding officers electronically in WORD format.

7. Please review the regulations relating to discovery, specifically 52 Pa.Code § 5.331(b), which provides, *inter alia*, that participants try to initiate discovery as early in the proceeding as possible, and 52 Pa.Code § 5.322, which encourages parties to exchange information on an informal basis. The parties are expected to pursue resolution of discovery issues among themselves; motions to compel should be filed only after such efforts have failed. In addition, the presiding officers anticipate utilizing expedited discovery deadlines in this proceeding as follows:

- a. Answers to written interrogatories shall be served in-hand within five (5) calendar days of service.
- b. Objections to interrogatories shall be communicated orally within two (2) calendar days and in writing within three (3) calendar days of service of the interrogatories.
- c. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within two (2) calendar days of service of the written objections.
- d. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within two (2) calendar days of service of such motions.
- e. Responses to requests for document production, entry for inspection, or other purposes must be served in-hand within five (5) calendar days.
- f. Requests for admissions will be deemed admitted unless answered or denied within three (3) calendar days of service.
- g. Discovery and all discovery-related pleadings, such as objections, motions, or answers, served after 12:00 noon on a Friday or after 12:00 noon the day before a holiday recognized by the Commission will be deemed to have been served on the following business day for purposes of tracking due dates.

The presiding officers expect the parties' best efforts to comply with discovery deadlines. However, when compliance is not possible despite the parties' best efforts, the presiding officers expect the party who cannot comply with the deadline, despite its best efforts, to contact the requesting party to so advise and for the parties to work together to address the requests and responses on a reasonably timely basis.



**A-2025-3055741 - APPLICATION OF PENNSYLVANIAAMERICAN WATER COMPANY UNDER SECTIONS 1102(A) AND 1329 OF THE PENNSYLVANIA PUBLIC UTILITY CODE, 66 PA C.S. §§ 1102(A) AND 1329, FOR APPROVAL OF (1) THE TRANSFER, BY SALE, TO PENNSYLVANIA-AMERICAN WATER COMPANY, OF SUBSTANTIALLY ALL OF THE ASSETS, PROPERTIES AND RIGHTS RELATED TO THE WATER TREATMENT AND DISTRIBUTION SYSTEM OWNED AND OPERATED BY THE INDIAN CREEK VALLEY WATER AUTHORITY, AND (2) THE RIGHTS OF PENNSYLVANIA-AMERICAN WATER COMPANY TO BEGIN TO OFFER OR FURNISH WATER SERVICE TO THE PUBLIC IN ALL OF THE BOROUGH OF OHIOPLYE AND PORTIONS OF THE TOWNSHIPS OF SALTICK, SPRINGFIELD, BULLSKIN, CONNELLSVILLE AND STEWART, FAYETTE COUNTY AND ALL OF THE BOROUGH OF DONEGAL AND PORTIONS OF THE TOWNSHIPS OF DONEGAL AND MOUNT PLEASANT, WESTMORELAND COUNTY, PENNSYLVANIA**

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