

**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 ORDER**

On November 3, 2025, the Application of Pennsylvania-American Water Company under Sections 1102(a) and 1329 of the Pennsylvania Public Utility Code, 66 Pa C.S. §§ 1102(a) and 1329 (the Application) was filed with the Pennsylvania Public Utility Commission (Commission). The Application sought approval of (1) the transfer, by sale, to Pennsylvania-American Water Company (PAWC), 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 (ICVWA), 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.

PAWC also requested approval of the Asset Purchase Agreement (“APA”) dated January 30, 2025, as well as other municipal agreements pursuant to Section 507 of the Public

Utility Code and requested that the Commission issue an Order and Certificate of Public Convenience approving and addressing the items requested in this Application.

On November 21, 2025, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention.

On February 3, 2026, the Office of Consumer Advocate (OCA) filed a Protest.

On March 20, 2026, John Logue filed a Protest and on March 25, 2026, Irene Mistick filed a Protest.

On March 27, 2026, the Borough of Ohiopyle filed a Petition to Intervene.

On April 28, 2026, the Secretary of the Commission issued a letter indicating that PAWC's Application was accepted for filing and noting that the Commission would be publishing notice of the Application in the May 9, 2026 edition of the *Pennsylvania Bulletin* with a protest deadline of May 26, 2026.

The Application was assigned to Administrative Law Judges (ALJs) Katrina L. Dunderdale and Ann Quimby, and on April 28, 2026, a Prehearing Conference Notice was issued, setting an Initial Telephonic Prehearing Conference for Thursday, May 28, 2026 at 9:00 a.m.

On May 14, 2026, the ALJs issued a Prehearing Conference Order.

On May 15, 2026, a Petition to Intervene was filed by ICVWA.

The Prehearing Conference was held as scheduled on May 28, 2026. This Order memorializes matters decided and agreed upon by the parties attending the conference.<sup>1</sup>

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<sup>1</sup> The Borough of Ohiopyle and Protestor Irene Mistick did not attend the conference. Counsel for all other parties attended.

No party objected to the Petition to Intervene filed by ICVWA or the Petition to Intervene filed by the Borough of Ohiopyle. These Petitions were granted.

No party objected to service by email. All parties must also serve any filings on the presiding ALJs by email.

The parties agreed to the following litigation schedule:

<b>EVENT</b>	<b>DATE</b>
Written Direct Testimony of all Other Parties	June 1, 2026
Settlement Conference	June 5, 2026
Written Rebuttal Testimony	June 10, 2026
Public Input Hearing	June 15, 2026
Surrebuttal	June 15, 2026 (by noon)
Outline of Oral Rejoinder	June 16, 2026
Evidentiary Hearings	June 17 and 18, 2026
Receipt of Transcript	June 22, 2026
Main Briefs	June 30, 2026
Reply Briefs	July 8, 2026
Recommended Decision	July 31, 2026
Commission Order and Opinion Adoption	October 1, 2026
Statutory Deadline	October 28, 2026

The above-stated deadlines are in-hand dates for service on the Parties and the Presiding ALJs.

The parties agreed that the Public Input Hearings would be scheduled for June 15, 2026 via telephone at 1:00 p.m. and 6:00 p.m. Subsequent to the Prehearing Conference, the ALJs were directed to hold in-person Public Input Hearings rather than telephonic hearings. **Therefore, these in-person hearings will be held on June 15, 2026 at 1:00 p.m. and 6:00 p.m. at the Saltlick Township Municipal Building, 147 Municipal Building Road, Melcroft, Pennsylvania.**<sup>2</sup>

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<sup>2</sup> As of the date of this Order, the in-person public input hearings are still subject to final approval by the Commission.

The parties agreed the evidentiary hearings will be held in Harrisburg, beginning at 1:30 p.m. on June 17, 2026, and will continue on June 18, 2026. The start time on June 18 will be determined by the ALJs. Hearings will begin promptly each day. The Parties must confer before the start of hearings to schedule their witnesses so as avoid “holes” or “dead time” during the hearings.

All witnesses who will provide oral rejoinder testimony or be subject to cross examination must appear in person. Requests for oral rejoinder or cross-examination by telephone will only be granted in exigent circumstances. Failure of counsel to secure the appearance of a witness in a timely manner is not an exigent circumstance.

The Presiding Officers proposed discovery deadlines in the Prehearing Conference Order. These deadlines, set forth below, were not objected to and are adopted.

- 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.

As discussed at the Prehearing Conference, 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.

Any joint settlement petitions, which are encouraged by this Commission at 52 Pa. Code §5.231(a), should be served on the Administrative Law Judges on or before the date set for filing reply briefs.

Any of the provisions of this Prehearing Order may be modified upon motion and good cause shown by any party in interest.

Date: June 1, 2026

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/s/  
Katrina L. Dunderdale  
Administrative Law Judge

\_\_\_\_\_  
/s/  
Ann Quimby  
Administrative Law Judge

**A-2025-3055741 - APPLICATION OF PENNSYLVANIA AMERICAN 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 OHIO PYLE AND PORTIONS OF THE TOWNSHIPS OF SALT LICK, 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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