

**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	:	

POST HEARING ORDER

**Confirming Requirements for the
Filing of Briefs and Settlement Documents**

On November 3, 2025, the Application of Pennsylvania-American Water Company (PAWC) 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).

On May 28, 2026, a prehearing conference was conducted with the parties and, thereafter, the presiding officers issued a Prehearing Order, which commemorated the matters discussed at the conference and established the litigation schedule. PAWC, Indian Creek Valley Water Authority (ICVWA), the Office of Consumer Advocate (OCA) and the Office of Small Business Advocate (OSBA) participated in the discussions and did not express disagreement with the litigation schedule. The

litigation schedule established at the prehearing conference determined the due dates for the following events and/or filings:

<u>EVENT</u>	<u>DATE</u>
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

Thereafter, the parties engaged in discovery and exchanged pre-served written statements and exhibits. A telephonic public input hearing was conducted on June 12, 2026. Two in-person public input hearings were conducted on June 15, 2026, in Saltlick Township, Fayette County, Pennsylvania.

On June 17, 2026, the presiding officers convened a telephonic evidentiary hearing at which PAWC, ICVWA, OCA and OSBA participated and were represented by counsel. The hearing record is expected to close on June 22, 2026, after the official transcript and evidentiary record are filed with the Commission. After the close of the hearing record, the parties are expected to file main briefs and reply briefs, unless the parties reach a settlement. Reply briefs are due, if applicable, on or before July 8, 2026. In the event the parties reach a settlement, the settlement with supporting documents must be filed on or before July 8, 2026.

To assist the active parties in the preparation of briefs and settlement documents, if applicable, the following Post Hearing Order will be entered.

THEREFORE,

IT IS ORDERED:

1. That, on or before **4:00 p.m. on June 18, 2026**, the parties must submit to the court reporter an electronic version of the written statements and exhibits admitted into the hearing record on June 17, 2026.

2. That the parties must comply with 52 Pa. Code § 5.501, *et seq.*, regarding the preparation and filing of briefs. 52 Pa. Code § 5.501(e) requires that “[b]riefs shall be as concise as possible.” Parties must limit their main briefs to no more than 50 pages and reply briefs to no more than 40 pages. Proposed findings of fact, conclusions of law and proposed ordering paragraphs do not count towards the page limits and should be attached to the brief as an attachment, properly marked. The presiding officers may elect not to read or consider any portion of any brief that exceeds the set page limit, without further notice or action by the presiding officers.

3. That the parties should consider the guidance provided in the unreported decision by the Pennsylvania Commonwealth Court, on May 28, 2026, in the Application of the Pennsylvania-American Water Company,¹ when preparing briefs and/or statements in support.

4. That the parties shall, **by 4:00 p.m. on July 2, 2026**, submit to the presiding officers a common brief outline addressing the litigated issues, including headings, subheadings, etc., agreed to by all parties for the preparation of their main and reply briefs, settlement petitions (if applicable) and statements in support of settlement (if applicable). **All briefs and/or settlement documents must be written consistent with and pursuant to the common outline, including headings, subheadings, etc., contained therein, for each section addressing issues and/or sub issues.** If a brief or settlement document, including a statement in support of settlement, does not completely conform to the outline submitted to the presiding officers, the presiding officers may elect not to read or consider any portion of that brief or settlement document, without further notice or action by the presiding officers. Parties are not required to address all issues and may choose to leave certain headings or subheadings blank, with a statement that the section is intentionally being left blank.

5. That the parties must use common abbreviations in their briefs, and those abbreviations must be defined in a list attached to the end of each brief or settlement document filed. Failure to use common abbreviations and/or provide a list of definitions may result in the presiding officers electing to not read or consider that brief or settlement document, without further notice or action taken by the presiding officers.

¹ See No. 355 C.D. 2024 and No. 356 C.D. 2024. Also, see P.U.C. Docket No. A-2021-3024058.

6. That service of briefs and settlement documents must be made electronically by email **no later than 4:00 p.m.** on the due dates. Parties are directed to serve by email a copy of all as-filed briefs and settlement documents to the presiding officers in ADOBE or other compatible PDF format in addition to a WORD-formatted document.

7. That all briefs and settlement documents, regardless of length, must contain the following:

- A. Font that is 13pt font in Times New Roman in both the body and footnotes;
- B. All citations in footnotes at the bottom of the page, rather than embedded in the body of the brief;
- C. A Table of Contents;
- D. A history of the proceeding;
- E. A discussion of the issues and sub issues identified and set forth in order according to the common outline;
- F. Proposed findings of fact (with citations to transcript pages and/or exhibits where supporting evidence appears);
- G. Proposed conclusions of law (with citations to supporting statutes, regulations and/or relevant case law);
- H. Proposed ordering paragraphs specifically identifying the relief sought; and
- I. Any references to use of “*Id*” and any emphasis identified in footnotes, shall be italicized and not underlined, for consistency.

8. That a party’s failure to follow the instructions set forth in this Post Hearing Order may result in non-consideration of that party’s position as set forth in any brief or settlement document without further notice or action by the presiding officers, regardless of where the record may support it or the position of any other party to this proceeding. In addition, main briefs and any settlement petitions must include proposed findings of fact, conclusions of law and proposed ordering paragraphs. The parties shall submit to each presiding officer one copy of each such document filed by email. An electronic version of all briefs, settlement petitions and statements in support of settlement must be

prepared and provided to the presiding officers in Microsoft Office Word format.

9. That the parties are directed to continue conferring amongst themselves to resolve all or some of the issues associated with this proceeding. The parties are reminded it is the Commission's policy to encourage settlements. 52 Pa. Code § 5.231(a). The parties are strongly urged to seriously explore this possibility. If a full, unanimous settlement is reached amongst the active parties, a joint settlement petition executed by representatives of all active parties to be bound thereby, along with proposed findings of fact, proposed conclusions of law, and proposed ordering paragraphs, together with substantive statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served, consistent with Commission regulations, and served upon the presiding officers.

10. That, in the event parties reach a full, unanimous settlement, they must notify the presiding officers as soon as possible, but no later than **Wednesday, July 7, 2026, at 4:00 PM**. The presiding officers will advise the parties on any page limits or additional requirements for their statements in support at that time.

11. In addition, statements in support of settlement shall be specific and explain the benefit of the settlement terms to the client beyond the savings of litigation time and expense. Specifically, the statements in support must explain and detail how the settlement is in the public interest for both customers, non-customers, local authorities and the public in general. An example of proper support in a statement in support of settlement would include an explanation of what was requested in the initial filing, the client's position, how the settlement terms differ from the original position or request, and the anticipated effect of the settlement on the client, customers, non-customers, local governments and the general public.

12. That any settlement petition shall include stipulated findings of fact to include supporting citations to the record evidence for each, proposed conclusions of law, proposed ordering paragraphs and a procedural history, with specific citations to the record, where applicable.

13. That on or before **June 30, 2026**, any party filing main briefs shall serve a copy of its main brief filed in this proceeding, upon the presiding officers and all parties.

14. That on or before **July 8, 2026**, any party filing reply briefs shall serve a copy of its reply brief filed in this proceeding, upon all parties, and the presiding officers.

15. That any provision of this Order may be modified upon motion and good cause shown by any party in interest in accordance with 52 Pa. Code § 5.223(a), as determined appropriate by the presiding officers.

16. That the parties shall immediately contact the Presiding Officers if they have any questions or concerns about compliance with this Order.

Date: June 18, 2026

/s/
Katrina L. Dunderdale
Administrative Law Judge

Date: June 18, 2026

/s/
Ann Quimby
Administrative Law Judge

APPENDIX A
INSTRUCTIONS FOR BRIEFS

Each brief shall follow the general organization shown herein.

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 OHIOPILE 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

(Revised 05/28/2026)

ELIZABETH ROSE TRISCARI ESQUIRE
PA AMERICAN WATER COMPANY
852 WESLEY DRIVE
MECHANICSBURG PA 17055
717.550.1574

elizabeth.triscari@amwater.com

Served via eService June 18, 2026

ADEOLU A BAKARE ESQUIRE
VICTORIA GEDDIS ESQUIRE
CHARIS MINCAVAGE ESQUIRE
MCNEES WALLACE & NURICK LLC
100 PINE STREET
PO BOX 1166
HARRISBURG PA 17108-1166
717.232.8000
223.225.4640
717.237.5437

abakare@mcneeslaw.com

vgeddis@mcneeslaw.com

cmincavage@mwn.com

Served via eService June 18, 2026

(Counsel for Pennsylvania-American Water Company)

LANE M TURTURICE ESQUIRE
TURTURICE & ASSOCIATES LLC
70 EAST WHEELING STREET
WASHINGTON PA 15301
724.470.9640

lane@lmtlawyer.com

Served via eService June 18, 2026

(Counsel for Borough of Ohiopyle)

STEVEN C GRAY ESQUIRE
OFFICE OF SMALL BUSINESS ADVOCATE
555 WALNUT STREET 1ST FLOOR
HARRISBURG PA 17101
717.783.2525

sgray@pa.gov

Served via email June 18, 2026

CHRISTY APPLEBY ESQUIRE
JANNA E WILLIAMS ESQUIRE
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET 5TH FLOOR
HARRISBURG PA 17101
717.783.5048

cappleby@paoca.org

jwilliams@paoca.org

Served via eService June 18, 2026

TIMOTHY J WITT ESQUIRE
WATSON MUNDORFF LLP
720 VANDERBILT ROAD
CONNELLSVILLE PA 15425
724.626.8884

tim@watsonmundorff.com

Served via eService June 18, 2026

(Counsel for Indian Creek Water Authority)